

1. Evaluation of the judicial systems (2016-2018 cycle)



Russian Federation

Generated on : 29/08/2018 11:18

Reference data 2016 (01/01/2016 - 31/12/2016)

Start/end date of the data collection campaign : 01/06/2017 - 31/12/2017

Objective :

The CEPEJ decided, at its 28th plenary meeting, to launch the seventh evaluation cycle 2016 – 2018, focused on 2016 data. The CEPEJ wishes to use the methodology developed in the previous cycles to get, with the support of its national correspondents' network, a general evaluation of the judicial systems in the 47 member states of the Council of Europe as well as two observer states (Israel and Morocco). This will enable policy makers and judicial practitioners to take account of such unique information when carrying out their activities.

The present questionnaire was adapted by the Working group on evaluation of judicial systems (CEPEJ-GT-EVAL) in view of the previous evaluation cycles and considering the comments submitted by CEPEJ members, observers, experts and national correspondents. The aim of this exercise is to increase awareness of judicial systems in the participating states, to compare the functioning of judicial systems in their various aspects, as well as to have a better knowledge of the trends of the judicial organisation in order to help improve the efficiency of justice. The evaluation questionnaire and the analysis of the results becomes a genuine tool in favour of public policies on justice, for the sake of the European citizens.

Instruction :

The ways to use the application and to answer the questions are guided by two main documents:

- User manual
- Explanatory note

While the explanatory note gives definitions and explanations on the CEPEJ evaluation questionnaire and the methodology needed for replying, the User manual is a tool to help you navigate through this application. You can download the Explanatory note as a whole on the CEPEJ website. The specific explanations are also accessible for each question within this application under the tab "Explanatory note". This will serve as immediate consultation tool when answering questions. The user manual is accessible in the "Documentation" tab of the application.

In case you have any questions related to these documents or on the use of the application, please do not hesitate to contact the Secretariat.

1.General information

1.1.Demographic and economic data

1.1.1.Inhabitants and economic general information



001. Number of inhabitants (if possible on 1 January of the reference year +1)

[146804372]

Comments

002. Total of annual public expenditure at state level and where appropriate, public expenditure at regional or federal entity level (in €)

	Amount
State or federal level	224631157358 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Regional / federal entity level (total for all regions / federal entities)	142113010630 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments In order to made the provided amount the most accurate when transfered the currency we used the average annual exchange rate - 74,0609 roubles for euro.

Total of annual public expenditure at federal level went up by about 10%, and about 3% at federal entities level in roubles in 2014 compared to 2016. In this regard the discrepancy between 2014 and 2016 data in euros appeared due to the fluctuation of the exchange rate of the national currency.

003. Per capita GDP (in €) in current prices for the reference year

[7921]

Comments In order to made the provided amount the most accurate when transfered the currency we used the average annual exchange rate - 74,0609 roubles for euro. While in euro a decrease of about 18% is registered, in local currency the GDP increased by about 17%.

004. Average gross annual salary (in €) for the reference year

[5948]

NA

Comments In order to made the provided amount the most accurate when transfered the currency we used the average annual exchange rate - 74,0609 roubles for euro. While in euro a decrease of about 23% is registered, in local currency the average salary increased by about 11%.

005. Exchange rate of national currency (non-Euro zone) in € on 1 January of the reference year +1

[74.0609]

Allow decimals : 5

NAP

Comments Because of large fluctuation of the exchange rate of the national currency, the annual average exchange rate is presented under this question instead the exchange rate on 1 January 2017 (63.8111). As a result of the large fluctuation of the exchange rate of the national currency the most of the financial data in euro in this cycle shows decrease compared with previous cycle.

A1. Please indicate the sources for answering questions 1 to 5

Sources: Q5 - Official web-site of the Central Bank of the Russian Federation.

1.1.2. Budgetary data concerning judicial system



006. Annual (approved and implemented) public budget allocated to the functioning of all courts, in € (without the budget of the public prosecution services and without the budget of legal aid). If you cannot separate the budget allocated to the courts from the budgets of public prosecution services and/or legal aid, please go to question 7. If you are able to answer this question 6, please answer NAP to the question 7.

	Approved budget (in €)	Implemented budget (in €)
TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)	2614827293 [] NA [] NAP	2570775000 [] NA [] NAP
1. Annual public budget allocated to (gross) salaries	1508658870 [] NA [] NAP	1507409187 [] NA [] NAP
2. Annual public budget allocated to computerisation (equipment, investments, maintenance)	103100293 [] NA [] NAP	102717291 [] NA [] NAP
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc), without legal aid. NB: this does not concern the taxes and fees to be paid by the parties.	47249779 [] NA [] NAP	47249777 [] NA [] NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	139908360 [] NA [] NAP	136381543 [] NA [] NAP
5. Annual public budget allocated to investments in new (court) buildings	95328060 [] NA [] NAP	60578821 [] NA [] NAP
6. Annual public budget allocated to training	5828787 [] NA [] NAP	5828151 [] NA [] NAP
7. Other (please specify)	714753144 [] NA [] NAP	710610230 [] NA [] NAP

Comments - Please indicate any useful comment to explain the figures provided. If the annual public budget allocated to the functioning of all courts actually implemented is different from the approved annual public budget allocated to the functioning of all courts, please indicate the main differences: 6.2 Annual public budget allocated to computerisation (equipment, investments, maintenance) in euro decreased by about 29% while in roubles it actually increased by about 4%.

6.3 Annual public budget allocated to justice expenses in euro decreased by about 34% while in roubles it decreased by about 3%. Such justice expenses are paid according to the decisions of judge and are directly dependent on the number of such judicial acts and amount of payments indicated in them.

6.4 Annual public budget allocated to court buildings (maintenance, operating costs) in euro decreased by about 26% while in roubles it increased by about 8%.

6.6 Annual public budget allocated to training in euro decreased by about 40% while in roubles it decreased by about 13% as a result of travel and accomadation expenses cost minimization.

"Other" includes expences for the payments to judges emeritus, social guarantees for the judges, administartive expences of the Supreme Court Judicial Department, payments for communication services.

007. (Modified question) If you cannot answer question 6 because you cannot isolate the budget allocated to courts from the budget allocated to public prosecution services and/or legal aid, please

fill only the appropriate line in the table according to your system:

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to all courts and the public prosecution services together	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Total annual public budget allocated to all courts and legal aid together	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Total annual public budget allocated to all courts, public prosecution services and legal aid together	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments:

008. Are litigants in general required to pay a court tax or fee to start a proceeding at a court of general jurisdiction:

	Litigants required to pay a court tax or fee to start a proceeding at a court of general jurisdiction ?
for criminal cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
for other than criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If there are exceptions to the rule to pay a court tax or fee, could you please provide comments on those exceptions? Article 333.36 of the Tax Code of the Russian Federation sets the benefits when applying to the Supreme court of the Russian Federation, courts of general jurisdiction, magistrates.

008-1. Please briefly present the methodology of calculation of court taxes or fees:

- The amount of court fee depends on the nature of the claim (real action or non-property claim) and its value. The value of the claim is determined by the plaintiff himself. The Supreme Court of the Russian Federation, courts of general jurisdiction, magistrates, according to the property status of the payer, may exempt him from a court fee, or reduce the amount of the fee, or postpone the payment (Articles 333.19, 333.20 of the Tax Code of the Russian Federation).

008-2. The amount of court fees to commence an action for 3000€ debt recovery:

[70]
 NA
 NAP

Comments The amount indicated is for the courts of general jurisdiction.
The average nominal exchange rate for 2016 used for the calculation is 74,0609 roubles for a euro.

009. Annual income of court taxes or fees received by the State (in €)

[432125035]

NA

NAP

Comments The annual income of court taxes or fees in euro decreased by about 19% and increased by about 16% in roubles compared to the previous cycle.

012. Annual approved public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)	80318998 <input type="checkbox"/> NA <input type="checkbox"/> NAP	74885813 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5433185 <input type="checkbox"/> NA <input type="checkbox"/> NAP
12.1 for cases brought to court	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
12.2 for non-litigious cases or cases not brought to court (legal consultation, ADR, etc.)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The approved budget for legal aid in euro decreased by about 33% and only about 2% in roubles compared to the previous cycle.

012-1. Annual implemented public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
12-1.1 for cases brought to court	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
12-1.2 for non-litigious cases or cases not brought to court (legal consultation, ADR, etc.)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If the public budget actually implemented regarding legal aid is different from the annual approved public budget allocated to legal aid, please indicate the main differences:

013. Total annual (approved and implemented) public budget allocated to the public prosecution services, in €.

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the public prosecution services, in €	857204473 <input type="checkbox"/> NA <input type="checkbox"/> NAP	871904067 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Please indicate any useful comment to explain the figures provided. Moreover, if the annual public budget allocated to the public prosecution services actually implemented is different from the approved annual public budget allocated to the public prosecution services, please indicate the main differences: The approved budget allocated to the public prosecution services in euro shows decrease of about 36% compared with the previous cycle while in national currency there is a smaller decrease of about 6%.

014. Authorities formally responsible for the budgets allocated to the courts (multiple options

possible):

	Preparation of the total court budget	Adoption/approval of the total court budget	Management and allocation of the budget among the courts	Evaluation of the use of the budget at a national level courts
Ministry of Justice	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Other ministry	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Parliament	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Supreme Court	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
High Judicial Council	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Courts	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Inspection body	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments - If any other Ministry and/or inspection body and/or other, please specify: The preparation of the total court budget is carried out by the Government of the Russian Federation, the Ministry of Finance of the Russian Federation, the Supreme Court the Judicial Department. The Judicial Department develops and submits to the Government proposals on financing of federal courts, magistrates and bodies of the judicial community approved by the Council of Judges of the Russian Federation. The total court budget is approved by the adoption of a federal law on a federal budget by the Parliament (the State Duma). Allocation of the budget among the courts is carried out by the Judicial Department. The evaluation of the use of the budget is conducted by the Russian Audit Chamber.

A2. Please indicate the sources for answering questions 6 to 14:

Sources: The Supreme Court of the Russian Federation Judicial Department, the Department of Legal Aid and Cooperation with the Judiciary of the Ministry of Justice of the Russian Federation, Prosecutor's General Office of the Russian Federation.

1.1.3. Budgetary data concerning the whole justice system

015-1. Annual (approved and implemented) public budget allocated to the whole justice system, in € (this global budget includes the court system as defined under question 6 and also the prison system, the judicial protection of juveniles, the operation of the Ministry of Justice, etc.).

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the whole justice system in €	22873398993 [] NA [] NAP	[X] NA [] NAP

Please indicate any useful comment to explain the figures provided above and specify if a large portion of the budget allocated to the whole justice system comes from an international organisation. Moreover, if the annual public budget allocated to the whole justice system actually implemented is different from the approved annual public budget allocated to the whole justice system, please indicate the main differences: The approved budget for the whole justice system in euro decreased by about 30% compared with the previous cycle while in national currency there is an increase of about 2%.

015-2. (Modified question) Please indicate the budgetary elements that are included in the whole justice system by specifying on the one hand the elements of the judicial system budget (please check the consistency with questions 6, 12 and 13). (Note: NAP means that the element does not exist in your system):

	Included
Court (see question 6)	(X) Yes () No [] NAP
Legal aid (see question 12)	(X) Yes () No [] NAP
Public prosecution services (see question 13)	(X) Yes () No [] NAP

Comments:

015-3. (Modified question) On the other hand, please specify the other budgetary elements included in the whole justice system budget. (Note: NAP means that the element does not exist in your system):

	Included
Prison system	(X) Yes () No [] NAP
Probation services	() Yes (X) No [] NAP
Council of the judiciary	(X) Yes () No [] NAP
Constitutional court	(X) Yes () No [] NAP

Judicial management body	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
State advocacy	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Enforcement services	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Notariat	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Forensic services	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Judicial protection of juveniles	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Functioning of the Ministry of Justice	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Refugees and asylum seekers services	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Immigration Service	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Some police services (e.g. : transfer, investigation, prisoners' security)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments - If "other", please specify:

A3. Please indicate the sources for answering questions 15-1, 15-2 and 15-3:

Sources: Federal Law "On the Federal Budget for 2016", the Ministry of Finance of the Russian Federation.

2. Access to justice and all courts

2.1. Legal Aid

2.1.1. Scope of legal aid

016. Does legal aid apply to:

	Criminal cases	Other than criminal cases
Representation in court	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Legal advice	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

017. Does legal aid include the coverage of or the exemption from court fees?

- Yes
 No

Comments - If yes, please specify: According to Articles 333.20, 333.22 of the Tax Code of the Russian Federation with regard to the financial situation of litigants a judge may reduce the amount to be paid or postpone the payment.

018. Can legal aid be granted for the fees that are related to the enforcement of judicial decisions (e.g. fees of an enforcement agent)?

- Yes
 No

Comments - If yes, please specify:

019. Can legal aid be granted for other costs (different from those mentioned in questions 16 to 18, e.g. fees of technical advisors or experts, costs of other legal professionals (notaries), travel costs etc.)?

	Criminal cases	Other than criminal cases
Legal aid granted for other costs	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If yes, please specify: According to Article 132 (6) of the Criminal Procedure Code of the Russian Federation the procedural outlays shall be recompensed from the funds of the federal budget in case of the material insolvency of the person, from whom they should have been

exacted. The court shall have the right to relieve the convict, fully or in part, of the payment for procedural outlays, if this may have an essential impact on the material position of the persons who are the convict's dependents. According to Article 96 of the Civil Procedure Code of the Russian Federation the sums of money to be paid to witnesses, experts and specialists, or other expenditures involved in the consideration of the case which the court has recognized as necessary shall be entered in advance onto an account of the relevant court by the party which has filed the corresponding request. If the said request is filed by both parties, the required sums shall be entered by the parties in equal parts. The court, as well as the magistrate, may relieve a citizen from the payment of the abovementioned outlays or to reduce their amount taking into account his property status. In this case the outlays shall be compensated at the expense of the funds from the corresponding budget.

2.1.2. Quantitative information on legal aid



020. (Modified question) Please indicate the number of cases for which legal aid has been granted:

	Cases brought to court	Cases not brought to court / non-litigious cases
TOTAL	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
In criminal cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
In other than criminal cases	244741 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please specify when appropriate:

021. In criminal cases, can individuals who do not have sufficient financial means be assisted by a free of charge (or financed by a public budget) lawyer?

	Assisted by a free of charge lawyer
Accused individuals	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Victims	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments - If yes, please specify: In criminal cases legal aid at the State can be granted in the form of legal representation and legal advice (including help in drafting legal documents). A legal aid lawyer can be assigned for both purposes by the courts of general jurisdiction or by the bodies conducting inquiry or investigation at any stage of criminal proceedings.

According to Articles 50 and 51 of the Criminal Procedure Code of the Russian Federation legal aid lawyer can be assigned only to a suspect or an accused (not to a victim). A suspect or an accused may request for a legal aid lawyer to be assigned to him irrespective of his financial situation. In certain cases the courts of general jurisdiction or the bodies conducting inquiry or investigation are obliged to provide legal representation at the expense of the State to a suspect or an accused.

022. If yes, are individuals free to choose their lawyer within the framework of the legal aid system?

Yes

No

Comments

023. (Modified question) Does your country have an income and assets evaluation for granting (full or partial) legal aid to the applicant? The answer NAP means that there is no income and/or assets evaluation system for granting legal aid.

	Annual income value (for one person), (in €)	Annual assets value (for one person), (in €)
Full legal aid for criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Full legal aid for other than criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Partial legal aid for criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Partial legal aid for other than criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If yes, please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the figures provided above: In criminal cases legal aid lawyer can be assigned irrespective of the applicant's financial situation. In civil cases free legal aid is provided to the persons whose income level is below the living wage which is recalculated every three months in each of the federal entities.

As regards the coverage of procedural expenses by means of federal budget in both civil and criminal cases the decision is to be taken by a judge based on his assessment of the financial situation of the applicant.

024. In other than criminal cases, is it possible to refuse legal aid for lack of merit of the case (for example for frivolous action or no chance of success)?

Yes

No

Comments - If yes, please explain the exact criteria for denying legal aid:

025. In other than criminal cases, is the decision to grant or refuse legal aid taken by (one option only):

the court

an authority external to the court

a mixed authority (court and external bodies)

Comments

026. Is there a private system of legal expense insurance enabling individuals (this does not concern companies or other legal persons) to finance court proceedings?

Yes

No

Comments - If appropriate, please inform about the current development of such insurances in your country; is it a growing phenomenon?

027. Can judicial decisions direct how legal costs, paid by the parties during the procedure, will be shared:

	Judicial decisions direct how legal costs will be shared
in criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
in other than criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments

B1. Please indicate the sources for answering questions 20 and 23 :

Sources: The Federal Law on the Free Legal Aid in the Russian Federation adopted on November 21, 2011. The Law establishes the basic guarantees of the rights of citizens to free qualified legal aid. It does not apply to criminal proceedings. There the following types of legal aid: oral and written consulting; preparation of applications, complaints, moves and other legal documents; representation in courts, state and municipal bodies. Free legal aid can be provided by a person with a law degree. There are government and non-government free legal aid systems. The cases when free legal aid can be provided by the State include consumer rights protection, establishment and contestation of paternity (maternity), alimony, etc. The State system of free legal aid includes government bodies, state law offices, lawyers and notaries. Among the participants of non-government free legal aid system are legal clinics at universities and free legal aid centers.

2.2. Users of the courts and victims

2.2.1. Rights of the users and victims

028. Are there official internet sites/portals (e.g. Ministry of Justice, etc.) for which the general public may have free of charge access to the following:

	Yes, please indicate the internet adresse(es)	No
legal texts (e.g. codes, laws, regulations, etc.)	(X) pravo.gov.ru	()
case-law of the higher court/s	(X) vsrf.ru	()
other documents (e.g. downloadable forms, online registration)	(X) sudrf.ru, arbitr.ru, msudrf.ru	()

Comments - Please specify what documents and information the addresses for "other documents" include:

029. (Modified question) Is there an obligation to provide information to the parties concerning the foreseeable timeframes of proceedings?

(X) Yes, always

() No

() Yes, only in some specific situations

Comments - If yes, only in some specific situations, please specify: The reasonable term of court procedure is set by the procedural law of the Russian Federation (Article 6.1 of the Commercial Procedure Code, Article 10 of the Code of Administrative Court Procedure, Article 6.1 of the Criminal Procedure Code, Article 6.1 of the Civil Procedure Code of the Russian Federation). A Judge informs litigants and other parties to a case about time and place of proceeding.

030. Is there a public and free-of-charge specific information system to inform and to help victims of crime?

(X) Yes

() No

Comments - If yes, please specify: <https://en.mvd.ru/> - website of the Ministry of Internal Affairs of the Russian Federation;

031. Are there special favourable arrangements to be applied, during judicial proceedings, to the following categories of vulnerable persons:

	Information mechanism	Special arrangements in hearings	Other specific arrangements
Victims of sexual violence/rape	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Victims of terrorism	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Minors (witnesses or victims)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Victims of domestic violence	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Ethnic minorities	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Disabled persons	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Juvenile offenders	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments - If “other vulnerable person” and/or “other special arrangements”, please specify: Article 241 of the Criminal Procedure Code of the Russian Federation establishes that the closed court proceedings shall be admitted in case the criminal trial may lead to the divulgence of State secret of any other secret protected by law; hearing criminal cases concern juvenile crime; hearing criminal cases concern sex crimes; it is demanded for the purpose of ensuring security of participants in a criminal case or their close relatives, family members and friends.

Article 10 of the Civil Procedure Code of the Russian Federation establishes that the closed court proceedings shall be admitted in case civil suit contains classified information, the secret of child's adoption.

There are peculiarities of exercising of the procedural rights by a minor (Article 37 of the Civil Procedure Code, Article 280 the Criminal Procedure Code, Article 162 of the Code of Administrative Court Procedure, Article 25.6 Administrative Offenses Code).

031-1. Is it possible for minors to be a party to a judicial proceeding:

- Yes
 No

Comments - If yes, please specify which procedures can be concerned (civil, criminal, administrative / normal or accelerated procedure) and at which conditions (can children benefit from legal aid, be represented by a lawyer, etc.): Minors can participate in a criminal trial as a victim, a suspect (accused, in exceptional circumstances, as a civil defendant), a witness. A minor can litigate discretionary as one of the parties (as a civil plaintiff, civil defendant or applicant), or be represented by guardian or act as a witness or a third party.

032. Does your country allocate compensation for victims of crime?

- Yes, please specify for which kind of offences:
 No

Comments The victim is provided with compensation for property damage caused by the crime, as well as expenses incurred in connection with his participation during the preliminary investigation and in court, including attorney fees.

On the victim's claim for non-pecuniary damages the amount of compensation is determined by the court through the criminal trial or litigation.

The state makes compensatory payment to individuals and legal entities suffered from terrorist act.

032-1. (New question) Is a court decision necessary in the framework of the compensation procedure?

Yes

No

Comments According to Article 42 of the Criminal Procedure Code to the victim shall be guaranteed the compensation for the property damage, inflicted by the crime (such compensation is recovered from the offenders), as well as for the outlays he has had to make in connection with his participation in the process of the preliminary investigation and of the trial, including the outlays on the representative (can be recovered either from the offenders or from the federal budget).

On the victim's claim for the recompense of the moral damage, inflicted upon him, in the monetary expression, the amount of the recompense shall be determined by the court in the course of the court proceedings on the criminal case, or by way of the civil court proceedings.

033. If yes, does this compensation come from:

a public fund

damages and interests to be paid by the person responsible

a private fund

Comments

034. Are there studies that evaluate the recovery rate of the damages awarded by courts to victims?

Yes

No

Comments - If yes, please illustrate with available data concerning the recovery rate, the title of the studies, the frequency of the studies and the coordinating body:

035. Do public prosecutors have a specific role with respect to the victims (protection and assistance)?

Yes

No

Comments - If yes, please specify: According to Articles 44 and 246 of the Criminal Procedure Code prosecutors shall file or support already filed civil claims in criminal proceedings when it is required for the sake of protection of the rights of the citizens as well as of public or State interests.

036. Do victims of crime have the right to dispute a public prosecutor's decision to discontinue a case? Please verify the consistency of your answer with that of question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a decision by a judge". (The answer NAP means that the public prosecutor cannot decide to discontinue a case on his/her own. A decision by a judge is needed.)

Yes

No

Comments - If necessary, please specify: If in the course of the judicial proceedings the public prosecutor arrives at the conclusion that the submitted proof does not confirm the charge brought against the defendant, he shall renounce the charge and explain to the court the motives of the renouncement. The full or a partial renunciation of the accusation on the part of the public prosecutor in the course of the judicial proceedings shall entail the termination of the criminal case or of the criminal prosecution fully or in the corresponding part thereof (Article 246 of the Criminal Procedure Code).

If in the course of the judicial proceedings the public prosecutor arrives at the conclusion that the submitted proof does not confirm the charge brought against the defendant, he shall renounce the charge and explain to the court the motives of the renouncement. The full or a partial renunciation of the accusation on the part of the public prosecutor in the course of the judicial proceedings shall entail the termination of the criminal case or of the criminal prosecution fully or in the corresponding part thereof (Article 246 of the Criminal Procedure Code).

Public prosecutors' decisions and actions (lack of action), which may inflict a damage upon the constitutional rights and freedoms of the participants in the criminal court proceedings or may interfere with the citizens' access to the administration of justice, may be appealed against according to Article 125 of the Criminal Procedure Code.

2.2.2. Confidence of citizens in their justice system

037. (Modified question) Is there a system for compensating users in the following circumstances:

	Number of requests for compensation	Number of condemnations	Total amount (in €)
Total	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Excessive length of proceedings	269 [] NA [] NAP	218 [] NA [] NAP	167687 [] NA [] NAP
Non-execution of court decisions	65 [] NA [] NAP	60 [] NA [] NAP	35495 [] NA [] NAP
Wrongful arrest	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Wrongful conviction	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Other	93 [] NA [] NAP	46 [] NA [] NAP	78744 [] NA [] NAP

Comments - Where appropriate, please give details on the compensation procedure and the calculation method for the amount of the compensation (e.g. the amount per day for unjustified detentions or convictions): According to the Criminal Procedure Code (Article 133) the right to rehabilitation includes the right to compensation for property damage, elimination of the consequences of moral harm and restoration of labor, pension, housing and other rights. Damage caused to a citizen as a result of criminal prosecution is compensated by the state in full regardless of the fault of the body of inquiry, the investigator, the prosecutor and the court. According to the Civil Code (Article 1070) damage caused to a citizen as a result of unlawful conviction, unlawful bringing to criminal responsibility, unlawful use as a preventive measure of detention or travel restrictions, unlawful bringing to administrative responsibility shall be reimbursed at the expense of the treasury of the Russian Federation, and in cases provided for by law, at the expense of the treasury of a constituent entity of the Russian Federation or the treasury of a municipal formation in full, regardless of the fault of the body of inquiry, the investigator, the prosecutor and the court.

The amount of compensation for violation of the right to legal proceedings within a reasonable time or the right to enforcement of a judicial act within a reasonable time is determined by the court or commercial court on the basis of the applicant's claims, the circumstances of the case in breach, its duration and the significance of its consequences for the applicant, principles of reasonableness,

038. (Modified question) Did your country implement surveys aimed at legal professionals and court users to measure their trust in justice and their satisfaction with the services delivered by the judicial system? If yes, how frequently and up to what level?

	National level	Court level
1. (Satisfaction) surveys aimed at judges	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
2. (Satisfaction) surveys aimed at court staff	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
3. (Satisfaction) surveys aimed at public prosecutors	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
4. (Satisfaction) surveys aimed at lawyers	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
5. (Satisfaction) surveys aimed at the parties	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
6. (Satisfaction) surveys aimed at other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies)	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
7. (Satisfaction) surveys aimed at victims	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
8. Other not mentioned	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc

Comments - Please, indicate the references and links to the satisfaction surveys you mentioned above: The 2007-2012 Federal Targeted Program for the Development of the Judicial System in Russia, approved by the Government of the Russian Federation sets such indicators as proportion of the citizens who trust/don't trust the judicial bodies, consider the information about court activities as insufficient, consider court activity management unsatisfying, mark lack of diligence and rudeness of the court staff. The questionnaires are usually published at the court websites or distributed in the court buildings.

040. Is there a national or local procedure for making complaints about the functioning of the judicial system? (for example the handling of a case by a judge or the duration of a proceeding)

(X) Yes

() No

Comments For committing an offense (a guilty activity or culpable failure while on duty or outside activities) in consequence of which the provisions of law or code of judges' ethics have been abused a disciplinary action may be imposed on a judge by a qualification board of judges.

An appeal against a procedural action or a judicial act is carried out under the procedural legislation.

041. (Modified question) If yes, please specify certain aspects of this procedure:

	Authority responsible for dealing with the complaint	Time limit for dealing with the complaint
Court concerned	(X) Yes () No	(X) Yes () No
Higher court	(X) Yes () No	(X) Yes () No
Ministry of Justice	() Yes (X) No	() Yes (X) No
Council of the Judiciary	(X) Yes () No	(X) Yes () No
Other external bodies (e.g. Ombudsman)	() Yes (X) No	() Yes (X) No

041-1. (Modified question) Please specify further certain aspects of this procedure:

	Number of complaints	Compensations amount granted to users
Court concerned	[X] NA [] NAP	[X] NA [] NAP
Higher court	[X] NA [] NAP	[X] NA [] NAP
Ministry of Justice	[] NA [X] NAP	[] NA [X] NAP
Council of the Judiciary	[X] NA [] NAP	[X] NA [] NAP
Other external bodies (e.g. Ombudsman)	[] NA [X] NAP	[] NA [X] NAP

Comments - If possible, please give information concerning the efficiency of this complaint procedure and any useful comment:
 According to Article 6.1 of the Criminal Procedure Code in case after a criminal case has been brought to court, but it is not considered for a long time and the trial is delayed, the interested persons have the right to apply to the chairman of the court for acceleration of the case. The application for accelerating the consideration of a criminal case shall be considered by the chairman of the court within a period not later than 5 days from the date of receipt of this application to the court. Based on the results of the consideration of the application, the chairman of the court issues a reasoned decree, in which the deadline for conducting the court session on the case and / or other procedural actions may be adopted to expedite the consideration of the case.

3. Organisation of the court system

3.1. Courts

3.1.1. Number of courts

042. Number of courts considered as legal entities (administrative structures) and geographic locations

	Number of courts
42.1 First instance courts of general jurisdiction (legal entities)	10039 [] NA [] NAP
42.2 First instance specialised courts (legal entities)	1 [] NA [] NAP
42.3 All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all supreme courts)	3823 [] NA [] NAP

Comments The number of courts in line 42.1 represents the total number of courts of general jurisdiction which includes not only those courts that are legal entities according to the law. This number also includes 7652 magistrates.

A magistrate in the Russian Federation is a judge of general jurisdiction of the federal entities of the Russian Federation included into the united court system of the Russian Federation. Magistrates are sole bodies holding a position of a lower branch in the court system. For example, a magistrate considers in the first instance criminal cases regarding crimes for which the maximum penalty does not exceed three years of imprisonment; cases regarding divorce, if there is no dispute between the spouses about the children.

Line 42.3 specifies the number of courts taking into account: federal courts of general jurisdiction, federal commercial courts.

The material support of magistrates is conducted by the executive bodies of the relevant constituent entity of the Russian Federation. In this regard the number of magistrates is not included into the line 42.3.

District (naval) military courts have the rights of a legal entity, and with respect to garrison military courts, the powers of a legal entity are exercised by the Supreme Court Judicial Department.

043. Number (legal entities) of first instance specialised courts (or specific judicial order)

	Number of courts
Total (must be the same as the data given under question 42.2)	1 [] NA [] NAP
Commercial courts (excluded insolvency courts)	1 [] NA [] NAP
Insolvency courts	[] NA [X] NAP
Labour courts	[] NA [X] NAP
Family courts	[] NA [X] NAP
Rent and tenancies courts	[] NA [X] NAP
Enforcement of criminal sanctions courts	[] NA [X] NAP
Fight against terrorism, organised crime and corruption	[] NA [X] NAP

Internet related disputes	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Administrative courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Insurance and / or social welfare courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Military courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Other specialised 1st instance courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If "other specialised 1st instance courts", please specify: The Intellectual Property Court of the Russian Federation is a specialised commercial court considering within its competence cases related to the intellectual property protection both as court of the first instance and court of appeal.

044. Is there a foreseen change in the structure of courts [for example a reduction of the number of courts (geographic locations) or a change in the powers of courts]?

Yes

No

Comments - If yes, please specify: Over a period from 01/01/2016 to 31/12/2016 3 district courts, 24 permanent benches of district courts, 2 benches of autonomous national area courts had been established, 15 district courts had been abolished.

045. Number of first instance courts (geographic locations) competent for a case concerning:

	Number of courts
a debt collection for small claims	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
a dismissal	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
a robbery	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

045-1. (New question) Is your definition for small claims the same as the one in the Explanatory note?

Yes

No, please give your definition for small claims: In the procedural law of the Russian Federation there is no conception of small claims. However in a civil action the size of claim determines the jurisdiction. Property disputes the price of a claim for which does not exceed fifty thousand rubles are within the jurisdiction of magistrates (Article 23 of the Code of Civil Procedure). Those property disputes the price of a claim for which exceed this amount are within the jurisdiction of district courts. The price of a claim also determines the possibility of conducting a case under the simplified procedure. An action of debt or detinue the price of a claim for which does not exceed

one hundred rubles must be handled under the simplified procedure by the court (Article 232.2 of the Code of Civil Procedure). Commercial courts handle under the simplified procedure actions of debt if the price of a claim does not exceed five hundred thousand rubles for legal entities and two hundred and fifty thousand rubles for self-employed sole traders (Article 227 of the Code of Commercial Procedure).

Comments

045-2. (New question) Please indicate the value in € of a small claim:

[0]

Comments

C. Please indicate the sources for answering questions 42, 43 and 45:

Sources: The Supreme Court of the Russian Federation Judicial Department.

3.2. Court staff

3.2.1. Judges and non-judge staff

046. Number of professional judges sitting in courts (if possible on 31 December of the reference year). Please give the information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	26443 [] NA [] NAP	10632 [] NA [] NAP	15811 [] NA [] NAP
1. Number of first instance professional judges	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Number of second instance (court of appeal) professional judges	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Number of supreme court professional judges	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comment - Please provide any useful comment for interpreting the data above: When appointing to office it's not determined whether it is first or second instance judge. In this regard the data on second instance judges is unavailable. In this regard the number of the first instance judge should be interpreted as absolute number of professional judges.

047. Number of court presidents (professional judges). Please give the information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts

Total	Males	Females

Total number of court presidents (1 + 2 + 3)	2133 [] NA [] NAP	1409 [] NA [] NAP	725 [] NA [] NAP
1. Number of first instance court presidents	2132 [] NA [] NAP	1408 [] NA [] NAP	724 [] NA [] NAP
2. Number of second instance (court of appeal) court presidents	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Number of supreme court presidents	1 [] NA [] NAP	1 [] NA [] NAP	0 [] NA [] NAP

Comments

048. Number of professional judges sitting in courts on an occasional basis and who are paid as such (if possible on 31 December of the reference year):

	Figure
Gross figure	[] NA [X] NAP
In full-time equivalent	[] NA [X] NAP

Comments - If necessary, please provide comments to explain the answer provided:

048-1. (New question) Do these professional judges sitting in courts on an occasional basis deal with a significant part of cases?

- () Yes, please give specifications on the types of cases and an estimate in percentage.
- (X) No

Comments

049. (Modified question) Number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (if possible on 31 December of the reference year) (e.g. lay judges and “juges consulaires”, but not arbitrators and persons sitting in a jury):

	Figure
Gross figure	[] NA [X] NAP
In full time equivalent	[] NA [X] NAP

Comments

049-1. If such non-professional judges exist in first instance in your country, please specify for which types of cases:

	Yes	No	Echevinage
in criminal law cases	()	(X)	()
- severe criminal cases	()	(X)	()
- misdemeanour and/or minor criminal cases	()	(X)	()
in family law cases	()	(X)	()
in civil cases	()	(X)	()
in labour law cases	()	(X)	()
in social law cases	()	(X)	()
in commercial law cases	()	(X)	()
in insolvency cases	()	(X)	()
other	()	(X)	()

Comments - If "other", please specify:

050. Does your judicial system include trial by jury with the participation of citizens?

(X) Yes

() No

Comments

050-1. (New question) If yes, for which type of case(s)? (Please, for severe criminal cases and misdemeanour cases refer to the CEPEJ definitions)

[X] Severe criminal cases

[] Misdemeanour cases

[] Other cases

Comments On application of a defendant a judge of federal court of general jurisdiction and 12 jury consider criminal cases established under paragraph 1 of part three of Article 31 of the Criminal Procedure Code except for criminal cases established under Article 131 part five, Article 132 part five, Article 134 part six, Article 212 part one, Articles 275, 276, 278, 279, 281 of the Criminal Code of the Russian Federation (Article 30 of the Criminal Procedure Code). There is a possibility of considering a case in the first instance commercial court jointly by a judge and 2 commercial court assessors on application of one of litigants.

051. Number of citizens who were involved in such juries for the year of reference:

[9977]

[] NA

[] NAP

Comments

052. Number of non-judge staff who are working in courts (on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for permanent posts actually filled)

	Total	Males	Females
Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	98091 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Non-judge staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, court recording, helping to draft the decisions)	49505 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)	27537 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
4. Technical staff	21049 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
5. Other non-judge staff	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If "other non-judge staff", please specify:

053. (Modified question) If there are Rechtspfleger (or similar bodies) in your judicial system, please specify in which fields do they have a role:

- [] legal aid
- [] family cases
- [] payment orders
- [] registry cases (land and/or business registry cases)
- [] enforcement of civil cases
- [] enforcement of criminal cases
- [] other cases not mentioned (please describe in comment)
- [] non-litigious cases

Comments - Please briefly describe their status and duties:

054. Have the courts outsourced certain services, which fall within their powers, to private

providers?

Yes

No

Comments

054-1. (New question) If yes, please specify which services have been outsourced:

IT services

Training of staff

Security

Archives

Cleaning

Other types of services (please specify):

Comments Other types of services include bookbinding works.

C1. Please indicate the sources for answering questions 46, 47, 48, 49 and 52

Sources: The Supreme Court of the Russian Federation Judicial Department.

3.3. Public prosecution

3.3.1. Public prosecutors and staff

055. Number of public prosecutors (on 31 December of the reference year). Please give the information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts.

	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	36978 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Number of prosecutors at first instance level	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Number of prosecutors at second instance (court of appeal) level	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Number of prosecutors at supreme court level	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Please indicate any useful comment for interpreting the data above:

056. Number of heads of prosecution offices (on 31 December of the reference year). Please give

the information in full-time equivalent and for permanent posts actually filled, for all types of courts – ordinary and specialised jurisdictions.

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	2923 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Number of heads of prosecution offices at first instance level	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Number of heads of prosecution offices at second instance (court of appeal) level	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Number of heads of prosecution offices at supreme court level	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Please provide any useful comment for interpreting the data above: The number includes the Prosecutor General and his deputies and heads of prosecution offices.

057. Do other persons have similar duties to public prosecutors?

- () Yes, please specify their number (in full-time equivalent):
- (X) No

Comments - If yes, please specify their title and functions:

059. If yes, is their number included in the number of public prosecutors that you have indicated under question 55?

- () Yes
- (X) No

Comments

059-1. Do prosecution offices have specially trained prosecutors in domestic violence and sexual violence etc.?

- () Yes
- (X) No

Comments

060. Number of staff (non-public prosecutors) attached to the public prosecution service (on 31 December of the reference year) (without the number of non-judge staff, see question 52) (in full-time equivalent and for permanent posts actually filled).

	Total	Males	Females
Number of staff (non-public prosecutors) attached to the public prosecution service	[X] NA	[X] NA	[X] NA

Comments

C2. Please indicate the sources for answering questions 55, 56 and 60

Sources: The Prosecutor's General of the Russian Federation Office.

3.4. Management of the court budget

3.4.1. Court budget

061. Who is entrusted with responsibilities related to the budget within the court?

	Preparation of the budget	Arbitration and allocation of the budget	Day to day management of the budget	Evaluation and control of the use of the budget
Management Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Court President	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Court administrative director	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Head of the court clerk office	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If "other", please specify: A court administrator together with a head of financial and economic division are entrusted with the responsibility on preparation of a court budget as far as supreme courts of republics, regional courts, federal city courts, autonomous national area court, district (naval) courts, federal commercial courts are concerned; a court administrator together with a head of financial and economic division of the administration of the Supreme Court Judicial Department in the relevant constituent entity of the Russian Federation as far as district courts, garrison military courts, magistrates are concerned.

A court president is entrusted with the responsibility on arbitration and allocation of the court budget as far as supreme courts of republics, regional courts, federal city courts, autonomous national area court, district (naval) courts, federal commercial courts are concerned; a head of the administration of the Supreme Court Judicial Department in the relevant constituent entity of the Russian Federation - as far as district courts, garrison military courts are concerned.

Day to day management of the court budget is carried out by a court president as far as supreme courts of republics, regional courts, federal city courts, autonomous national area court, district (naval) courts, federal commercial courts are concerned; by a head of the administration of the Supreme Court Judicial Department as far as district courts, garrison military courts, magistrates are concerned.

Evaluation and control of the use of the court budget is carried out by the Supreme Court Judicial Department, an administration of the Supreme Court Judicial Department as far as district courts, garrison military courts are concerned.

Director General of the Supreme Court Judicial Department accounts on the Supreme Court Judicial Department activities to the President of the Supreme Court, the Judicial Council and the all-Russian Judiciary Convention annually.

3.6. Performance and evaluation

3.6.1. National policies applied in courts and public prosecution services

066. Are quality standards determined for the judicial system (are there quality systems for the judiciary and/or judicial quality policies)?

Yes

No

Comments - If yes, please specify:

067. Do you have specialised court staff that is entrusted with these quality standards?

Yes

No

Comments

068. Is there a national system to evaluate the overall (smooth) functioning of courts on the basis of an evaluation plan agreed beforehand?

Yes

No

Comments

068-1. (New question) If yes, please specify the frequency of this evaluation:

Annual

Less frequent

More frequent

Comments - If "less frequent" or "more frequent", please specify:

069. Is there a system for monitoring and evaluating the performance of the public prosecution service?

Yes

No

Comments - If yes, please give further details: To assess the activities of the prosecutor's offices of constituent entities of the Russian Federation and equated specialized prosecutor's offices due diligence and branch audit are implemented.

3.6.2. Performance and evaluation of courts

070. Do you have, within the courts, a regular monitoring system of court activities concerning:

number of incoming cases

number of decisions delivered

number of postponed cases

length of proceedings (timeframes)

age of cases

other (please specify):

Comments As well as annual reports on its' activities courts of general jurisdiction and commercial courts draw up half year reports, and courts of general jurisdiction - also quarterly reports which represent the selection of indicators on their activities.

071. Do you monitor backlogs and cases that are not processed within a reasonable timeframe for:

civil law cases

criminal law cases

administrative law cases

Comments There is a system that allows to identify the civil and administrative cases (also considered in commercial courts), criminal cases which are not considered in reasonable time.

072. Do you have an evaluation process to monitor waiting time during court procedures?

Yes

No

Comments - If yes, please specify:

073. Do you have a system to evaluate regularly the activity (in terms of performance and output) of each court?

Yes

No

Comments

073-0. (New question) If yes, please specify the frequency:

Annual

Less frequent

More frequent

Comments - If "less frequent" or "more frequent", please specify:

073-1. Is this evaluation of the court activity used for the later allocation of means to this court?

Yes

No

Comments

074. Are there performance targets defined at the level of the court?

Yes

No

Comments

075. (Modified question) Please specify the main targets applied to the courts:

to increase efficiency / to shorten the length of proceedings

to improve quality

to improve cost efficiency / productivity

Other (please specify):

Comments

076. Who is responsible for setting the targets for the courts?

Executive power (for example the Ministry of Justice)

Legislative power

Judicial power (for example High Judicial Council, Higher Court)

President of the court

Other (please specify):

Comments

077. Concerning court activities, have you defined performance and quality indicators (if no, please skip to question 79)

Yes

No

Comments

078. If yes, please select the main performance and quality indicators that have been defined:

incoming cases

length of proceedings (timeframes)

closed cases

pending cases and backlogs

productivity of judges and court staff

percentage of cases that are processed by a single sitting judge

enforcement of penal decisions

satisfaction of court staff

satisfaction of users (regarding the services delivered by the courts)

judicial quality and organisational quality of the courts

costs of the judicial procedures

number of appeals

other (please specify):

079. Who is responsible for evaluating the performance of the courts (multiple options possible) :

High Council of judiciary

Ministry of Justice

Inspection authority

Supreme Court

External audit body

Other (please specify):

Comments Now according to the decision of the All-Russian Judiciary Convention scientifically grounded standards on caseload for judges and court staff of are being drafted.

The definition of caseload standard will include certain quantity of cases to be considered by first, second and supervisory judge for the relevant period of time on the basis of time standard for considering cases and other procedural activities.

3.6.3. Court activity and administration

080. Is there a centralised institution that is responsible for collecting statistical data regarding the

functioning of the courts and judiciary?

Yes (please indicate the name and the address of this institution):

No

Comments The Supreme Court Judicial Department is responsible for gathering statistics on the functioning of the courts.

080-1. Does this institution publish statistics on the functioning of each court:

Yes, on internet

No, only internally (in an intranet website)

No

Comments The official web-site of the Supreme Court Judicial Department: <http://www.cdep.ru/>.

081. Are individual courts required to prepare an activity report (that includes, for example, data on the number of cases processed or pending cases, the number of judges and administrative staff, targets and assessment of the activity)?

Yes

No

Comments - If yes, please describe the content of the report and its audience (i.e. to whom the report is intended):

081-1. If yes, please specify in which form this report is released:

Internet

Intranet (internal) website

Paper distribution

Comments

081-2. (New question) If yes, please, indicate the periodicity at which the report is released:

Annual

Less frequent

More frequent

Comments

082. (Modified question) Is there a process or structure of dialogue between the public prosecutor service and courts as regards the way cases are presented before courts (for example the organisation, number and planning of hearings, on-call service for urgent cases, selection of simplified procedures of prosecution...)?

Yes

No

Comments - If yes, please specify: In the frameworks of the procedural law.

082-1. (Modified question) Is there a process or structure of dialogue between lawyers and courts as regards the way cases are presented before courts in other than criminal matter (e.g.

organisation, number and planning of hearings, on-call service for urgent cases)?

Yes

No

Comments - If yes, please specify: In the frameworks of the procedural law.

3.6.4. Performance and evaluation of judges

083. Are there quantitative performance targets (for instance a number of cases to be addressed in a month) defined for each judge?

Yes

No

Comments

083-1. Who is responsible for setting the targets for each judge?

Executive power (for example the Ministry of Justice)

Legislative power

Judicial power (for example the High Judicial Council, Supreme Court)

President of the court

Other (please specify):

Comments A president of the court distributes cases judges taking into account the volume and complexity of the cases, the caseload and the level of the qualification of judges as well as the procedural time limits.

New node

4. Fair trial

4.1. Principles

4.1.1. Principles of fair trial

084. Percentage of first instance criminal in absentia judgments (cases in which the suspect is not attending the hearing in person nor represented by a lawyer)?

NA

NAP

Comments Criminal in absentia judgements may be conceded if in criminal case of misdemeanor or medium-gravity crimes a defendant applies for the court consider this case in his absence. In exceptional circumstances criminal in absentia judgements may be conceded if in criminal case of grievous or extremely grievous crime a defendant is outside the territory of the Russian Federation and(or) avoid appearing in court, if this person is not taken to the court of foreign country for this criminal case. The percentage of such judgements is 0,3%.

The percentage of judgements for cases in which the defendant were not represented by lawyers is 0,8%.

085. Is there a procedure to effectively challenge a judge if a party considers that the judge is not impartial?

(X) Yes, number of successful challenges in a year

() No

Comments - Please could you briefly specify:

086. Is there in your country a monitoring system for the violations related to Article 6 of the European Convention on Human Rights?

	Monitoring system
For civil procedures (non-enforcement)	(X) Yes () No <input type="checkbox"/> NAP
For civil procedures (timeframe)	(X) Yes () No <input type="checkbox"/> NAP
For criminal procedures (timeframe)	(X) Yes () No <input type="checkbox"/> NAP

Comments - Please, specify what are the terms and conditions of this monitoring system (information related to violations at the State/courts level; implementation of internal systems to remedy the established violation; implementation of internal systems to prevent other violations (that are similar) and if possible to measure an evolution of the established violations: In case the European Court of Human Rights establishes a violation of a provision of the European Convention on Human Rights the relevant judgements are sent also to the Supreme Court of the Russian Federation and courts committed the violation for its elimination and prevention in future. Such violations are eliminated by means of resumption of proceedings in a case on the grounds of new fact (Article 392 of the Civil Procedure Code, Article 413 of the Criminal Procedure Code).

D1. Please indicate the sources for answering questions in this chapter.

Sources: The Supreme Court Judicial Department, the Office of the Representative of the Russian Federation at the European Court of Human Rights.

4.2. Timeframe of proceedings

4.2.1. General information

087. Are there specific procedures for urgent matters as regards:

civil cases

criminal cases

administrative cases

There is no specific procedure

Comments - If yes, please specify: When considering civil cases on the application of parties to a case court of general jurisdiction can adopt the measures for security of a claim, commercial court can adopt urgent provisional measures aimed at security of a claim or property interest of a plaintiff, for example imposition of arrest on property owned by a defendant, injunction for a defendant to commit certain acts.

As far as criminal cases are concerned for providing enforcement of court decision in terms of civil action, recovery of penalty, other types

of vindication or probable asset seizure a court on the application of an investigator or inquiry officer can impose arrest on property of suspect, accused or persons born pecuniary responsibility.

There are also provisional measures in the frameworks of the administrative procedure, for exemple temporary prohibition of activities.

088. Are there simplified procedures for:

- civil cases (small disputes)
- criminal cases (misdemeanour cases)
- administrative cases
- There is no simplified procedure

Comments - If yes, please specify: The Civil Procedure Code, the Commercial Procedure Code, the Administrative Procedure Code provide simplified procedure by issuing a writ - a judicial act passed by judge sole on the basis of application on requirement to collect mandatory payments and sanctions, notarially certified transaction, transaction in simple written form or requirement follows from default in performance of obligations and based on the documents submitted by the plaitiff established pecuniary obligations accepted but failed by an obligor.

An action of debt or detinue the price of a claim for which does not exceed one hundred rubles must be handled under the simplified procedure by the court (Article 232.2 of the Civil Procedure Code). Commercial courts handle under the simplified procedure actions of debt if the price of a claim does not exceed five hundred thousand rubles for legal entities and two hundred and fifty thousand rubles for self-employed sole traders (Article 227 of the Commercial Procedure Code).

The Criminal Procedure Code provides the possibility of implementation of the special order of adjudication without judicial proceedings when a charge brought against accused is approved by him for the crimes penalty for which does not exceed 10 years of imprisonment.

088-1. (Modified question) For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?

- civil cases
- criminal cases
- administrative cases

Comments - If yes, please specify:

089. Do courts and lawyers have the possibility to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings)?

- Yes
- No

Comments - If yes, please specify:

4.2.2. Case flow management – first instance



091. (Modified question) First instance courts: number of other than criminal law cases.

Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court (Please insert NA for category 2)

Total of other than criminal law cases (1+2+3+4)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	31045622 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	424 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	1130455 <input type="checkbox"/> NA <input type="checkbox"/> NAP	8459471 <input type="checkbox"/> NA <input type="checkbox"/> NAP	8603099 <input type="checkbox"/> NA <input type="checkbox"/> NAP	986827 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Non litigious cases (2.1+2.2+2.3)	80609 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9962863 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9998697 <input type="checkbox"/> NA <input type="checkbox"/> NAP	44775 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	80609 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9962863 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9998697 <input type="checkbox"/> NA <input type="checkbox"/> NAP	44775 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.1. Non litigious land registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.2 Non-litigious business registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.3. Other registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.3. Other non-litigious cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Administrative law cases	113461 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6517884 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6521156 <input type="checkbox"/> NA <input type="checkbox"/> NAP	110189 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	5922670 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The administration of justice doesn't include registry functions (land registry, business registry). There are government agencies in charge of these functions. The contestation of their decisions is carried out in a judicial proceeding.

The increase in the number of non-litigious cases comes from the significant increase of the number of cases on issuing a court order to recover fees for dwelling place and public utility charge.

092. If courts deal with “civil (and commercial) non-litigious cases”, please indicate the case categories included:

. Writ proceedings is a court procedure in the frameworks of which non-litigious cases are decided on the basis of documents. According to Article 122 of the Civil Procedure Code a writ is issued in the following cases:

the claim is based on a notarized transaction;

the claim is based on a transaction made in simple written form;

the claim is based on a protest for nonpayment, nonacceptance and nondating made by a notary;

alimony claim which is not related to establishment of paternity, contesting of paternity (maternity), necessity to involve other interested persons;

recovery of the charged but not paid out wages, vacation pay, dismissal compensation and other employee benefits;

the claim is instituted by the regional agency of the federal executive power body

exercising the functions of normative legal regulation in respect of ensuring the established

procedure for the activities of courts, execution of judicial acts and acts of other bodies for

exaction of the outlays made in connection with the search for the defendant, for a debtor, or for a child taken away from the debtor in accordance with the court decision;

the claim to recover accommodation outstanding utility bills telephone services;

the claim on collection of landlord or building society co-partner obligatory payment.

According to Article 262 of the Civil Procedure the court shall investigate the following cases by way of a special procedure:

on establishing facts on juridical importance;

on the adoption (for a son or daughter);

on recognizing a citizen as missing, or on declaring a citizen as deceased;

on restricting a citizen's legal capability, or on recognizing a citizen as legally

incapable, on restricting or depriving an underaged person of fourteen to eighteen years of the right to independently dispose of his incomes;

on declaring an underaged person as fully legally capable (on emancipation);

on recognizing a movable object as ownerless and on acknowledging the right of the municipal ownership to an ownerless immovable object;

on the restoration of rights to the lost bearer securities or order securities (the summons procedure);

on the introduction of corrections and amendments into the entries of the civil status acts;

on the applications concerning the carried out notarial actions or the refusal to carry out such;

on the applications for the restoration of the lost judicial proceedings.

According to Article 229.2 of the Commercial Procedure Code a writ is issued by the commercial court in the following cases: the claim is based on failure or improper performance of the contract on the basis of based on documents submitted by the claimant establishing monetary obligations that are recognized by the debtor, but are not executed if the price of the claimed claims does not exceed four hundred thousand rubles;

the claim is based on a protest for nonpayment, nonacceptance and nondating made by a notary and does not exceed four hundred thousand rubles;

the claim is based on the collection of mandatory payments and sanctions, if the total amount of the sum to be recovered in the application does not exceed one hundred thousand rubles.

According to Article 30 of the Commercial Procedure Code commercial courts consider in special proceedings cases on the establishment of facts, legally significant for the emergence, change and termination of rights of organisations and individuals in the sphere of entrepreneurship and other economic activities. According to Article 218 of the Commercial Procedure Code commercial courts consider cases concerning the establishment of:

the fact of possession and use by a legal entity or by an individual entrepreneur of immovable property as its own;

the fact of state registration of a legal entity or of an individual entrepreneur on a specific time and at a specific place;

the fact of belonging of a right-establishing document, acting in the sphere of entrepreneurial and other economic activities, to a legal entity or to an individual entrepreneur, if the name of the legal entity or the surname, name and patronymic of the individual entrepreneur, stated in the document, do not coincide with the name of the legal entity, stated in its constituent document, or with the surname, name and patronymic of the individual entrepreneur, stated in the entrepreneur's passport or birth certificate; other facts, giving rise to legal consequences in the sphere of entrepreneurial and other economic activities.

093. Please indicate the case categories included in the category "other cases":

. Courts of general jurisdiction consider files through the procedure of the enforcement of court decisions and sentences, as well as through the procedure of judicial control such as on the enforcement and recognition of decisions of foreign courts on the territory of the Russian Federation, on bringing sentences in line with the new criminal law, on applying a measure of restraint in the form of detention.
Federal commercial courts consider through the procedure of the enforcement of court decisions such files as on the revival of an expired deadline for the presentation of the writ to the enforcement, on issuing a duplicate of the writ, etc.

094. (Modified question) First instance courts: number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of criminal law cases (1+2)	99280 <input type="checkbox"/> NA <input type="checkbox"/> NAP	954255 <input type="checkbox"/> NA <input type="checkbox"/> NAP	963869 <input type="checkbox"/> NA <input type="checkbox"/> NAP	89666 <input type="checkbox"/> NA <input type="checkbox"/> NAP	180 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Severe criminal cases	55425 <input type="checkbox"/> NA <input type="checkbox"/> NAP	409194 <input type="checkbox"/> NA <input type="checkbox"/> NAP	410235 <input type="checkbox"/> NA <input type="checkbox"/> NAP	54384 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Misdemeanour and / or minor criminal cases	43855 <input type="checkbox"/> NA <input type="checkbox"/> NAP	545061 <input type="checkbox"/> NA <input type="checkbox"/> NAP	553634 <input type="checkbox"/> NA <input type="checkbox"/> NAP	35282 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences":

4.2.3. Case flow management – second instance

097. (Modified question) Second instance courts (appeal): Number of “other than criminal law” cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court (Please insert NA for category 2)
Total of other than criminal law cases (1+2+3+4)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	76738 [] NA [] NAP	967702 [] NA [] NAP	963705 [] NA [] NAP	80735 [] NA [] NAP	[X] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	[X] NA [] NAP	[X] NA [] NAP	5690 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.1. Non litigious land registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.2 Non-litigious business registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.3. Other registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.3. Other non-litigious cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Administrative law cases	49350 [] NA [] NAP	529623 [] NA [] NAP	530479 [] NA [] NAP	48494 [] NA [] NAP	[X] NA [] NAP
4. Other cases	8261 [] NA [] NAP	194221 [] NA [] NAP	187991 [] NA [] NAP	8211 [] NA [] NAP	[X] NA [] NAP

Comments Other cases include the data on readjudication of court ruling made in the frameworks of proceedings, on execution, and also

other judicial acts made in the frameworks of civil and administrative proceedings.

The courts of general jurisdiction as the second instance courts review the appeals against decisions that have not entered into legal force on cases of administrative violations made not only by the courts, but also by authorized state bodies. In 2014 the number of administrative law cases are much lower because they included only the decisions made by the courts.

098. (Modified question) Second instance courts (appeal): number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of criminal law cases (1+2)	149357 [X] NA [] NAP	149357 [] NA [] NAP	138230 [] NA [] NAP	138230 [X] NA [] NAP	0 [X] NA [] NAP
1. Severe criminal cases	124803 [X] NA [] NAP	124803 [] NA [] NAP	115505 [] NA [] NAP	115505 [X] NA [] NAP	0 [X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	24554 [X] NA [] NAP	24554 [] NA [] NAP	22725 [] NA [] NAP	22725 [X] NA [] NAP	0 [X] NA [] NAP

Comments The method of the calculation changed compared with 2014.

4.2.4. Case flow management – Supreme Court

099. (Modified question) Highest instance courts (Supreme Court): number of “other than criminal law” cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme court (Please insert NA for category 2))
Total of other than criminal law cases (1+2+3+4)	44 [] NA [] NAP	1447 [] NA [] NAP	1456 [] NA [] NAP	35 [] NA [] NAP	0 [] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	44 [] NA [] NAP	258 [] NA [] NAP	264 [] NA [] NAP	35 [] NA [] NAP	0 [X] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.1. Non litigious land registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.2 Non-litigious business registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.3. Other registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.3. Other non-litigious cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Administrative law cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Other cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	1192 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments In 2012 the number of cases included cases considered by the Supreme Commercial Court of the Russian Federation. As the result of the highest instance courts reform the Supreme Commercial Court was eliminated in 2014 and for that reason the number of cases is significantly lower.

099-1. At the level of the Highest court (Supreme Court), is there a procedure of manifest inadmissibility?

() Yes, please indicate the number of cases closed by this procedure:

(X) No

Comments

100. (Modified question) Highest instance courts (Supreme Court): number of criminal law cases.

Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme court

Total of criminal law cases (1+2)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
1. Severe criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Misdemeanour and / or minor criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments The Supreme Court of the Russian Federation does not consider criminal law cases as the first instance court after 01/01/2013 according to the changes to legislation provided by the Federal Law 433-FZ.

4.2.5. Case flow management – specific cases

101. (Modified question) Number of litigious divorce cases, employment dismissal cases, insolvency, robbery cases, intentional homicide cases, cases relating to asylum seekers and cases relating to the right of entry and stay for aliens received and processed by first instance courts.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year
Litigious divorce cases	47449 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	495124 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	497922 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	44589 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Employment dismissal cases	1657 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	13037 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	12540 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	1851 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Insolvency	44241 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	67744 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	31788 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	66614 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Robbery case	5668 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	41455 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	41659 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	5464 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Intentional homicide	2507 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	10542 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	10600 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	2449 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Cases relating to the right of entry and stay for aliens	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments The variation in the number of employment dismissal cases in 2014 included also dismissals of public officials, in 2016 – only cases concerning the termination of (an) employment (contract) at the initiative of the employer (working in the private sector) according to the explanatory note.

The discrepancy in the number of insolvency cases is a result of the enacting of the possibility to declare bankrupt of a citizen who is not a self-employed entrepreneur.

101-1. (New question) Could you briefly describe the system in your country dealing with judicial remedies relating to asylum seekers (refugee status under the 1951 Geneva Convention) and the right of entry and stay for aliens:

. According to the Constitution of the Russian Federation foreign nationals and stateless persons shall enjoy in the Russian Federation the rights and bear the obligations of citizens of the Russian Federation, except for cases envisaged by the federal law or the international agreement of the Russian Federation.

Decisions and actions (inaction) of federal executive bodies, executive authorities of the constituent entities of the Russian Federation, local governments and officials related to the implementation of the Federal Law "On refugees" may be appealed to a higher authority on subordination or to a court.

102. Average length of proceedings, in days (from the date the application for judicial review is lodged). The average length of proceedings has to be calculated from the date the application for judicial review is lodged to the date the judgment is made, without taking into account the enforcement procedure.

	% of decisions subject to appeal	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average total length of the total procedure (in days)	% of cases pending for more than 3 years for all instances
Litigious divorce case	1 [] NA [] NAP	33 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Employment dismissal case	41 [] NA [] NAP	54 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Insolvency	[X] NA [] NAP	765 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Robbery case	33 [] NA [] NAP	48 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Intentional homicide	64 [] NA [] NAP	83 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments The accurate number for litigious divorce cases is 0,59% décisions subject to appeal. The data on employment dismissal cases for 2014 contained the information on all the cases related to dismissal of employees including dismissal of civil servants on the basis of disciplinary proceedings. As there was no distinction in the statistics depending on the sphere of employees' activity before.

103. Where appropriate, please indicate the specific procedure as regards divorce cases (litigious and non-litigious):

. In a divorce case when there is a lack of consent of one of the spouses for dissolution of marriage the court may take measures for reconciliation of the spouses and put the proceedings on hold for a period of up to 3 month for reconciliation of the spouses.

104. How is the length of proceedings calculated for the five case categories of question 102?

Please give a description of the calculation method.

. When calculating the percentage of decisions to be appealed the total number of appealed decisions on the merit under appeal/the number resolved cases (for the 1st instance)*100.

The calculation of the average length of proceedings has been carried out using the method proposed in "Joint Project of the European Union and the Council of Europe "Introduction of Appeal Proceedings in the Russian Federation judicial system".

4.2.6. Case flow management – public prosecution



105. Role and powers of the public prosecutor in the criminal procedure (multiple options possible):

- to conduct or supervise police investigation
- to conduct investigations
- when necessary, to request investigation measures from the judge
- to charge
- to present the case in court
- to propose a sentence to the judge
- to appeal
- to supervise the enforcement procedure
- to discontinue a case without needing a decision by a judge (ensure consistency with question 36!)
- to end the case by imposing or negotiating a penalty or measure without requiring a judicial decision
- other significant powers (please specify):

Comments According to Article 37 of the Criminal Procedure Code the prosecutor shall be seen as an official person, authorized within the scope of competence established by the present Code, to conduct on behalf of the state the criminal prosecution in the course of the criminal court proceedings, as well as to exert supervision over the procedural activity of the bodies of inquiry and of the bodies for the preliminary investigation. In the course of the pre-trial procedure on the criminal case, the prosecutor shall be obliged:

- to verify the fulfillment of the demands of the federal law during the acceptance, the registration and the resolution of the communications on crimes;
- to institute a criminal case and, in accordance with the procedure established by the present Code, to entrust its investigation to the inquirer, the investigator or to a lower placed prosecutor, or to take it over for conducting its own judicial proceedings;
- to take part in conducting a preliminary investigation and, where necessary, to give orders in writing on the direction of an investigation, on committing investigative and other procedural actions or personally commit individual investigative and other procedural actions;
- to give consent to the inquirer or to the investigator for the institution of a criminal case;
- to give consent to the inquirer or to the investigator for their addressing the court with a petition for the selection, the cancellation or the modification of the measure of restriction, or for the performance of any other procedural action, admissible on the ground of the court decision;
- to satisfy the objections filed against the lower placed prosecutor, investigator or inquirer, just the same as their self-rejections;
- to discharge the inquirer and the investigator from further conducting of the investigation, if they have violated the demands of the present Code while conducting the preliminary investigation;
- to withdraw any criminal case from the body of inquiry and to hand over a criminal case from one investigator of a prosecutor's office to another one, with an obligatory indication of the grounds for such handing over;

to pass over a criminal case from one body of preliminary investigation to another, to withdraw any criminal case from the body of preliminary investigation and to hand it over to an investigator of a prosecutor's office with an obligatory indication of the grounds for such handing over;

to cancel the illegal or the ungrounded resolutions of the lower placed prosecutor, investigator or inquirer in accordance with the procedure, established by the present Code;

to entrust to the body of inquiry the conducting of investigative actions and to issue to it directions for carrying out the operational-search measures;

to extend the time term fixed for a preliminary investigation;

to approve the decision of the inquirer and of the investigator on the termination of the proceedings on a criminal case;

to approve the conclusion of guilt or the bill of indictment and to direct the criminal case to the court; to return a criminal case to the inquirer and to the investigator with his directions for conducting an additional investigation;

to suspend or to terminate the proceedings on a criminal case.

Written directions of the prosecutor to the body of inquiry, to the inquirer and to the investigator, given in the order established by the present Code, shall be obligatory. Filing an appeal against the received directions with the higher placed prosecutor shall not suspend their execution.

In the course of the court proceedings on a criminal case, the prosecutor shall support the public prosecution, ensuring its legality and substantiation and in cases when the preliminary investigation has been completed in the form of an enquiry the prosecutor shall be entitled to instruct the enquirer or investigator who has performed the enquiry in this criminal case to act for prosecution in the name of the state in the courtroom. According to Article 246 of Criminal Procedure Code the participation of the public prosecutor in the judicial proceedings shall be

obligatory. Participation of the public prosecutor shall be obligatory in the judicial proceedings on criminal cases of the public and of the private-public prosecution. On criminal cases of the private prosecution the charge in the judicial proceedings shall be supported by the victim. The public prosecutor shall submit the proof and take part in their study, express his own opinion on the merits of the charge and on the other questions, arising in the course of the judicial proceedings, and submit proposals to the court concerning the application of the criminal law and the administration of a punishment to the defendant. If in the course of the judicial proceedings the public prosecutor arrives at the conclusion that the submitted proof does not confirm the charge brought against the defendant, he shall renounce the charge and explain to the court the motives of the renouncement.

The public prosecutor may also modify the charge towards its mitigation before the court departs to the retiring room for passing the sentence.

106. (Modified question) Does the public prosecutor also have a role in:

civil cases

administrative cases

insolvency cases

Comments - If yes, please specify: According to Article 45 of the Civil Procedure Code the public prosecutor has the right to file an application to the court in protection of the rights, freedoms and lawful interests of the citizens, of an indefinite group of persons, or of the interests of the Russian Federation, of the subjects of the Russian Federation and of the municipal entities. An application in protection of the rights, freedoms and lawful interests of a citizen may be filed by the public prosecutor only if the citizen cannot apply to the court himself on account of his poor health, his age or legal incapability, or because of other valid reasons.

This restriction shall not extend to a statement of the procurator the basis for which is an application to him of citizens for protection of violated or contested social rights, freedoms and legal interests in the sphere of labour (official) relations and other relations directly connected therewith; of protection of the family, maternity, paternity and childhood; of social protection, including social maintenance; of ensuring the right to a dwelling in the state and municipal housing funds; of health protection, including medical aid; of ensuring the right to a favourable environment; of education.

A public prosecutor who has lodged an application shall be entitled to all the procedural rights and discharge all the procedural duties of the plaintiff, with the exception of the right to make an amicable settlement and of the duty to pay the court expenses. If the public prosecutor refuses from the application he has filed in protection of the lawful interests of another person, the consideration of the case on merit shall be continued, unless this person or his legal representative announces his refusal of the claim. If the plaintiff refuses the claim, the court shall stop the proceedings on the case, unless this contradicts the law or violates the rights and the lawful interests of the other persons.

The public prosecutor shall join the proceedings and give a conclusion on the cases on the eviction, reinstatement to the post, recompense of the damage inflicted upon life or health in order to exercise the powers he is endowed with. The failure to appear before the court by the public prosecutor who was duly informed about the time and the place of the consideration of the case shall not be seen as an obstacle to the investigation of the case. Article 28.4 of the Code of Administrative Offences sets up legal proceedings on cases concerning the administrative offences which shall be instituted by a prosecutor.

107. Cases processed by the public prosecutor - Total number of first instance criminal cases:

	Received during the reference year	Discontinued during the reference year (see Q108 below)	Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	Cases brought to court
Total number of first instance cases processed by the public prosecutor	942897 [] NA [] NAP	587 [] NA [] NAP	[] NA [X] NAP	886400 [] NA [] NAP

Comments

107-1. (Modified question) If the guilty plea procedures exist, how many cases were brought to court by the prosecutor through this procedure?

	Number of guilty plea procedures
Total	[X] NA [] NAP
Before the court case	[X] NA [] NAP
During the court case	[X] NA [] NAP

Comments

108. Total cases which were discontinued by the public prosecutor:

	Number of cases
Total cases which were discontinued by the public prosecutor (1+2+3)	587 [] NA [] NAP
1. Discontinued by the public prosecutor because the offender could not be identified	[X] NA [] NAP
2. Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	[X] NA [] NAP
3. Discontinued by the public prosecutor for reasons of opportunity	[X] NA [] NAP

Comments

109. Do the figures include traffic offence cases?

() Yes

(X) No

Comments

D2. Please indicate the sources for answering questions 91, 94, 97, 98, 99, 100, 101, 102, 107, 107-1 and 108.

Sources: The Supreme Court of the Russian Federation Judicial Department, the Prosecutor's General Office of the Russian Federation.

5. Career of judges and public prosecutors

5.1. Recruitment and promotion

5.1.1. Recruitment and promotion of judges

110. (Modified question) How are judges recruited?

[] mainly through a competitive exam (open competition)

[] mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)

[] a combination of both (competitive exam and working experience)

[X] other (please specify):

Comments A candidate for the position of a judge may be a person who has higher legal education. The selection of candidates for the position of a judge is carried out on a competitive basis. They also pass the qualification exam.

110-1. Are there specific provisions for facilitating gender equality within the framework of the procedure for recruiting judges?

() Yes

(X) No

Comments - If yes, please specify:

111. Authority(ies) responsible for recruitment. Are judges initially/at the beginning of their career recruited and nominated by:

[] an authority made up of judges only

[] an authority made up of non-judges only

[X] an authority made up of judges and non-judges

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of judges. If there are several authorities, please describe their respective roles: Examination board for the qualification examination for the position of judge administers a qualification exam.

The Council of Federation of the Federal Assembly of the Russian Federation appoints the President of the Constitutional Court of the Russian Federation, the President of the Supreme Court of the Russian Federation and their deputies, judges of the Constitutional Court of

the Russian Federation, judges of the Supreme Court of the Russian Federation.

The President of the Russian Federation nominates the President of the Constitutional Court of the Russian Federation, the President of the Supreme Court of the Russian Federation and their deputies, judges of the Constitutional Court of the Russian Federation, judges of the Supreme Court of the Russian Federation to the Council of Federation of the Federal Assembly of the Russian Federation, appoints federal judges of the Russian Federation.

Qualification board of judges verifies candidates documents and data, recommends candidates for a post, informs about the opening of a vacancy.

The President of the Supreme Court of the Russian Federation nominates his deputies, judges of the Supreme Court, federal commercial courts, federal courts of general jurisdiction to the President of the Russian Federation.

Legislative bodies of constituent entities of the Russian Federation appoint magistrates.

112. Is the same authority (Q111) competent for the promotion of judges?

Yes

No

Comments

112-1. Are there specific provisions for facilitating gender equality within the framework of the procedure for promoting judges?

Yes

No

Comments - If yes, please specify:

113. What is the procedure for judges to be promoted? (multiple answers possible)

Competitive test / Exam

Other procedure (interview or other)

No special procedure

Comments - Please specify how the promotion of judges is organised (especially if there is no competition or examination): The selection of candidates for the position of a judge is carried out on a competitive basis. To go in for the competition a candidate should pass the qualification exam.

113-1. Please indicate the criteria used for the promotion of a judge? (multiple answers possible)

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

Assessment results

Subjective criteria (e.g. integrity, reputation)

Other

No criteria

Comments - Please specify any useful comment regarding the criteria (especially if you have checked the box "performance" or "other"):

114. (Modified question) Is there a system of qualitative individual assessment of the judges' work?

Yes

(X) No

Comments

114. If yes, please specify the frequency of this assessment:

() Annual

() Less frequent

() More frequent

5.1.2. Status, recruitment and promotion of prosecutors

115. What is the status of prosecution services?

[X] statutory independent

[] under the authority of the Minister of justice or another central authority

[] other (please specify):

Comments - When appropriate, please specify the objective guarantees of this independence (transfer, appointment...).

115-1. Does the law or another regulation prevent specific instructions to prosecute or not, addressed to a prosecutor in a court.

() Yes

(X) No

Comments - If yes, please specify:

116. How are public prosecutors recruited?

[] mainly through a competitive exam (open competition)

[] mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)

[X] a combination of both (competitive exam and working experience)

[X] other (please specify):

Comments

117. Authority(ies) responsible for recruitment. Are public prosecutors initially/at the beginning of their career recruited by:

[] an authority composed of public prosecutors only

[] an authority composed of non-public prosecutors only

[X] an authority composed of public prosecutors and non-public prosecutors

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of public prosecutors. If there are several authorities, please describe their respective roles:

117-1. Are there specific provisions for facilitating gender equality within the framework of the procedure for recruiting prosecutors?

(X) Yes

() No

Comments - If yes, please specify:

118. Is the same authority (Q.117) formally responsible for the promotion of public prosecutors?

Yes

No, please specify which authority is competent for promoting public prosecutors

Comments

119. What is the procedure for prosecutors to be promoted? (multiple answers possible)

Competitive test / exam

Other procedure (interview or other)

No special procedure

Comments - Please, specify the procedure (especially if it is a procedure different from a competitive test or an exam): The candidates are selected for promoting on the basis of study and appraisal of their results of professional activity, personal and service qualities including the recommendations of attestation board.

119-1. Are there specific provisions for facilitating gender equality within the framework of the procedure for promoting prosecutors?

Yes

No

Comments - If yes, please specify:

119-2. Please indicate the criteria used for the promotion of a prosecutor:

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

Assessment results

Subjective criteria (e.g. integrity, reputation)

Other

No criteria

Comments - Please, specify any useful comment regarding the criteria (especially if you have checked the box "performance" or "other"):

120. Is there a system of qualitative individual assessment of the public prosecutors' work?

Yes

No

Comments Prosecutors are certified.

5.1.3.Mandate and retirement of judges and prosecutors

121. Are judges appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

Yes, please indicate the compulsory retirement age:70

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: The powers of the judge are terminated on the following grounds:

written statement of the judge on resignation;

the inability to exercise the powers of a judge for health reasons or for other valid reasons;

a written statement of the judge on the termination of his authority in connection with the transfer to another job or for other reasons;

termination of citizenship of the Russian Federation, acquisition of the citizenship of a foreign state or obtaining a residence permit or other document confirming the right to permanent residence of a citizen of the Russian Federation on the territory of a foreign state;

violation by the judge, his spouse and minor children of the prohibition to open and have accounts (deposits), keep cash and valuables in foreign banks located outside the territory of the Russian Federation, own and (or) use foreign financial instruments;

engaging in activities incompatible with the position of a judge;

the election of a judge as the President of the Russian Federation, a deputy of the State Duma of the Federal Assembly of the Russian Federation, a legislative (representative) body of state power of a constituent entity of the Russian Federation, a representative body of a municipal formation, or a head of a municipal formation or an elected local government official;

the entry into legal force of a conviction of a court against a judge or a court decision on the application of coercive measures of a medical nature to him;

the entry into force of a court decision limiting the judge's legal capacity or recognizing him incompetent;

death of a judge or entry into legal force of a court decision declaring him dead;

the judge's refusal to transfer to another court in connection with the abolition or reorganization of the court, and also if the judge turns out to be a close relative or property (spouse, parents, children, siblings, grandparents, grandchildren, as well as parents, children, siblings and siblings) with the chairman or deputy chairman of the same court;

the commission of a disciplinary offense by a judge, for which a disciplinary penalty was imposed on the judge by the decision of the qualification college of judges for the early termination of the judge's powers.

121-1. Can a judge be transferred (to another court) without his/her consent:

For disciplinary reasons

For organisational reasons

For other reasons (please specify modalities and safeguards):

No

Comments If the judge of the district court is temporarily absent and it is impossible to replace him by a judge of the same court, the chairman of the higher court vests his authorities in the judge of the nearest district court.

122. Is there a probation period for judges (e.g. before being appointed "for life")? If yes, how long is this period?

Yes, duration of the probation period (in years):

No

NAP

Comments

123. Are public prosecutors appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

Yes, please indicate the compulsory retirement age:

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: The term of office of prosecutors of cities, districts and equal prosecutors is five years. The Prosecutor General of the Russian Federation, on the basis of the results of the attestation of prosecutors of cities, districts and equal prosecutors, has the right to extend their powers for a term of up to five years. The term of office of the Prosecutor General of the Russian Federation is five years. One and the same person can be appointed to the post

of Prosecutor General of the Russian Federation on several occasions. The age limit specified in the law does not extend to the Prosecutor General of the Russian Federation.

The age limit for the prosecutors is 65 years, for those appointed by the President of the Russian Federation or at his suggestion - 70 years.

124. Is there a probation period for public prosecutors? If yes, how long is this period?

Yes, duration of the probation period (in years):0,5

No

Comments

125. If the mandate for judges is not for an undetermined period (see question 121), what is the length of the mandate (in years)? Is it renewable?

Yes, what is the length of the mandate (in years)?

No

Comments

126. If the mandate for public prosecutors is not for an undetermined period (see question 123), what is the length of the mandate (in years)? Is it renewable?

Yes, what is the length of the mandate (in years)?5

No, what is the length of the mandate (in years)?

Comments

5.2.Training

5.2.1.Training of judges

127. Types of different trainings offered to judges

	Compulsory	Optional	No training proposed
Initial training (e.g. attend a judicial school, traineeship in the court)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
General in-service training	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for management functions of the court (e.g. court president)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for the use of computer facilities in courts	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

128. Frequency of the in-service training of judges:

Frequency of the judges training

General in-service training	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for management functions of the court (e.g. court president)	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for the use of computer facilities in courts	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

Comments - Please indicate any information on the periodicity of the continuous training of judges:

5.2.2. Training of prosecutors

129. Types of different trainings offered to public prosecutors

	Compulsory	Optional	No training proposed
Initial training	(X) Yes () No	() Yes (X) No	() Yes (X) No
General in-service training	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training for specialised functions (e.g. public prosecutors specialised on organised crime)	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training for management functions in the courts (e.g. Head of prosecution office, manager)	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training for the use of computer facilities in office	(X) Yes () No	() Yes (X) No	() Yes (X) No

Comments

130. Frequency of the in-service training of public prosecutors :

	Frequency of the in-service training
General in-service training	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

In-service training for specialised functions (e.g. public prosecutor specialised on organised crime)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for management functions in office (e.g. Head of prosecution office, manager)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for the use of computer facilities in office	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

Comments - Please indicate any information on the periodicity of the in-service training of prosecutors:

131. Do you have public training institutions for judges and / or prosecutors?

	Initial training only	Continuous training only	Initial and continuous training
One institution for judges	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
One institution for prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
One single institution for both judges and prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments The Russian University of Justice, the Prosecutor's General Office Academy.

131-0. (Modified question) If yes, what is the budget of such institution(s)?

	Budget of the institution for the reference year, in €
One institution for judges	3156447 <input type="checkbox"/> NA <input type="checkbox"/> NAP
One institution for prosecutors	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
One single institution for both judges and prosecutors	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments The budget mentioned is the one of the Russian University of Justice.

131-1. If judges and/or prosecutors have no compulsory initial training in such institutions, please indicate briefly how these judges and/or prosecutors are trained?

. NAP

5.3. Practice of the profession

5.3.1. Salaries and benefits of judges and prosecutors



132. Salaries of judges and public prosecutors on 31 December of the reference year:

	Gross annual salary, in €	Net annual salary, in €	Gross annual salary, in local currency	Net annual salary, in local currency
First instance professional judge at the beginning of his/her career	18675 <input type="checkbox"/> NA <input type="checkbox"/> NAP	17735 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1191676 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1131677 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor at the beginning of his/her career	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the average salary of a public prosecutor at this level, and not the salary of the Attorney General).	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The amount of income is liable to tax on personal income at the rate of 13%, however, when sizing up the tax base, the direct amount of a judge income is reduced by the amount of tax deductions stipulated by the Tax Code. Thus the average annual salary after tax deduction is determined for each taxpayer standalone.

133. Do judges and public prosecutors have additional benefits?

	Judges	Public prosecutors
Reduced taxation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Special pension	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Housing	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other financial benefit	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments

134. If “other financial benefit”, please specify:

. Instead of pensions judges can receive special monthly payments that are exempted from taxes.

Judges and prosecutors residing in substandard living conditions are entitled to better housing at the expense of the State.

Judges and prosecutors and members of their families also benefit from medical treatment (including treatment at health resorts) at the expense of the State.

Prosecutors benefit from increased pensions. Judges and prosecutors also enjoy some other benefits like compulsory insurance of life and health, compensation of transportation expenses, lump-sum payments in certain situations.

[] NAP

135. Can judges combine their work with any of the following other functions/activities?

	With remuneration	Without remuneration
Teaching	(X) Yes () No	(X) Yes () No
Research and publication	(X) Yes () No	(X) Yes () No
Arbitrator	() Yes (X) No	() Yes (X) No
Consultant	() Yes (X) No	() Yes (X) No
Cultural function	(X) Yes () No	(X) Yes () No
Political function	() Yes (X) No	() Yes (X) No
Other function	() Yes (X) No	() Yes (X) No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If "other function", please specify.

137. Can public prosecutors combine their work with any of the following other functions/activities?

	With remuneration	Without remuneration
Teaching	(X) Yes () No	(X) Yes () No
Research and publication	(X) Yes () No	(X) Yes () No
Arbitrator	() Yes (X) No	() Yes (X) No
Consultant	() Yes (X) No	() Yes (X) No
Cultural function	(X) Yes () No	(X) Yes () No
Political function	() Yes (X) No	() Yes (X) No
Other function	() Yes (X) No	() Yes (X) No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify.

139. Productivity bonuses: do judges receive bonuses based on the fulfilment of quantitative objectives in relation to the delivery of judgments (e.g. number of judgments delivered over a given period of time) or cases examination?

Yes

No

Comments - If yes, please specify the conditions and possibly the amounts: When awarding bonuses for judges according to the results of their work the following aspects are taken into account: intensity, quality, high performance of the work, terms of considered cases, fulfilment of especially important and complex tasks; implementation of advanced forms of the judicial practice; active involvement in the work of the judicial community bodies.

5.4. Disciplinary procedures

5.4.1. Authorities responsible for disciplinary procedures and sanctions

140. Who is authorised to initiate disciplinary proceedings against judges (multiple options possible)?

Court users

Relevant Court or hierarchical superior

High Court / Supreme Court

High Judicial Council

Disciplinary court or body

Ombudsman

Parliament

Executive power (please specify):

Other (please specify): Qualification board of judges

This is not possible

Comments The submission of the chairman of the relevant or higher court or the appeal of the body of the judicial community on the early termination of the powers of the judge (on bringing the judge to disciplinary responsibility) in connection with his disciplinary offense is considered by the qualification board of judges.

Complaints and reports containing information about the disciplinary offense committed by a judge, delivered to the qualifications board of judges by other bodies and officials, as well as citizens, are checked by the qualification board of judges discretionary or sent for verification to the chairman of the relevant court.

141. Who is authorised to initiate disciplinary proceedings against public prosecutors: (multiple options possible):

Citizens

Head of the organisational unit or hierarchical superior public prosecutor

Prosecutor General /State public prosecutor

Public prosecutorial Council (and Judicial Council)

Disciplinary court or body

- Ombudsman
- Professional body
- Executive power (please specify):
- Other (please specify):
- This is not possible

Comments

142. Which authority has disciplinary power over judges? (multiple options possible)

- Court
- Higher Court / Supreme Court
- Judicial Council
- Disciplinary court or body
- Ombudsman
- Parliament
- Executive power (please specify):
- Other (please specify):

Comments Decision to impose disciplinary sanctions on judges are taken by a relevant qualification panel of judges. Checking of information about an alleged disciplinary offence can be performed by the qualification panel of judges or a president of the relevant court.

143. Which authority has disciplinary power over public prosecutors? (multiple options possible):

- Supreme Court
- Head of the organisational unit or hierarchical superior public prosecutor
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (and Judicial Council)
- Disciplinary court or body
- Ombudsman
- Professional body
- Executive power (please specify):
- Other (please specify):

Comments

5.4.2. Number of disciplinary procedures and sanctions

144. Number of disciplinary proceedings initiated during the reference year against judges and public prosecutors. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

Judges	Prosecutors
--------	-------------

Total number (1+2+3+4)	[X] NA [] NAP	[X] NA [] NAP
1. Breach of professional ethics	[X] NA [] NAP	[X] NA [] NAP
2. Professional inadequacy	[X] NA [] NAP	[X] NA [] NAP
3. Criminal offence	[X] NA [] NAP	[X] NA [] NAP
4. Other	[X] NA [] NAP	[X] NA [] NAP

Comments - If “other”, please specify:

145. Number of sanctions pronounced during the reference year against judges and public prosecutors:

	Judges	Prosecutors
Total number (total 1 to 9)	162 [] NA [] NAP	[X] NA [] NAP
1. Reprimand	[X] NA [] NAP	[X] NA [] NAP
2. Suspension	[X] NA [] NAP	[X] NA [] NAP
3. Withdrawal from cases	[X] NA [] NAP	[X] NA [] NAP
4. Fine	[X] NA [] NAP	[X] NA [] NAP
5. Temporary reduction of salary	[X] NA [] NAP	[X] NA [] NAP
6. Position downgrade	[X] NA [] NAP	[X] NA [] NAP
7. Transfer to another geographical (court) location	[X] NA [] NAP	[X] NA [] NAP
8. Resignation	12 [] NA [] NAP	[X] NA [] NAP
9. Other	150 [] NA [] NAP	[X] NA [] NAP

Comments - If “other”, please specify. If a significant difference exists between the number of disciplinary proceedings and the number of

sanctions, please indicate the reasons. "Other" includes notifications and reprimands.

E3. Please indicate the sources for answering questions 144 and 145:

Sources: The Supreme Court of the Russian Federation Judicial Department, the Prosecutor's General Office of the Russian Federation.

6.Lawyers

6.1.Profession of lawyer

6.1.1.Status of the profession of lawyers

146. Total number of lawyers practising in your country:

[72508]

[] NA

[] NAP

Comments

147. Does this figure include "legal advisors" who cannot represent their clients in court (for example, some solicitors or in-house counsellors)?

Yes ()

No (X)

Comments

148. Number of legal advisors who cannot represent their clients in court:

[]

[X] NA

[] NAP

Comments

149. (Modified question) Do lawyers have a monopoly on legal representation in (multiple options are possible):

	First instance	Second instance	Highest instance court (Supreme Court)
Civil cases	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Dismissal cases	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP

Criminal cases - Defendant	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Criminal cases - Victim	() Yes (X) No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP
Administrative cases	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
There is no monopoly	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP

Comments - Please, indicate any useful clarifications regarding the content of lawyers' monopoly: According to the Criminal Procedure Code admitted to coming out as counsels for the defence shall be lawyers. Under the ruling or decision of the court, admitted in the capacity of the counsel for the defence may also be, alongside the lawyer, one of the close relatives of the accused, or another person for whose admittance the accused has applied. If the proceedings are carried out by a justice of the peace, the said person may also be admitted instead of the lawyer. As far as civil proceedings are concerned citizens have the right to prosecute their cases in court in person or through their representatives. The personal participation in the case of a citizen shall not deprive him of the right to have a representative on this case. Judges, investigators and public prosecutors cannot be representatives in court, with the exception of the instances of their participation in the proceedings as representatives of the corresponding bodies, or as legal representatives. According to the Code of Administrative Offences a defense counsel may participate in proceedings in a case concerning an administrative offence in order to render legal assistance to the person who is on trial in connection with the case on the administrative offence, and a representative may participate therein for the purpose of rendering legal assistance to the aggrieved party. A lawyer or some other person shall be allowed to participate in proceedings in a case concerning an administrative offence as a defense counsel or a representative.

149-0. (New question) If there is no monopoly, please specify the organisations or persons that may represent a client before a court:

	First instance	Second instance	Highest instance court (Supreme Court)
Civil society organisation	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Family member	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Self-representation	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Trade union	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Other	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP

Comments - If "other", please specify. In addition, please specify for the categories mentioned, the types of cases concerned by this/these representation(s):

149-1. In addition to the functions of legal representation and legal advice, can a lawyer exercise other activities?

- Notarial activity
- Arbitration / mediation
- Proxy / representation
- Property manager
- Real estate agent
- Other law activities (please specify):

Comments

149-2. What are the statuses for exercising the legal profession in court?

- Self-employed lawyer
- Staff lawyer
- In-house lawyer

Comments

150. Is the lawyer profession organised through:

- a national bar association
- a regional bar association
- a local bar association

Comments Lawyer of a sub-federal entity of the Russian Federation unite in a sub-federal entity bars on the basis of mandatory membership. The Federal Chamber of Lawyers of the Russian Federation also unites advocates on the basis of mandatory membership. There are the following forms of legal practice in the Russian Federation: a legal office, a law office, a legal advice.

151. Is there a specific initial training and/or exam to enter the profession of lawyer?

- Yes
- No

Comments - If not, please indicate if there are other specific requirements as regards diplomas or university degrees:

152. Is there a mandatory general system for lawyers requiring in-service professional training?

- Yes
- No

Comments

153. Is the specialisation in some legal fields linked to specific training, levels of qualification, specific diploma or specific authorisations?

- Yes
- No

Comments - If yes, please specify:

F1. Please indicate the sources for answering questions 146 and 148:

6.1.2. Practicing the profession

154. Can court users establish easily what the lawyers' fees will be (i.e. a prior information on the foreseeable amount of fees)?

Yes

No

Comments

155. Are lawyers' fees freely negotiated?

Yes

No

Comments

156. Do laws or bar association standards provide any rules on lawyers' fees (including those freely negotiated)?

Yes laws provide rules

Yes standards of the bar association provide rules

No neither laws nor bar association standards provide rules

Comments

6.1.3. Quality standards and disciplinary procedures

157. Have quality standards been determined for lawyers?

Yes

No

Comments - If yes, what are the quality criteria used?

158. If yes, who is responsible for formulating these quality standards:

the bar association

the Parliament

other (please specify):

Comments

159. Is it possible to file a complaint about:

the performance of lawyers

the amount of fees

Comments - Please specify: A complaint can be filed by an applicant party through the disciplinary proceeding.

160. Which authority is responsible for disciplinary procedures?

- the judge
- the Ministry of Justice
- a professional authority
- other (please specify):

Comments

161. Disciplinary proceedings initiated against lawyers. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings
Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	4770 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	33 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify:

162. Sanctions pronounced against lawyers.

	Number of sanctions
Total number of sanctions (1 + 2 + 3 + 4 + 5)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Withdrawal from cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Fine	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
5. Other	3245 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons. When it comes to lawyers there are the following disciplinary measures: a reprimand, a caution, a disbarment.

7. Alternative dispute resolutions

7.1. Mediation

7.1.1. Details on mediation procedures and other ADR

163. Does the judicial system provide for judicial mediation procedures? If this is not the case you will go directly to question 168.

Yes

No

Comments

163-1. In some fields, does the judicial system provide for mandatory mediation procedures?

Before going to court

Ordered by a judge in the course of a judicial proceeding

Comments - If there are mandatory mediation procedures, please specify which fields are concerned:

164. Please specify, by type of cases, the organisation of judicial mediation:

	Court annexed mediation	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
Civil and commercial cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Family law cases (ex. divorce)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Administrative cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Employment dismissals	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Criminal cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

165. Is there a possibility to receive legal aid for judicial mediation procedures?

Yes

No

Comments - If yes, please specify:

166. Number of accredited or registered mediators who practice judicial mediation:

[]

NA

Comments

167. Number of judicial mediation procedures.

	Number of judicial mediation procedures
Total number of mediation cases (total 1 + 2 + 3 + 4 + 5)	1748 [] NA [] NAP
1. Civil and commercial cases	1329 [] NA [] NAP
2. Family cases	407 [] NA [] NAP
3. Administrative cases	[] NA [X] NAP
4. Employment dismissal cases	12 [] NA [] NAP
5. Criminal cases	[] NA [X] NAP

Comments - Please indicate the source:

168. Does the legal system provide for the following alternative dispute resolutions (ADR):

- mediation other than judicial mediation
- arbitration
- conciliation
- other ADR (please specify):

Comments

G1. Please indicate the source for answering question 166:

Source: The Department of Legal Aid and Cooperation with the Judiciary of the Ministry of Justice of the Russian Federation.

8.Enforcement of court decisions

8.1.Execution of decisions in civil matters

8.1.1.Functioning

169. Do you have enforcement agents in your judicial system?



Yes

No

Comments

170. Number of enforcement agents

[22706]

NA

NAP

Comments According to the Federal Law "On Bailiffs" bailiffs fall under two headings: bailiffs as enforcement officers and bailiffs as court officers. For the purpose of the CEPEJ questionnaire data concerning only bailiffs as enforcement agents is used. In 2016 there are 73919 bailiffs as enforcement agents and bailiffs as court officers.

171. Are enforcement agents (multiple options are possible):

judges

bailiffs practising as private professionals under the authority (control) of public authorities

bailiffs working in a public institution

other

Comments - Please specify their status and powers: The status and the powers of bailiffs are defined in the Federal Law "On Bailiffs" according to which bailiffs shall ensure order in courts, enforce judicial acts and acts of other public bodies, execute the legislation on criminal proceedings.

Depending on the duties they perform, the bailiffs are divided into bailiffs to ensure order in courts and marshals.

171-1. Do enforcement agents have the monopoly in exercising their profession?

Yes

No

Comments - Please indicate any useful clarifications regarding the content of the enforcement agents' monopoly or on the opposite regarding the competition they have to deal with:

171-2. Can the enforcement agent carry out the following civil enforcement proceedings:

	Option
Seizure of movable tangible properties	<input type="checkbox"/> Yes with monopole <input checked="" type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of immovable properties	<input type="checkbox"/> Yes with monopole <input checked="" type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure from a third party of the debtor claims regarding a sum of money	<input type="checkbox"/> Yes with monopole <input checked="" type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP

Seizure of remunerations	<input type="checkbox"/> Yes with monopole <input checked="" type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of motorised vehicles	<input type="checkbox"/> Yes with monopole <input checked="" type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP
Eviction measures	<input type="checkbox"/> Yes with monopole <input checked="" type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP
Enforced sale by public tender of seized properties	<input type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments

171-3. Apart of the enforcement of court decisions, what are the other activities that can be carried out by enforcement agents?

- Service of judicial and extrajudicial documents
- Debt recovery
- Voluntary sale of moveable or immovable property at public auction
- Seizure of goods
- Recording and reporting of evidence
- Court hearings service
- Provision of legal advice
- Bankruptcy procedures
- Performing tasks assigned by judges
- Representing parties in courts
- Drawing up private deeds and documents
- Building manager
- Other

Comments

172. Is there a specific initial training or exam to become an enforcement agent?

- Yes
- No

Comments

172-1. Is there a system of mandatory general continuous training for enforcement agents?

Yes

No

Comments

173. Is the profession of enforcement agents organised by (the answer NAP means that the profession is not organised):

a national body

a regional body

a local body

NAP

Comments

174. Are enforcement fees easily established and transparent for the court users?

Yes

No

Comments

175. Are enforcement fees freely negotiated?

Yes

No

Comments

176. Do laws provide any rules on enforcement fees (including those freely negotiated)?

Yes

No

Comments

H0. Please indicate the sources for answering question 170

Source: The Ministry of Justice of the Russian Federation.

8.1.2. Efficiency of enforcement services

177. Is there a body entrusted with supervising and monitoring the enforcement agents' activity?

Yes

No

Comments

178. Which authority is responsible for supervising and monitoring enforcement agents?

- a professional body
- the judge
- the Ministry of Justice
- the public prosecutor
- other (please specify):Federal Bailiff Service

Comments

179. Have quality standards been determined for enforcement agents?

- Yes
- No

Comments - If yes, what are the quality criteria used? Percentage of actual enforcement of enforcement proceedings; intensity of enforcement demands of writs of execution; percentage of actual enforce of enforcement proceedings initiated on the grounds of judicial acts; legality of the Federal Bailiff Service official acts.

180. If yes, who is responsible for establishing these quality standards?

- a professional body
- the judge
- the Ministry of Justice
- other (please specify):

Comments The Government of the Russian Federation.

181. Is there a specific mechanism for executing court decisions rendered against public authorities, including supervising such execution?

- Yes
- No

Comments - If yes, please specify: The conditions and procedure of the execution of judicial acts concerning the transfer of the relevant budget funds of the budgetary system of the Russian Federation to citizens and legal entities are imposed by the budget legislation of the Russian Federation. These judicial acts are executed by the Russian Federal Treasury.

182. Is there a system for monitoring how the enforcement procedure is conducted by the enforcement agent?

- Yes
- No

Comments - If yes, please specify:

183. What are the main complaints made by users concerning the enforcement procedure? Please indicate a maximum of 3.

- no execution at all
- non execution of court decisions against public authorities
- lack of information

- excessive length
- unlawful practices
- insufficient supervision
- excessive cost
- other (please specify):

Comments

184. Has your country prepared or established concrete measures to change the situation concerning the enforcement of court decisions – in particular as regards decisions against public authorities?

Yes

No

Comments - If yes, please specify:

185. Is there a system measuring the length of enforcement procedures:

	Existence of the system
for civil cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
for administrative cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments

186. As regards a decision on debt collection, please estimate the average timeframe to notify the decision to the parties who live in the city where the court sits (one option only):

between 1 and 5 days

between 6 and 10 days

between 11 and 30 days

more (please specify):NA

Comments

187. Number of disciplinary proceedings initiated against enforcement agents. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings initiated
Total number of initiated disciplinary proceedings (1+2+3+4)	15356 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. For breach of professional ethics	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

2. For professional inadequacy	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. For criminal offence	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify: The discrepancy between number of disciplinary proceedings in 2014 and 2016 is caused by the following matter. For 2014 the number provided was for the first half of the year as the rest of the statistics had not been available at that moment, for 2016 we indicated the number of proceedings for the whole year.

188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
Total number of sanctions (1+2+3+4+5)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Withdrawal from cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Fine	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
5. Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons:

H1. Please indicate the sources for answering questions 186, 187 and 188:

Source: The Ministry of Justice of the Russian Federation.

8.2. Execution of decisions in criminal matters

8.2.1. Functioning of execution in criminal matters

189. Which authority is in charge of the enforcement of judgments in criminal matters? (multiple options possible)

- Judge
- Public prosecutor
- Prison and Probation Services
- Other authority (please specify):

Comments - Please specify his/her functions and duties (e.g. initiative or monitoring functions).

190. Are the effective recovery rates of fines decided by a criminal court evaluated by studies?

- Yes
- No

Comments

191. If yes, what is the recovery rate?

- 80-100%
- 50-79%
- less than 50%

Comments - Please indicate the source for answering this question:

9. Notaries

9.1. Profession of notary

9.1.1. Number and status of notaries

192. Number and type of notaries in your country. If you do not have notaries skip to question 197.

	Number of notaries
TOTAL	7917 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Private professionals (without control from public authorities)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Private professionals under the authority (control) of public authorities	7914 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Public agents	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Other	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If "other", please specify the status:

192-1. What are the access conditions to the profession of notary:

diploma

payment of a fee (e.g. purchasing office)

co-opting of peers

other

Comments A notary in the Russian Federation may be a citizen of the Russian Federation:

- 1) received a higher legal education in a state-accredited educational organization of higher education;
- 2) having worked for a legal profession for at least five years;
- 3) who has reached the age of twenty-five years, but not older than seventy-five years;
- 4) who passed the qualification exam.

192-2. (Modified question) What is the duration of appointment of a notary?

Limited duration, please indicate it in years:

Unlimited duration

Comments A notary in the Russian Federation may be a citizen of the Russian Federation who is not older than seventy-five years.

194. Do notaries have duties (multiple options possible):

within the framework of civil procedure

in the field of legal advice

to certify the authenticity of legal deeds and certificates

in the field of mediation

other (please specify):

Comments Notaries perform the following notarial actions: certify transactions; issue certificates of ownership of a share in the common property of the spouses;

impose and remove prohibitions on the alienation of property; certify copies of documents and extracts from them; certify that the signature is genuine on the documents; certify the correctness of the translation of documents from one language to another; certify the fact that a citizen is alive; certify the fact of citizen's location in a certain place; certify the identity of the citizen with the person depicted in the photo;

certify the time of presentation of documents; transfer applications and (or) other documents of individuals and legal entities to other individuals and legal entities;

accept cash and securities in the deposit;

make executive inscriptions;

make protests of bills of exchange;

present checks for payment and certify non-payment of checks;

accept documents for safekeeping;

make sea protests;

secure evidence; certify information about persons in cases provided for by the legislation of the Russian Federation; register notices of pledge of movable property;

issue extracts from the register of notices on pledge of movable property;

issue duplicates of notarial certificates, executive inscriptions and duplicates of documents expressing the content of notarially certified transactions;

certify the equivalence of an electronic document to a document on paper;

certify the equivalence of the document on paper to an electronic document;

submit documents for state registration of rights to real estate and transactions with it; certify the identity of the handwritten signature of a visually impaired person with the facsimile reproduction of his handwritten signature;

issue certificates of heirship; take measures to protect inheritance property; certify the decisions of the management bodies of legal entities;

submit documents for state registration of legal entities and individual entrepreneurs;
bring information to the register of lists of participants of limited liability companies to the Unified Notariat Information System; issue extracts from the register of lists of participants of limited liability companies of the Unified Notariat Information System.

194-1. Do notaries have the monopoly when exercising their profession:

- in civil procedure
- in the field of legal advice
- to authenticate deeds/certificates
- in the field of mediation
- other

Comments - Please indicate any useful clarifications regarding the content of the notaries' monopoly or on the opposite regarding the competition they have to deal with:

194-2. As well as these activities, what are the other ones that can be carried out by notaries?

- Real estate transaction
- Settlement of estates
- Legality control of gambling activities
- Authentication of documents
- Translations
- Signatures
- Other

Comments

195. Is there an authority entrusted with supervising and monitoring the notaries' work?

- Yes
- No

Comments

196. If yes, which authority is responsible for supervising and monitoring notaries?

- a professional body
- the judge
- the Ministry of Justice
- the public prosecutor
- the Ministry of Interior
- other (please specify):

Comments

196-1. Is there a system of general continuous training mandatory for all notaries?

- Yes
- No

Comments The register of public notarys' offices and offices of notaries pursuing private practice shall be maintained by the Ministry of

Justice of the Russian Federation.

For notaries engaged in private practice the membership in a notarial chamber of the constituent entity of the Russian Federation is obligatory. For notarial chambers the membership in the Federal Notarial Chamber is obligatory.

Refusal to perform notarial action or inadequate performance of notarial action shall be appealed against judicially.

The control over the discharge of professional duties by notaries working at public notary's offices shall be exercised by the Ministry of justice of the Russian Federation and its regional offices, and by notaries engaged in private practice - by notarial chambers.

I1. Please indicate the sources for answering question 192:

Sources: The Ministry of Justice of the Russian Federation.

10.Court interpreters

10.1.Details on profession of court interpreter

10.1.1.Status of court interpreters

197. Is the title of court interpreters protected?

Yes

No

Comments There is no special position of court interpreter in the Russian Federation.

According to Article 9 of the Civil Procedure Code to the persons taking part in the case while not knowing the language in which the civil court proceedings are conducted shall be explained and ensured their right to give explanations and conclusions, to address the court, to file petitions and place complaints in their native tongue any other freely chosen language of communication, and also to make use of the services of an interpreter. The same rights are enjoyed by participants in a criminal case.

According to Article 59 of the Criminal Procedure Code seen as the interpreter shall be a person invited to take part in the criminal court proceedings who has a perfect command of the language, the knowledge of which is indispensable for making the translation.

On the appointment of a person as an interpreter, the inquirer, the investigator, the prosecutor or the judge shall pass a resolution, and the court - a ruling. According to Article 97 of the Civil Procedure Code the payment for the services of interpreters and the reimbursement of the expenses incurred by them in connection with the appearance in court, shall be made upon the performance by them of their duties from

the means of the respective budget. According to Article 131 of the Criminal Procedure Code the sums paid out to the interpreter shall be referred to the procedural outlays and recompensed from the funds of the federal budget.

198. Is the function of court interpreters regulated by legal norms?

Yes

No

Comments

199. Number of accredited or registered court interpreters:

[]

[] NA

[X] NAP

Comments

200. Are there binding provisions regarding the quality of court interpretation within judicial proceedings?

- () Yes
- (X) No

Comments - If yes, please specify:

201. Are the courts responsible for selecting court interpreters?

- [] Yes, for recruitment and/or appointment for a specific term of office
- [X] Yes, for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings
- [] No, please specify which authority selects court interpreters

Comments

J1. Please indicate the sources for answering question 199

Sources: The Supreme Court Judicial Department.

11. Judicial experts

11.1. Profession of judicial expert

11.1.1. Status of judicial experts



202. In your system, what type of experts can be requested to participate in judicial procedures (multiple choice possible):

- [X] "expert witnesses", who are requested by the parties to bring their expertise to support their argumentation,
- [X] "technical experts" who put their scientific and technical knowledge on issues of fact at the court's disposal,
- [X] "legal experts" who might be consulted by the judge on specific legal issues or requested to support the judge in preparing the judicial work (but do not take part in the decision).
- [] Other (please specify):

Comments Expert witnesses are those experts expertise of whom the parties use in order to support their arguments.
Technical experts provide their scientific and technical knowledge on the facts being considered at the court's disposal.
Legal experts may provide advice to judges on specific legal issues or render assistance to judges in effectuation of legal activities (but do not participate in decision-making).

202-1. Are there lists or databases of technical experts registered?

- () Yes
- (X) No

Comments - Please, indicate any useful comment regarding these lists of experts if they do exist (e.g. : who decide of the registration on the list ? Is the registration limited in time ? does the expert take the oath ? how is his/her skill evaluated ? by whom ?)

203. Is the title of judicial experts protected?

Yes

No

Comments - If appropriate, please explain the meaning of this protection: The position of an expert in state forensic expert institutions may be held by a citizen of the Russian Federation who has higher professional education and who has been trained for a specific expert specialty. The competence level detection of experts and their certification for the right to independently produce forensic expertise are carried out by expert and qualification commissions.

The competence level of experts is subject to review by these commissions every five years.

203-1. Does the expert have an obligation of training?

	Obligation of training
Initial training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Continuous training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments Continuous training is introduced by the Education Act.

203-2. If yes, does this training concern:

the proceeding

the profession of expert

other

Comments

204. Is the function of judicial experts regulated by legal norms?

Yes

No

Comments

204-1. On the occasion of a mission entrusted to him/her, does the expert have to report any potential conflicts of interest?

Yes

No

Comments

205. Number of accredited or registered judicial / technical experts:

[6810]

NA

NAP

Comments The number of technical experts included in the state register of technical experts is increasing annually in connection with the procedure for professional certification of technical experts introduced in 2012

205-1. Who sets the expert remuneration?

- Experts receive remuneration for the work performed by them on behalf of the court if this work is not a part of their official duties as employees of a state institution. The amount of remuneration to experts is determined by the court upon confirming with the parties and by the consent of the experts.

206. Are there binding provisions regarding the exercise of the function of judicial expert within judicial proceedings?

Yes

No

Comments - If yes, please specify, in particular the given time to provide a technical report to the judge: Knowingly false opinion of an expert shall be punishable according to Article 307 of the Criminal Code of the Russian Federation.

207. Are the courts responsible for selecting judicial experts?

Yes, for recruitment and/or appointment for a specific term of office

Yes, for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings

No, please specify which authority selects judicial experts

Comments

207-1. Does the judge control the progress of investigations?

Yes

No

Comments In the process of forensic examination, the expert is independent, he can not be in any way dependent on the body or person who appointed judicial expertise, parties and other persons interested in the outcome of the case.

It is not allowed to influence the expert on the part of the courts, judges, inquiry bodies, persons conducting the inquiry, investigators and prosecutors, as well as other state bodies, organizations, associations and individuals in order to obtain an opinion in favor of one of the participants in the process or in the interests other persons.

K1. Please indicate the sources for answering question 205

Sources: The Department of Legal Aid and Cooperation with the Judiciary of the Ministry of Justice of the Russian Federation.

12.Reforms in judiciary

12.1.Foreseen reforms

12.1.1.Reforms

208. Can you provide information on the current debate in your country regarding the functioning of justice? Are there foreseen reforms? Please inform whether these reforms are under preparation

or have only been envisaged at this stage. Have innovative projects been implemented? If possible, please observe the following categories:

1. (Comprehensive) reform plans Over the years federal targeted programs aimed at developing the court system of the Russian Federation had been adopted and implemented. Currently the 2013 - 2020 Federal Targeted Program for the Development of the Court System of the Russian Federation in the Russian Federation approved by the Government of the Russian Federation is being carried out.

2. Budget /

3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts -, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings) In order to set up independent and discretionary appeals and cassation instances the concept of further development of court of general jurisdiction organization is prepared. The concept provides the founding of discretionary courts of appeal and cassation, structural allocation of which allows to unify the construction of the court system and improve the caseload. In June 2016 the laws on the introduction of jury trials in district courts and garrison military courts the aim of which is the further extension and development of democratic principles of criminal procedure, promotion of the transparency of justice and public trust in it.

3.1. Access to justice and legal aid /

4. High Judicial Council /

5. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc. The Ministry of Justice of the Russian Federation is developing a draft conception of professional legal aid market regulation. The provisions of the draft contains major lines of development of legal services, and aimed at the regulating of providing of professional legal aid and reforming the institution of legal profession by market foreclosure for unconscientious market members.

6. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities /

7. Enforcement of court decisions /

8. Mediation and other ADR /

9. Fight against crime /

9.1. Prison system The priority directions of the state policy in the sphere of the development of the penitentiary system are determined by the Concept for the Development of the Criminal Executive System until 2020. The main objectives of the concept, including the humanization of the conditions of detention of persons in custody, and persons serving sentences in the form of deprivation of liberty, increasing guarantees of compliance with their rights and legitimate interests in accordance with international standards, improving criminal and penal enforcement policies (organizations enforcement of sentences) aimed at the socialization of convicts, as well as ensuring the transparency of the penal system, expanding cooperation with civil society.

9.2 Child friendly justice /

9.3. Violence against partners /

10. New information and communication technologies /

11. Other /