Judicial System
of the Russian Federation

11 November 2009
Olga Fomina
Content

1. Legal Basis for the Judicial System
2. General Structure of the Judicial System
3. Courts of General Jurisdiction
4. Constitutional Courts
5. Arbitration Courts
Legal Basis for the Judicial System

• The Russian Constitution of 1993 became the main legal basis for the introduction of the judicial reform (Chapter 7 «Judicial Power»)

• Federal Constitutional Laws determine the structure of the judicial system of the Russian Federation and the sphere of activities of its various parts
One of the main differences with the American Judicial System:

the Russian Judicial System is not centralized
like the Judicial System in the United States
The Judicial System of Russia consists of three branches:

- Courts of General Jurisdiction
- Constitutional Courts
- Arbitration Courts
Another important structural difference between Russian and American Judicial Systems:

There is only one Supreme Court in the USA and three «Supreme Courts» in Russia, which are the highest courts within their respective branches.
Structure of the Courts of General Jurisdiction

- The Supreme Court of the Russian Federation
  - Supreme Courts of Subjects
  - Municipal and Local Courts
  - Justice of the Peace (Magistrates)
  - Military (Navy) Circuit Courts
  - Local Military Courts
Jurisdiction of the Courts of General Jurisdiction

• Civil Courts
  Criminal, Administrative, Civil, and other cases that fall under the jurisdiction of the Courts of General Jurisdiction

• Military Courts
  Criminal, Administrative, Civil, and other cases that fall under the jurisdiction of the Courts of General Jurisdiction that occur while serving in the military or service or its equivalent (example: civilian projects for the military like digging a ditch)
Federal Structure of the Russian Federation

Russia as well as the USA has **Federalism**

Russian Federation contains **83 Subjects:**

- 21 Republics
- 46 Oblast
- 9 Kraj
- 1 Autonomous Oblast
- 4 Autonomous Okrug
- 2 Cities of Federal Significance: Moscow and St. Petersburg
Constitutional Courts in Russia

The Constitutional Court

Constitutional Courts of the Subjects
Jurisdiction of the Constitutional Court of Russia (Article 125 of the Constitution)

- Cases relating to the constitutionality of the Federal Laws, and other normative acts
- Cases regarding the compliance of government agencies
- Provides for Judicial Review of the Constitution of the Russian Federation
- Gives definitive decisions on accusations against the President of the Russian Federation at the Request of the Council of the Federation
- Etc.
Jurisdiction of Constitutional Courts of Subjects
(Federal Constitutional Law 1996 «About the Judicial System in the Russian Federation»)

• Cases relating to the conformity of the Subjects’ of Russia laws and other normative acts as well as local acts with the Constitution of the corresponding Subject
• Interpretation of the Constitution of the Subject of the Russian Federation
• Etc.
System of Arbitration Courts

Supreme Court of Arbitration

Courts of Arbitration Districts (10)

Arbitration Appellate Courts (20)

Arbitration Courts of the Subjects (83)
Jurisdiction of Arbitration Courts

- Business Disputes
- Bankruptcy
- Cases regarding creation, reorganization and liquidation of a judicial person
- Corporate Disputes
- Etc.
Questions?