



# INTERNATIONAL COMMISSION OF JURISTS

Commission internationale de juristes - Comisión Internacional de Juristas

*" dedicated since 1952 to the primacy, coherence and implementation of international law and principles that advance human rights "*

## COMMUNIQUE DE PRESSE – COMUNICADO DE PRENSA

23 November 2010

### **Russian Federation: ICJ calls for systemic reforms to strengthen the judiciary**

There is a need for a systemic programme of judicial reform in the Russian Federation, the International Commission of Jurists (ICJ) said today, as it released the final report of an ICJ research mission to consider judicial reform and the functioning and independence of the judiciary in Russia. The Report, *The State of the Judiciary in Russia*, called for a programme of reform to be led by an expert, independent body, with the meaningful involvement of civil society.

“The judiciary in Russia is struggling with its institutional past and a long-standing legal culture inherited from the Soviet era. That legacy and more recent missteps have served to undermine judicial independence and public confidence in the ability of the judiciary to provide real justice. While President Medvedev has recognised the need for judicial reform, his statements have not yet been followed by sufficient government action. The complex problems the judiciary faces can only be effectively addressed through a comprehensive programme of structural reforms, including modification of the procedures for judicial appointment, promotions and dismissal, and the appointment and powers of court presidents ” said the ICJ.

The report follows an ICJ mission which visited Moscow in June 2010 and met with judges, former judges, NGO representatives, lawyers, bar associations, government representatives and the Constitutional Court to hear a range of opinions about the judiciary and the current problems it faces. It heard consistent allegations of threats to the independence of the judiciary in Russia including undue influence on judges by a great variety of state and non-state actors.

In its report, the ICJ highlights lack of effective protection against such undue influence, which runs through the judicial system, affecting the selection process for judges, promotions, remuneration and disciplinary proceedings. In some cases this influence is used to punish disobedience or encourage loyalty. The extensive powers of court presidents can also serve as a conduit for executive or other influence in both civil and criminal cases. The report stresses that such attempts to influence the judiciary are serious threats to its independence and to its ability to provide a fair hearing in accordance with international human rights standards, and must be effectively prevented and subject to sanction by the state.

The mission included Ketil Lund, ICJ Commissioner, retired justice of the Supreme Court of Norway; Vojin Dimitrijevic, ICJ Commission and Executive Committee member, Director of the Belgrade Centre for Human Rights, Venice Commission member and former member of the UN Human Rights Committee; and Róisín Pillay, Senior Legal Advisor of the ICJ Europe Regional Programme.

*For further information please Róisín Pillay on + 41 22 979 3830 or Temur Shakirov on + 41 22 979 3832.*

The ICJ is an international non-governmental organisation comprising sixty of the world's most eminent jurists and has a worldwide network of national sections and affiliated organisations

33, rue des Bains, P.O. Box 91, 1211 Geneva 8, Switzerland  
Tel: +41(0) 22 979 3800 – Fax: +41(0) 22 979 3801 – Website: <http://www.icj.org> - E-mail: [info@icj.org](mailto:info@icj.org)

P  
R  
E  
S  
S  
R  
E  
L  
E  
A  
S  
E