

Remarks of Nikolai V. Timoshin,  
Judge of the Supreme Court of the Russian Federation and  
President of the High Qualification Board of Judges of the Russian Federation,  
at the 18<sup>th</sup> Meeting of Chief Justices of Supreme Courts of SCO Member States

Session 3: "Institutional Challenges facing Judiciary:  
Delays, Infrastructure, Representation, and Transparency"

Distinguished participants of the Meeting,

At the instructions of Vyacheslav Lebedev, Chief Justice of the Supreme Court of the Russian Federation, and on behalf of the High Qualification Board of Judges of the Russian Federation that I have the honour to preside at, I salute you and thank you for the opportunity to speak at this event.

Russia is taking consecutive steps towards democratization of the court system, higher efficiency and transparency of the judiciary.

Since 1991, upon the initiative of the Supreme Court of the Russian Federation, court reforms have been ongoing for the purposes of ensuring the efficiency and accessibility of court protection of rights for the citizens and organisations. Its main stages included the establishment of self-reliance of the courts and independence of judges on the constitutional level. Issues of improving the work of the court system have been resolved by vesting the Supreme Court of the Russian Federation with the status of the top judicial body in cases considered by the courts of general jurisdiction, commercial courts and justices of the peace. The systems of jury trials and justices of the peace have been restored, administrative judicial proceedings have been introduced.

The creation of structurally independent courts of cassation and appeal, operating on the principle of extraterritoriality, within the system of courts of general jurisdiction has allowed to unify the structure of the court system of the Russian Federation as a single four-tier system and to partially optimize judicial workload.

Today, there are 2,321 federal courts of general jurisdiction, 115 federal commercial courts and 7,733 sub-districts of justices of the peace in the Russian Federation, with more than 37,000 judges engaged in the administration of justice.

Conducting a state policy aimed at improving the quality and efficiency of functioning of the court system, strengthening the independence of the courts results in higher requirements to judges as the holders of judicial power.

In accordance with the Constitution of the Russian Federation, a Russian citizen who has reached the age of 25, has a law degree and at least a 5-year working experience in the legal sphere can become a judge. Additional requirements to the age and working experience are stipulated depending on the level of the court. Any restrictions based on social status, race, nationality, gender or religious affiliation are prohibited.

A judge in our country cannot have the status of an advocate, be a member of a political party, cannot act as an agent or representative (except in case of so-called statutory representation), engage in other remunerated activities except for teaching, scientific and other artistic activities.

The average age of a member of the judiciary is 40 to 50 years. Judges under the age of 40 mostly work in the entry-level courts.

While Russia's workforce is dominated by men, most judges in the country are women. For example, at the specialized Court for Intellectual Rights there is a 50/50 gender balance, while among the justices of the peace and the judges of first-instance commercial courts the share of female judges reaches 71 %.

All judges in the Russian Federation enjoy the same status and only differ based on their powers and competence.

The special status of a judge presupposes special procedures of forming the judiciary. A key role in this multi-stage process is played by qualification boards of judges. These are bodies of the judiciary tasked with such important issues as selection of judges and

their career progress, qualification attestation, holding judges liable, termination of powers and judicial retirement.

Judges are appointed on a competition basis. Global experience shows that it is the competition procedure that allows to select the most worthy candidates for the judicial office, based on equal opportunities for all citizens. What's most important here is the sufficiency of information, objective approach and impartiality.

After a judicial vacancy is announced, a citizen meeting the requirements to a judicial candidate files an application and provides the necessary documents and information about herself and her close relatives, states her biographical data, provides characteristics, information about her income and property, and whether she has been held liable in any way. Acting judges also provide information about the results of their judicial activities. Among those seeking initial judicial appointment are court staffers, civil servants, prosecutors and advocates, university professors and practicing lawyers.

The qualification board verifies the information about the candidates, using special information systems and software, studies publications in the mass media. Special attention is paid to compliance with the requirements of anti-corruption legislation.

All the provided materials are studied at a session of the qualification board. The sessions are open for the public and journalists. During the pandemic, video conferencing systems were used on a broad basis.

The results of sessions and the texts of adopted decisions are published on the websites of the qualification boards and are available for the general public.

Citizens expect the judge not only to know the laws and abide by them, but also to be a decent, fair, thoughtful, balanced, objective person acting with integrity.

Partly for these reasons, around 23 % of applicants do not receive a qualification board's recommendation for appointment to the judicial office.

Since the role of the courts in the life of our society is increasing and the citizens are better understanding their rights, the number of court applications is growing from year

to year, the Supreme Court of the Russian Federation pays special attention to compliance with the procedural time terms. Already in 2007, the Plenary Session of the Supreme Court instructed the courts to take the necessary measures in order to eliminate errors and omissions in application of legislation regarding the procedural terms for consideration of cases, as well as to take other measures, up to termination of powers of judges who allow delays.

In accordance with a federal law adopted in 2010, persons participating in the case may file an application to the court president, asking to speed up the proceedings. If the reasonable time of proceedings or of enforcement of a judicial act is violated, the citizens may claim, and the courts may award monetary compensation.

As a result of these measures, in 2022 Russian courts considered civil cases almost 5 times faster and administrative cases almost 25 times faster than the European average.

Herewith, the Law on the Status of Judges and the Code of Judicial Ethics stipulates personal liability of judges for delays. Gross or systemic violation of procedural law by a judge, where it results in unsubstantiated violation of the time terms for resolving the case and significantly infringes upon the rights and lawful interests of the trial participants, may, with due regard to the actual facts, result in a disciplinary punishment for the judge, up to termination of her powers.

Optimization of judicial workload serves to eliminate delays and is one of the priorities of court system reforms.

In order to solve this and other challenges that the court system is facing, we have chosen a complex approach that includes further improvement of procedural legislation. We are introducing principles of procedural economy, simplified and summary forms of proceedings, we are cutting superfluous court procedures, developing professional court representation and out-of-court settlement, while actively and broadly introducing digital technologies and e-justice.

These and other changes are aimed at improving court proceedings and ensuring access to justice, its highest possible openness and transparency, at implementing the principles of judicial independence and objective decision-making.

I am convinced that exchange of experience regarding the issues discussed at this event will be fruitful.

I wish you all success in your work. Thank you for your attention!