**RUSSIAN FEDERATION**
(ROSSIYSKAYA FEDERATSIYA)

![Map of Russia](image)

### BACKGROUND AND LEGAL SYSTEM

<table>
<thead>
<tr>
<th><strong>LEGAL SYSTEM</strong></th>
<th>Based on civil law system with judicial review of legislative acts (significant influence of preexisting Czarist and Soviet legal systems, as well as several Western liberal systems)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Note:</strong></td>
<td>With regard to USSR legislation – the “accepted position” is that it applies on the territory of the Russian Federation unless “unless it has been expressly repealed or suspended, unless it is contrary to the Constitution… and other Russian legislation adopted after 12 June 1990, or unless it has become obsolete.”</td>
</tr>
<tr>
<td><strong>POLITICAL SYSTEM</strong></td>
<td>Federation.</td>
</tr>
<tr>
<td><strong>HEAD OF STATE</strong></td>
<td>President. Elected by a popular vote for a four-year term, eligible for a second term.</td>
</tr>
<tr>
<td><strong>HEAD OF GOVERNMENT</strong></td>
<td>Premier (Prime Minister).</td>
</tr>
<tr>
<td><strong>SUBNATIONAL ENTITIES</strong></td>
<td>Federation of 89 subjects: 49 regions (oblasti), 21 autonomous republics (respubliki), 10 autonomous areas (avtonomnye okrugs), 6 territories (kraye), 2 federal cities (gorodi – St. Petersburg and Moscow), and 1 autonomous region (avtonomnaya oblast’).</td>
</tr>
<tr>
<td><strong>TRANSLITERATION SYSTEM</strong></td>
<td>Cyrillic.</td>
</tr>
<tr>
<td><strong>LANGUAGES</strong></td>
<td>Russian.</td>
</tr>
</tbody>
</table>

### CONSTITUTION

| **ENACTMENT** | Adopted on Dec. 12, 1993 by an all-people’s referendum, the Russian Constitution is the “highest legal force” in the country (art. 15). All other enactments are subordinate legislation. |
| **CITATION FORMAT** | KONSTITUTSIIA RF [RUSSIAN CONST.] art. <article>. |
| **EXAMPLE** | KONSTITUTSIIA RF [RUSSIAN CONST.] art. 16. |
The legislature is the bicameral Federal Assembly (Federalnoye Sobraniye), which is made up by the Federation Council (Sovet Federatsii) and the State Duma (Gosudarstvennaya Duma).

Laws may be adopted by the legislative branch or by way of referendum. There are two types of law: federal law (federal'nyi zakon) and federal constitutional law (federal'nyi konstitutsionnyi zakon). Federal constitutional laws are superior to federal laws. The chambers of the Federal Assembly may also adopt decrees (postanovlenie) related to their specific jurisdiction. The Federal Assembly also confirms (by passing a federal law) other so-called normative acts, including statutes (polozhenie), code (kodeks), and fundamental principles (osnovi).

The 1993 Constitution requires that laws be published before they can be applied or have any legal effect (art. 15(3)). With regard to federal constitutional laws and federal laws, official publication must occur within seven days of the President’s signature. The first official publication takes place in the Russian Gazette (Rossiiskaya gazeta), the Collection of Legislation of the Russian Federation (Sobranie zakonodatelstva Rossiiskoi Federacii) or the Parliamentary Gazette (Parlamentskaya gazeta). Entry into force occurs throughout the entire territory of the Russian Federation ten days after official publication (unless a different procedure is set forth by the individual laws).

Codes remain the primary source of law in Russia, though there has been an increasing willingness to recognize judicial interpretation of these codes.

The President may issue edicts (ukazi) and regulations (rasporyazhenie), which constitute a form of subordinate legislation. Edicts represent the most important enactments, while regulations represent “non-normative enactments addressed to individual administrative matters.” While there is some tension between edicts and the legislatively-enacted sources of law, under principles of separation of powers, the edicts are treated as equally authoritative within their own sphere as the enactments of the legislature.
Laws and Decrees

Federal laws (federal'nyi zakon), constitutional laws (federal'nyi konstitutsionnyi zakon), and decrees (postanovlenie) adopted by the Federal Assembly should be cited to one of the publications below:

- Sobranie Zakonodatel'cva RF (abbreviate as SZ RF) (Collection of Legislation of the RF)
- Vedomosti Federal'nogo Sobrania RF (abbreviate as Ved. RF) (Gazette of the Federal Assembly of the Russian Federation)
- Rossiiskaya Gazeta (abbreviate as Ross. Gazeta) (Russian Gazette)
- Parlamentskaya Gazeta (abbreviate as Parl. Gazeta) (Parliamentary Gazette)

Edicts and Decisions of the President of the Russian Federation

Cite edicts (ukaz) or decisions (rasporiazhenie) of the President to one of the following:

- Sobranie Zakonodatel'cva RF (abbreviate as SZ RF) (Collection of Legislation of the RF)
- Rossiiskaya Gazeta (abbreviate as Ross. Gazeta) (Russian Gazette)

Citation Format

<Name of publication> [<abbreviation of publication>] [<name of publication in English>] <year of publication> <issue number>, <item number>, (<country abbreviation if not evident from context>).

Example


Administrative Regulations

Administrative Sources

The Government issues decrees (postanovlenie) and regulations (rasporiazhenie) based on the Constitution, federal law and normative edicts of the President.

Decrees have normative force, while regulations are intended to address the more routine matters of administration. Each is binding throughout the Russian Federation. Under a 1996 Edict, administrative regulations must be officially published, except when those regulations may contain State secrets or confidential information. Publication typically takes place within ten days after signature.

There are presently forty ministries, state committees, and services through which the administrative process is carried out.
Decrees (Постановление) and Decisions (Распоряжение)

Cite edicts (указ) or decisions (распоряжение) of the President to one of the following:

- Собрание Законодательства РФ (abbreviate as СЗ РФ) (Collection of Legislation of the RF)
- Rossiiskaya Gazeta (abbreviate as Ross. Gazeta) (Russian Gazette)

Regulations (Положение), Instructions (Инструкция), and Clarifications (Расъяснение)

Regulations (положение), instructions (инструкция), and clarifications (расъяснение) should be cited to one of the following publications:

- Rossiiskaya Gazeta (abbreviate as Ross. Gazeta)

Normative Legal Acts

Normative legal acts are published in:

- Бюллетень нормативных актов федеральных органов исполнительной власти (abbreviate as Биул. Норм. Акт. РФ) (Bulletin of the Normative Acts of the Federal Organs of the Executive Branch)

Citation Format

Example


Codes

<table>
<thead>
<tr>
<th>Name of Code</th>
<th>Abbreviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grazhdanski Kodeks (Civil Code)</td>
<td>GK</td>
</tr>
<tr>
<td>Grazhdanski Protsessual'nyi Kodeks (Code of Civil Procedure)</td>
<td>GPK</td>
</tr>
<tr>
<td>Ugolovnyi Kodeks (Criminal Code)</td>
<td>UK</td>
</tr>
<tr>
<td>Ugolovno-Protsessual'nyi Kodeks (Code of Criminal Procedure)</td>
<td>UPK</td>
</tr>
</tbody>
</table>
Nalogovyi Kodeks *(TAX CODE)*

Biudzhentny Kodeks *(BUDGET CODE)*

Kodeks RF ob Administrativnykh Pravonarusheniakh *(CODE OF ADMINISTRATIVE VIOLATIONS)*

Ugolovno-Ispolnitelnyi Kodeks *(CORRECTIONAL CODE)*

Arbitrazhno-Protsessualnyi Kodeks *(CODE OF ARBITRATION Procedure)*

Tamozhennyi Kodeks *(CUSTOMS CODE)*

Trudovoi Kodeks *(LABOR CODE)*

Semeinyi Kodeks *(FAMILY CODE)*

Zhilischnyi Kodeks *(RESIDENTIAL CODE)*

Gradostroitelnyi Kodeks *(CODE OF URBAN ARCHITECTURE)*

Lesnoi Kodeks *(FORESTRY CODE)*

Vodnyi Kodeks *(WATER CODE)*

Zemelnyi Kodeks *(LAND CODE)*

Vozdushnyi Kodeks *(AIR CODE)*

Kodeks Torgovogo Moreplavaniia *(CODE OF MERCHANT SHIPPING)*

CITATION FORMAT *<name of code> [<code in English>] <article number> (<country abbreviation if not evident from context>).*

Example *Lesnoi Kodeks RF [LK] [Forestry Code] art. 1 (Russ.).*
Judicial process is inquisitorial with the judge performing the central role in both civil and criminal settings. Historically, the “doctrine of ‘precedent’” was criticized, but existing case law was not ignored. Today, Constitutional Court decisions are given *stare decisis* treatment.

There are three basic court structures. The Courts of General Jurisdiction have jurisdiction over all cases involving physical persons. Justice of the Peace Courts, which are inspired by a similar institution from the Czarist era, have been created to help carry the work load of the District Courts.

The Supreme Court (*Verkhovnyi Sud RF*) is divided into panels focusing on civil, criminal and military cases. The Constitutional Court (*Konstitutsionnyi Sud RF*) has jurisdiction in four main areas: abstract review of federal laws and government actions; cases concerning concrete violations of constitutional rights; disputes among constituent subjects of the Federation; and also may interpret, upon request, various aspects of the Constitution.

*Arbitrazh* Courts decide economic issues in cases between legal entities, disputes between the state and such legal entities. They also have jurisdiction over bankruptcy cases. Cases originate in the *Arbitrazh* Court of each particular subunit of the Federation and may proceed by appeal to Appellate *Arbitrazh* Courts, where they will be heard *de novo*. From this point, appeal may be had to the Regional Cassation *Arbitrazh* Courts. The Higher *Arbitrazh* Court (*Vysshii Arbitrazhnyi Sud RF*) is the final arena, though it may abstractly review legislation and administrative regulations pertaining to the *Arbitrazh* court system.

**CITATION FORMAT**

**RUSSIAN FEDERATION SUPREME COURT**

*Example*  

**CONSTITUTIONAL COURT**

*Example*  
Rossiiskaia Gazeta: *name of publication*> [<abbreviation of publication>] [<date of publication (five per week)>] (<country abbreviation if not evident from context>)

Otherwise, cite to a Russian periodical that includes a description of the case.

*Examples*  

Rossiiskaia Gazeta [Ros. Gaz.] May 1, 1995 (Russ.).
**CITATION FORMAT**

*ARBITRAZH COURTS*

<name of publication> [<abbreviation of publication>] [<name of publication in English>] <year of publication>, <issue number>, <item number>.

**Example**

Vestnik Vyssego Arbitrazhnogo Suda RF [Vestn. VAS] [The Highest Arbitration Court of the RF Reporter] 1995, No. 9, p. 13

Otherwise, cite to a Russian periodical that includes a description of the case.

**SOURCES**

W.E. BUTLER, RUSSIAN LAW (2D ED. 2002)

III LEGAL SYSTEMS OF THE WORLD: A POLITICAL, SOCIAL AND CULTURAL ENCYCLOPEDIA 1377-83 (HERBERT M. KRITZER ED., 2002)

Library of Congress Country Studies: Russia
http://lcweb2.loc.gov/cgi-bin/query/r?frd/cstudy:@FIELD(DOCID+RU0010)

U.S. Department of State: Background Note: Russia
http://www.state.gov/r/pa/ei/bgn/3183.htm

The Bluebook: Russia.

CIA World Factbook:
http://www.cia.gov/cia/publications/factbook/geos/rs.html

**SPECIAL THANKS**

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