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Russia's compliance with European Court's judgments: call for further reform to promote legal certainty in domestic law

Strasbourg, 08.02.2006 – The Committee of Ministers today called for further reform of Russian civil procedure to comply with European Court's judgments finding violations of the requirement of legal certainty. The violations of the European Convention on Human Rights were due to the supervisory review ("*nadzor*") procedure which extensively allowed quashing of judicial decisions that had become binding and enforceable (*Ryabykh v. Russia*, judgment of 24 July 2003).

The Committee's Interim Resolution welcomed some limitations put on the application of supervisory review since 2003 but expressed doubts that these will prevent new violations similar to those found. The Committee emphasised that in an efficient judicial system errors and shortcomings should primarily be remedied before judicial decisions become binding and enforceable so as to avoid frustrating parties' right to rely on such decisions.

The Committee accordingly called upon Russia to give priority to the reform of civil procedure which must go hand-in-hand with an improvement of the court structure and of the quality of justice. The Russian authorities have undertaken to keep the Committee informed of the results of the ongoing reflection in this respect and to provide, within one year, a plan of action for further reform.

[The full text of Interim Resolution](#)

Under the European Convention on Human Rights, the European Court's judgments require respondent states - under the supervision of the Committee of Ministers - to adopt, all necessary measures to grant the applicants appropriate redress and to prevent further similar violations in the future.

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