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Recognition and enforcement of foreign judgements in the territory of Russia

Stable international cooperation in the area of trade and civil turnover is only possible where foreign counterparties and businessmen are confident about protection of their rights in the territory of a foreign state.

One of the guarantees is the mechanism for recognizing and enforcing foreign judgements in the territory of Russia.

As repeatedly noted by the Constitutional Court of the Russian Federation, in particular, in its Resolution No. 11-P, dated 14 May 2012, protection of violated rights cannot be recognised as valid, if the respective judicial act or act of another authority is not executed in time.

These requirements are consistent with Article 2 of the International Covenant on Civil and Political Rights, which obliges States to ensure that any person, whose rights and freedoms are violated, has effective remedies, as well as with Article 6.1 of the Convention for the Protection of Human Rights and Fundamental Freedoms in the interpretation by the European Court of Human Rights. Thereat, the European Court of Human Rights believes that the execution of a judgement rendered by any court shall be treated as an integral part of the 'court' in the sense of this article, and that everyone's right to judicial protection would become illusive, if the legal system of the state allowed a final, binding judgement remaining inoperative to the damage of one of the parties (Resolutions, dated 19 March 1997, in the case of Hornsby against Greece, 7 May 2002 in the case of Burdov against Russia, 27 May 2004 in the case of Metaxas against Greece, 29 March 2006 in the case of Mostacciolo against Italy (No. 2), 15 February 2007 in the case of Railyan against Russia, etc.).

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