

The Use of Video Conferencing in Commercial (Arbitrazh) Procedure with the Assistance of Courts of General Jurisdiction

Newsletter

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The Russian Supreme Court has introduced Bill No. 902889-6, amending Art. 153.1 of the Commercial (“Arbitrazh”) Procedure Code of the Russian Federation to enable the state commercial (“arbitrazh”) courts to use video conferencing during hearings with the assistance of other commercial courts and courts of general jurisdiction equally.

At present, the Commercial Procedure Code provides that a commercial court can ask *another commercial court* to hold a video conference to allow the participants of the case from other regions to communicate with each other. This is possible only at the request of the participants of the case and only if the necessary equipment is available. To arrange this, a commercial court shall issue a ruling under Art. 73 of the Code (on judicial requests).

If the bill is adopted, commercial courts will be able to issue requests addressed to the courts of general jurisdiction as well. The corresponding court of general jurisdiction shall extend assistance in arranging a video conference pursuant to Art. 155.1 of the Civil Procedure Code of the Russian Federation (on video conferencing in civil procedure).

Video conferencing was first introduced in state commercial courts in 2010, and subsequently in the courts of general jurisdiction in 2013. Now, therefore, the former will be able to use the equipment of the latter.

The need for such amendments arose as a result of the recent entry into force of the legislation on bankruptcy of individuals (1 October 2015). According to the explanatory note to the bill, although such bankruptcy cases are to be heard by commercial courts, the courts of general jurisdiction have a wider network of offices throughout the country and provide better access to justice.

The bill is currently pending review by the State Duma.