

## CHIEF EDITOR'S NOTE ON THE ENFORCEMENT PROCEEDINGS IN RUSSIA

DMITRY MALESHIN,  
National Research University Higher School of Economics  
(Moscow, Russia)

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In Russia, the big reform of enforcement proceedings was initiated in 1997 when the Federal Bailiff Service was established. It became a part of the system of agencies of the Ministry of Justice. The execution is regulated not only by the procedural codes, but also by special laws "On Execution" (1997) and "On Bailiffs" (1997). The Director of the Federal Bailiff Service is appointed by the President of the Russian Federation. The Federal Bailiff Service has been a member of the International Union of Judicial Officers since 2015. In order to become a bailiff a person must be a citizen of Russia and be at least twenty-one years old. There are no requirements concerning a university degree in law. Before presenting an applicant for the bailiff's position, there is a preliminary coordination of the candidacy with a medical commission.

There are four stages of the execution of the judgment: initiation of the execution, preparation for the implementation of measures of compulsory execution, implementation of measures of compulsory execution, and termination. The law provides for a general two-month deadline for the entire enforcement procedure. However, there are no sanctions for violation of this deadline, thus enforcement, in practice, could last much longer.

There are a number of particular measures in Russian enforcement procedure. First, one of the most popular indirect enforcement measures of recent times is the prohibition to leave the country. This measure has been effective since 2007. The bailiff can prohibit the debtor from traveling abroad if the debt is more than 10,000 RUR.

This measure was performed in relation to 2 million debtors in 2016, 50 percent of them were claims regarding alimony.

It is necessary to note that unlike many countries criminal arrest of debtors in relation to civil cases is not used in Russia. This appeared in Russian case law in 2013.

A special enforcement procedure is established in relation to official state authorities if they act as debtors. This concerns the government, ministries, official agencies, etc. The general rules are excluded in this case, and special legal regulation has been established. The Budget Code (1998) provides the rules concerning the enforcement of such judgments. The Federal Bailiff Service does not have authority to enforce them. A writ of execution should be delivered to the Treasury Department, which acts as the enforcement organ.

Finally, some statistics (2015). There are 25,000 bailiffs in Russia. On average, about 2,200 cases are pending with each bailiff every year. Thirty million cases are initiated every year by the bailiffs. There were around 324,000 garnishments (seizures) of property performed by the bailiffs.