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Civil procedure in the cis: Current state and prospect of development

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Abstract

The article contains an analysis of the main provisions of legal regulation of the civil process in the countries of the Commonwealth of Independent States. There is revealed the judicial system of each state and interesting features, namely: the Constitutional Court of the Azerbaijan Republic is actually a superior authority to appeal the decisions of the Supreme Court; the new judicial system of Armenia acts on the basis of case law; the new Civil Procedure Code of Kazakhstan includes for the first time on the territory of the former Soviet Union the fixed possibility to appeal to the so-called participatory process along with the mediation; the aqsaqal courts act in the Kyrgyz Republic; a special independent body - the Supreme Council of Magistrates - acts in the Republic of Moldova; in 2014 the judicial reform, which resulted in the abolition of the Supreme Arbitration Court of the Russian Federation and the delegation of its powers and functions to the Supreme Court of the Russian Federation, was carried out in the Russian Federation; in the Republic of Tajikistan the persons, who are for the first time submitted to a seat on the bench, may work as a trainee-judge during the year upon a proposal of the examination commission of the Council of Justice of the Republic of Tajikistan; Turkmenistan is the only one member-state of the CIS, which judicial system structure does not include the constitutional court as an institution of judicial review of constitutionality. A compliance with the regulations of the Constitution and laws is defined by the Majlis; the possibility of participation of people's assessors in the administration of justice is retained in the Republic of Uzbekistan.

Keywords

Civil procedure, Commonwealth of Independent States, Arbitration, Mediation