

RUSSIAN FEDERATION
FEDERAL CONSTITUTIONAL LAW

On Military Courts of the Russian Federation

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Chapter 1. General Provisions

Article 1. Military Courts of the Russian Federation

1. Military courts of the Russian Federation (hereinafter referred to as military courts) are federal courts of general jurisdiction, forming a part of the judicial system of the Russian Federation, exercising judicial power within the Armed Forces of the Russian Federation, other military forces, military formations and bodies in which military service is stipulated by federal law (hereinafter also referred to as bodies) and other powers in accordance with federal constitutional laws and federal laws.

2. Circuit (fleet) military courts and garrison military courts are created based on the territorial principle at the place of stationing of military units and institutions of the Armed Forces of the Russian Federation, of other military forces, military formations and bodies. Military courts are located in places that are open for public access.

3. Military courts are established and disestablished by virtue of a federal law. No military court may be disestablished, unless the issues within its jurisdiction are simultaneously transferred to the jurisdiction of another court. The total number of judges of military courts is established by the Supreme Court of the Russian Federation within the limits of the total number of judges of federal courts of general jurisdiction, stipulated in the federal law on the federal budget for the next financial year and the planning period.

4. The special features of organisation and activities of military courts during mobilisation and in war time are determined by the corresponding federal constitutional laws.

Article 2. Legislation of the Russian Federation on Military Courts

The powers, manner of formation and activities of military courts are stipulated in the Constitution of the Russian Federation, Federal Constitutional Law No. 1 of 31 December 1996 “On the Judicial System of the Russian Federation” (hereinafter – Federal Constitutional Law “On the Judicial System

of the Russian Federation”), this Federal Constitutional Law, other federal constitutional laws and federal laws.

Article 3. Administration of Justice by Military Courts

Military courts administer justice in the name of the Russian Federation, considering the cases within their jurisdiction in the manner of civil, administrative and criminal judicial procedure.

Article 4. Main Tasks of Military Courts

The main tasks of military courts in consideration of cases are to ensure and protect:

- the violated and (or) disputed human and civil rights, freedoms and legally protected interests, those of legal persons and their associations;
- the violated and (or) disputed rights and legally protected interests of the local self-government;
- the violated and (or) disputed rights and legally protected interests of the Russian Federation, of constituent entities of the Russian Federation, of federal public authorities and public authorities of constituent entities of the Russian Federation.

Article 5. Autonomy of Military Courts and Independence of Judges of Military Courts

1. Military courts administer justice autonomously, obeying only the Constitution of the Russian Federation, federal constitutional laws and federal laws.
2. Judges of military courts are independent and not accountable to anybody in their activities of administration of justice.
3. Any interference with the administration of justice by judges of military courts is inadmissible and entails liability stipulated in federal law.
4. The guarantees of independence of judges stipulated in the Constitution of the Russian Federation, in federal constitutional laws and federal laws cannot be cancelled or decreased in regard of judges of military courts.

Article 6. Language of Proceedings and Records Management in Military Courts

The proceedings and the records management in military courts are conducted in the Russian language – the state language of the Russian Federation. The right to speak in court and to provide explanations in one’s native language or any freely chosen language, as well as to use the services of an interpreter, is guaranteed to persons participating in the case who do not speak Russian.

Article 7. Jurisdiction of Military Courts

1. Military courts have jurisdiction over:

1) civil and administrative cases regarding protection of violated and (or) disputed rights, freedoms and legally protected interests of the military personnel of the Armed Forces of the Russian Federation, of other military forces, military formations and bodies (hereinafter – military personnel), of citizens undergoing military training from the actions (failure to act) of military administration bodies, military officials and decisions adopted by them;

2) cases on all crimes committed by military personnel and citizens undergoing military training, cases on crimes committed by citizens (foreign citizens) during military service, military training, as well as cases referred to the competence of military courts by the Criminal Procedure Code of the Russian Federation;

3) cases on administrative offences perpetrated by military personnel, citizens undergoing military training;

4) compensation claims for the violation of right to trial within a reasonable time or of right to enforcement of a judicial act within a reasonable time in cases within the jurisdiction of military courts.

2. Citizens discharged from military service, citizens that passed military training may challenge the actions (failure to act) of military administration bodies, military officials and decisions adopted by them, which violated the rights, freedoms and legally protected interests of the aforementioned citizens during the period of their military service, military training.

2.1. If cases on crimes committed by a group of persons, a group of persons by prior conspiracy, an organised group or a criminal community are within the jurisdiction of a military court at least in regard of one of the accomplices, and it is impossible to sever a criminal case in regard of all the other persons, the aforementioned cases are considered by a military court in regard of all the persons.

3. Abrogated

3.1. Where so stipulated and in the manner stipulated in federal law, military courts consider materials regarding the perpetration of severe disciplinary offences by military personnel and citizens undergoing military training, for which disciplinary arrest may be appointed.

4. Military courts stationed outside of the Russian Federation have jurisdiction over all civil, administrative and criminal cases subject to consideration by federal courts of general jurisdiction, unless otherwise stipulated in an international treaty of the Russian Federation.

5. Abrogated

6. Abrogated

6.1. In cases within their jurisdiction, military courts are authorised to adopt decisions stipulated in Parts 2 and 3 of Article 29 of the Criminal Procedure Code of the Russian Federation.

7. Abrogated

8. The jurisdiction of military courts, as well as the manner of administration of justice by them, during mobilisation and in war time are stipulated in the corresponding federal constitutional laws.

Chapter 2. System and Powers of Military Courts

Article 8. System of Military Courts

1. The system of military courts is comprised by the Military Court of Cassation, the Appellate Military Court, circuit (fleet) military courts and garrison military courts.

2. If a military unit, enterprise, institution or organisation of the Armed Forces of the Russian Federation, of other military forces, military formations and bodies are stationed outside of the Russian Federation, military courts may be created at the place of their stationing, if this is stipulated in an international treaty of the Russian Federation.

Article 9. Powers of the Supreme Court of the Russian Federation in Consideration of Cases within the Jurisdiction of Military Courts

1. The Presidium of the Supreme Court of the Russian Federation considers cases based on appeals for review and prosecutor's appeals for review against effective decisions and court decrees of the Judicial Chamber of the Supreme Court of the Russian Federation for Cases of the Military (hereinafter also referred to as the Judicial Chamber for Cases of the Military) and of circuit (fleet) military courts, if the aforementioned court decisions were subject of consideration by the Supreme Court of the Russian Federation as a court of appeal or a court of cassation.

2. The Appellate Chamber of the Supreme Court of the Russian Federation considers cases based on appeals and prosecutor's appeals against decisions, court decrees and rulings of the Judicial Chamber for Cases of the Military, adopted by it as a court of first instance, which have not entered into force. Within the framework of its competence, it also considers cases due to new or newly discovered facts.

3. The Judicial Chamber for Cases of the Military considers the following as a court of first instance:

1) cases on challenge of normative and non-normative legal acts of the President of the Russian Federation, Government of the Russian Federation, Ministry of Defence of the Russian Federation, of other federal executive bodies in which military service is stipulated by virtue of federal law pertaining to the rights, freedoms and legally protected interests of military personnel, citizens undergoing military training;

1.1) cases on challenge of non-normative legal acts of the Office of the Prosecutor General of the Russian Federation and of the Investigative Committee of the Russian Federation pertaining to the rights, freedoms and legally protected interests of military personnel serving in the bodies of the

military prosecution and in the military investigative bodies of the Investigative Committee of the Russian Federation;

2) compensation claims for the violation of right to trial within a reasonable time or of right to enforcement of a judicial act within a reasonable time in cases within the jurisdiction of circuit (fleet) military courts.

4. Abrogated

5. The Judicial Chamber of the Supreme Court of the Russian Federation for Cases of the Military considers, as a court of first instance and due to new or newly discovered facts, the cases referred to the jurisdiction of the Supreme Court of the Russian Federation. It also considers cases as a court of cassation, within its competence and in accordance with procedural legislation of the Russian Federation.

6. Abrogated

Article 10. Judicial Chamber of the Supreme Court of the Russian Federation for Cases of the Military

1. The Judicial Chamber for Cases of the Military functions within the composition of the Supreme Court of the Russian Federation and is the superior court as regards the Military Court of Cassation, the Appellate Military Court, circuit (fleet) military courts and garrison military courts.

2. The Judicial Chamber for Cases of the Military is formed in the composition of a Deputy Chief Justice of the Supreme Court of the Russian Federation – Chairperson of the Judicial Chamber of the Supreme Court of the Russian Federation for Cases of the Military and the judges of this judicial chamber (hereinafter also referred to as judges of the Judicial Chamber for Cases of the Military).

3. The Judicial Chamber for Cases of the Military considers cases within the jurisdiction of military courts in the following composition:

1) in accordance with federal law, administrative cases are considered in first instance by a single judge or a chamber composed of three judges;

2) cases based on appeals, prosecutor's appeals against effective decisions, sentences, court decrees and rulings of the Military Court of Cassation, Appellate Military Court, circuit (fleet) military courts and garrison military courts are considered by a chamber composed of three judges.

4. The Judicial Chamber for Cases of the Military issues an informational bulletin of military courts, in which decisions of military courts in civil, administrative and criminal cases, case law reviews, analytical materials and statistical data regarding the work of the military courts, as well as other materials, are published.

Article 11. Deputy Chief Justice of the Supreme Court of the Russian Federation – Chairperson of the Judicial Chamber of the Supreme Court of the Russian Federation for Cases of the Military

1. The Deputy Chief Justice of the Supreme Court of the Russian Federation – Chairperson of the Judicial Chamber of the Supreme Court of the Russian Federation for Cases of the Military is appointed by the Federation Council of the Federal Assembly of the Russian Federation for a six-year term on proposal of the President of the Russian Federation based on presentation of the Chief Justice of the Supreme Court of the Russian Federation, if there is a positive conclusion of the High Qualification Board of Judges of the Russian Federation.

2. The Deputy Chief Justice of the Supreme Court of the Russian Federation – Chairperson of the Judicial Chamber of the Supreme Court of the Russian Federation for Cases of the Military:

1) adopts decisions regarding appeals and prosecutor's appeals against effective decisions of military courts and of the Judicial Chamber for Cases of the Military, as stipulated in law;

2) has the right to participate in the consideration of cases by the Judicial Chamber for Cases of the Military and to preside over court sessions;

3) organises the activities of the Judicial Chamber for Cases of the Military;

4) exercises other powers stipulated in federal law and fulfils the duties imposed on her/him by the Chief Justice of the Supreme Court of the Russian Federation.

Article 12. Abrogated

Article 12.1. Military Court of Cassation

1. The Military Court of Cassation is formed in the composition of the president, her/his deputies, as well as other judges.

2. The presidium is formed within the Military Court of Cassation. Judicial chambers and (or) panels of judges for administrative, civil, criminal cases may be formed.

3. The permanent location of the Military Court of Cassation is the city of Novosibirsk, Novosibirsk Region.

Article 12.2. Competence of the Military Court of Cassation

1. In accordance with the jurisdiction stipulated in federal laws, the Military Court of Cassation considers, as a court of cassation, cases based on appeals and prosecutor's appeals against effective judicial acts of garrison military courts, circuit (fleet) military courts and of the Appellate Military Court, as well as due to new or newly discovered facts, and exercises other powers in accordance with federal laws.

2. In accordance with Part 4 of Article 125 of the Constitution of the Russian Federation and in the manner stipulated in federal law, the Military Court of Cassation addresses the Constitutional Court of the Russian Federation with a request to check the constitutionality of a law subject to application in a particular case.

Article 12.3. Composition of the Military Court of Cassation in Administration of Justice

In the composition of judges stipulated in federal law, the Military Court of Cassation considers cases based on appeals and prosecutor's appeals against effective judicial acts of garrison military courts, circuit (fleet) military courts, and of the Appellate Military Court and also considers cases regarding effective judicial acts of the Military Court of Cassation due to new or newly discovered facts.

Article 12.4. Presidium of the Military Court of Cassation

1. The presidium of the Military Court of Cassation is formed in the composition of the president, deputy president of the court, who are members of the presidium ex officio, and of other judges of the Military Court of Cassation.

2. The number of members is stipulated and the list of members of the presidium of the Military Court of Cassation is adopted by the Plenary Session of the Supreme Court of the Russian Federation on proposal of the president of the Military Court of Cassation.

3. The presidium of the Military Court of Cassation:

1) on proposal of the president of the Military Court of Cassation, establishes the panels of judges of the judicial chamber for civil cases, judicial chamber for administrative cases, judicial chamber for criminal cases, composed of the judges of the court;

2) considers materials regarding the study and generalization of judicial practice and the analysis of judicial statistics;

3) considers issues pertaining to the work of the court staff;

4) exercises other powers in accordance with federal laws.

Article 12.5. Manner of Work of the Presidium of the Military Court of Cassation

1. Sessions of the presidium of the Military Court of Cassation are convened by the court president as deemed necessary.

2. A session of the presidium of the Military Court of Cassation is quorate, if it is attended by more than a half of the presidium members.

3. Rulings of the presidium of the Military Court of Cassation are adopted in open voting by a majority vote of the participating presidium members and signed by the judge presiding over the session of the court presidium.

Article 12.6. Judicial Chambers and Panels of Judges of the Military Court of Cassation

1. Judicial chambers of the Military Court of Cassation are formed from the ranks of judges of that court upon proposal of the president of the Military Court of Cassation. The panels of judges of those judicial chambers are established by the presidium of the Military Court of Cassation.

2. The judicial chambers of the Military Court of Cassation are headed by chairpersons.
3. When necessary, the president of the Military Court of Cassation may direct judges of one of the judicial chambers to consider cases as members of another judicial chamber.
4. The judicial chambers of the Military Court of Cassation consider:
 - 1) cases based on cassation appeals and prosecutor's cassation appeals against effective judicial acts of garrison military courts, of the Appellate Military Court, of circuit (fleet) military courts;
 - 2) cases based on new or newly discovered facts regarding effective judicial acts adopted by the corresponding judicial chamber of the Military Court of Cassation.
5. The judicial chambers of the Military Court of Cassation study and generalize judicial practice, analyze judicial statistics.

Article 12.7. President of the Military Court of Cassation

1. The president of the Military Court of Cassation is appointed for a six-year term by the President of the Russian Federation on proposal of the Chief Justice of the Supreme Court of the Russian Federation, if there is a positive conclusion of the High Qualification Board of Judges of the Russian Federation.
2. Apart from exercising the powers of a judge of the corresponding court and other procedural powers in accordance with federal laws, the president of the Military Court of Cassation performs the following functions:
 - 1) organises the work of the court and directs the organisation of work of judicial chambers of the court;
 - 2) stipulates the court's internal regulations, based on the model internal regulations adopted by the Council of Judges of the Russian Federation, and monitors compliance therewith;
 - 3) convenes the presidium of the Military Court of Cassation and presides over its sessions;
 - 4) distributes duties among the deputy presidents and judges;
 - 5) organises the further education of judges and members of the court staff;
 - 6) organises the study and generalization of judicial practice, analysis of judicial statistics;
 - 7) submits proposals to the High Qualification Board of Judges of the Russian Federation regarding the qualification attestation of judges of the Military Court of Cassation, as well as regarding the suspension or termination of their powers;
 - 8) organises the work of the court regarding the reception of citizens and consideration of their addresses;

9) performs the general management of the court staff; in particular, appoints and dismisses members of the court staff, distributes duties among them, makes decisions regarding their commendation or disciplinary liability, organises the further education of members of the court staff;

10) informs the judges and members of the court staff about her/his activities and the activities of the court on a regular basis;

11) exercises other powers pertaining to the organisation of the work of the court.

3. In case of suspension or termination of powers of the president of the Military Court of Cassation, the powers of the president are exercised by one of the deputy presidents (or, in case of absence of deputy presidents, by one of the judges of the court), according to the decision of the Chief Justice of the Supreme Court of the Russian Federation.

Article 12.8. Deputy President of the Military Court of Cassation, Deputy President – Chairperson of a Judicial Chamber or Head of a Panel of Judges of the Military Court of Cassation, Head of a Panel of Judges of the Military Court of Cassation

1. Deputy presidents of the Military Court of Cassation are appointed for six-year terms by the President of the Russian Federation on proposal of the Chief Justice of the Supreme Court of the Russian Federation, if there is a positive conclusion of the High Qualification Board of Judges of the Russian Federation.

2. A person may be appointed deputy president of the Military Court of Cassation multiple times, but not more than two times in a row.

3. Apart from exercising the powers of judges of the Military Court of Cassation, deputy presidents of the Military Court of Cassation:

1) manage the work of the corresponding judicial chambers as chairpersons of those chambers, in accordance with the distribution of duties;

2) preside at court sessions of the corresponding judicial chambers or appoint presiding judges from the ranks of the judges of judicial chambers.

4. In case of absence of the president of the Military Court of Cassation, her/his powers are exercised by one of the deputy presidents, according to the president's instructions.

5. A head of a panel of judges of the Military Court of Cassation:

1) has the right to participate in the consideration of cases by the panel of judges and to preside over court sessions;

2) organises the work of the panel of judges;

3) controls the work of the staff of the panel of judges;

4) exercises other powers stipulated in federal law and fulfils the duties imposed on her/him by the court president.

Article 12.9. Appellate Military Court

1. The Appellate Military Court is formed in the composition of the president, her/his deputies, as well as other judges.
2. The presidium is formed within the Appellate Military Court. Judicial chambers and (or) panels of judges for administrative, civil, criminal cases may be formed.
3. The permanent location of the Appellate Military Court is Vlasikha urban district, Moscow Region.

Article 12.10. Competence of the Appellate Military Court

1. In accordance with the jurisdiction stipulated in federal laws, the Appellate Military Court considers, as a court of appeal, cases based on appeals and prosecutor's appeals against judicial acts of circuit (fleet) military courts that were adopted by them in first instance and have not entered into force, as well as cases based on new or newly discovered facts, and exercises other powers in accordance with federal laws.
2. In accordance with Part 4 of Article 125 of the Constitution of the Russian Federation and in the manner stipulated in federal law, the Appellate Military Court addresses the Constitutional Court of the Russian Federation with a request to check the constitutionality of a law subject to application in a particular case.

Article 12.11. Composition of the Appellate Military Court in Administration of Justice

In the composition of judges stipulated in federal law, the Appellate Military Court considers cases based on appeals and prosecutor's appeals against judicial acts of circuit (fleet) military courts that were adopted by them in first instance and have not entered into force, as well as cases based on new or newly discovered facts regarding the effective judicial acts of the Appellate Military Court.

Article 12.12. Presidium of the Appellate Military Court

1. The presidium of the Appellate Military Court is formed in the composition of the president, deputy president of the court, who are members of the presidium ex officio, and of other judges of the court.
2. The number of members is stipulated and the list of members of the presidium of the Appellate Military Court is adopted by the Plenary Session of the Supreme Court of the Russian Federation on proposal of the president of the Appellate Military Court.
3. The presidium of the Appellate Military Court:
 - 1) on proposal of the president of the Appellate Military Court establishes the panels of judges of the judicial chamber for civil cases, judicial chamber for administrative cases, judicial chamber for criminal cases, composed of the judges of the court;

- 2) considers materials regarding the study and generalization of judicial practice and the analysis of judicial statistics;
- 3) considers issues pertaining to the work of the court staff;
- 4) exercises other powers in accordance with federal laws.

Article 12.13. Manner of Work of the Presidium of the Appellate Military Court

1. Sessions of the presidium of the Appellate Military Court are convened by the court president as deemed necessary.
2. A session of the presidium of the Appellate Military Court is quorate, if it is attended by more than a half of the presidium members.
3. Rulings of the presidium of the Appellate Military Court are adopted in open voting by a majority vote of the participating presidium members and signed by the judge presiding over the session of the court presidium.

Article 12.14. Judicial Chambers and Panels of Judges of the Appellate Military Court

1. Judicial chambers of the Appellate Military Court are formed from the ranks of judges of that court upon proposal of the president of the Appellate Military Court. The panels of judges of those chambers are established by the presidium of the Appellate Military Court.
2. The judicial chambers of the Appellate Military Court are headed by chairpersons.
3. When necessary, the president of the Appellate Military Court may direct judges of one of the judicial chambers to consider cases as members of another judicial chamber.
4. The judicial chambers of the Appellate Military Court consider:
 - 1) cases based on appeals and prosecutor's appeals against judicial acts of a circuit (fleet) military court that were adopted by that court in first instance and have not entered into force;
 - 2) cases based on new or newly discovered facts regarding effective decisions adopted by the corresponding judicial chamber of the Appellate Military Court.
5. The judicial chambers of the Appellate Military Court study and generalize judicial practice, analyze judicial statistics.

Article 12.15. President of the Appellate Military Court

1. The president of the Appellate Military Court is appointed for a six-year term by the President of the Russian Federation on proposal of the Chief Justice of the Supreme Court of the Russian Federation, if there is a positive conclusion of the High Qualification Board of Judges of the Russian Federation.

2. Apart from exercising the powers of a judge of the corresponding court and other procedural powers in accordance with federal laws, the president of the Appellate Military Court performs the following functions:

- 1) organises the work of the court and directs the organisation of work of judicial chambers of the corresponding court;
- 2) stipulates the court's internal regulations, based on the model internal regulations adopted by the Council of Judges of the Russian Federation, and monitors compliance therewith;
- 3) convenes the presidium of the Appellate Military Court and presides over its sessions;
- 4) distributes duties among the deputy presidents and judges;
- 5) organises the further education of judges and members of the court staff;
- 6) organises the study and generalization of judicial practice, analysis of judicial statistics;
- 7) submits proposals to the High Qualification Board of Judges of the Russian Federation regarding the qualification attestation of judges of the Appellate Military Court, as well as regarding the suspension or termination of their powers;
- 8) organises the work of the court regarding the reception of citizens and consideration of their addresses;
- 9) performs the general management of the court staff; in particular, appoints and dismisses members of the court staff, distributes duties among them, makes decisions regarding their commendation or disciplinary liability, organises the further education of members of the court staff;
- 10) informs the judges and members of the court staff about her/his activities and the activities of the court on a regular basis;
- 11) exercises other powers pertaining to the organisation of the work of the court.

3. In case of suspension or termination of powers of the president of the Appellate Military Court, the powers of the president are exercised by one of the deputy presidents (or, in case of absence of deputy presidents, by one of the judges of the court), according to the decision of the Chief Justice of the Supreme Court of the Russian Federation.

Article 12.16. Deputy President of the Appellate Military Court, Deputy President – Chairperson of a Judicial Chamber or Head of a Panel of Judges of the Appellate Military Court, Head of a Panel of Judges of the Appellate Military Court

1. Deputy presidents of the Appellate Military Court are appointed for six-year terms by the President of the Russian Federation on proposal of the Chief Justice of the Supreme Court of the Russian Federation, if there is a positive conclusion of the High Qualification Board of Judges of the Russian Federation.

2. A person may be appointed deputy president of the Appellate Military Court multiple times, but not more than two times in a row.

3. Apart from exercising the powers of judges of the Appellate Military Court, deputy presidents of the Appellate Military Court:

1) manage the work of the corresponding judicial chambers as chairpersons of those chambers, in accordance with the distribution of duties;

2) preside at court sessions of the corresponding judicial chambers or appoint presiding judges from the ranks of judges of judicial chambers.

4. In case of absence of the president of the Appellate Military Court, her/his powers are exercised by one of the deputy presidents, according to the president's instructions.

5. A head of a panel of judges of the Appellate Military Court:

1) has the right to participate in the consideration of cases by the panel of judges and to preside over court sessions;

2) organises the work of the panel of judges;

3) controls the work of the staff of the panel of judges;

4) exercises other powers stipulated in federal law and fulfils the duties imposed on her/him by the court president.

Article 12.17. Special Features of Termination of Powers of the President, Deputy Presidents and Judges of the Military Court of Cassation, of the President, Deputy Presidents and Judges of the Appellate Military Court

The powers of the president, deputy presidents and judges of the Military Court of Cassation, of the president, deputy presidents and judges of the Appellate Military Court may be terminated by the Federation Council of the Federal Assembly of the Russian Federation upon proposal of the President of the Russian Federation, if they commit an act discrediting the honour and dignity of the judge, as well as in other situations stipulated in a federal constitutional law, demonstrating that it is impossible for the judge to exercise her/his powers.

Article 13. Circuit (Fleet) Military Court

1. A circuit (fleet) military court functions on the territories of one or several constituent entities of the Russian Federation, determined in federal law, where military units and institutions of the Armed Forces of the Russian Federation, of other military forces, military formations and bodies are stationed.

2. A circuit (fleet) military court is formed in the composition of the president, her/his deputies, as well as other judges.

3. The presidium is formed within a circuit (fleet) military court. Judicial chambers and (or) panels of judges for administrative, civil, criminal cases may be formed.

4. In order to administer justice closer to the place of stationing of military units and institutions of the Armed Forces of the Russian Federation, of other military forces, military formations and bodies, a remote court office may be created within the composition of a circuit (fleet) military court outside of its permanent location by virtue of a federal law. The remote court office of a circuit (fleet) military court is a separate department of that court, exercising its powers.

Article 14. Jurisdiction of a Circuit (Fleet) Military Court

1. A circuit (fleet) military court considers, as a court of first instance, the civil and administrative cases pertaining to the state secret, criminal cases referred to the competence of this military court by the Criminal Procedure Code of the Russian Federation and compensation claims for the violation of right to trial within a reasonable time or of right to enforcement of a judicial act within a reasonable time in cases within the jurisdiction of garrison military courts.

2. Within the limits stipulated in this Federal Constitutional Law, a circuit (fleet) military court considers cases based on appeals and prosecutor's appeals against decisions, sentences, court decrees and rulings of garrison military courts that were adopted by them in first instance and have not entered into force.

3. Abrogated

4. Abrogated

Article 15. Composition of a Circuit (Fleet) Military Court in Administration of Justice

1. A circuit (fleet) military court considers in first instance the cases, referred to its jurisdiction by a federal constitutional law and (or) a federal law, in the following composition:

1) in accordance with federal law, civil and administrative cases are considered by a single judge or a chamber composed of three judges;

2) in accordance with federal law, criminal cases are considered by a single judge, or by a chamber composed of three judges, or by the court with participation of a jury.

2. A circuit (fleet) military court considers cases based on appeals and prosecutor's appeals against decisions, sentences, court decrees and rulings of garrison military courts that were adopted by them in first instance and have not entered into force, as well as appeals and prosecutor's appeals against decisions made by garrison military courts in preparation of a case for consideration, by a chamber composed of three judges.

3. Appeals and prosecutor's appeals against court decrees and rulings of garrison military courts adopted in cases on administrative offences, as well as following the consideration of materials

regarding the perpetration of severe disciplinary offences by military personnel and citizens undergoing military training, for which disciplinary arrest may be appointed, that have not entered into force, are considered by a single judge of a circuit (fleet) military court.

4. Abrogated

Article 16. Presidium a Circuit (Fleet) Military Court

1. The presidium of a circuit (fleet) military court is formed in the composition of the president, deputy president of the court, who are members of the presidium ex officio, and of other judges of the corresponding circuit (fleet) military court.

2. The number of members is stipulated and the list of members of the presidium of a circuit (fleet) military court is adopted by the Plenary Session of the Supreme Court of the Russian Federation on proposal of the president of the circuit (fleet) military court.

3. The presidium of a circuit (fleet) military court:

1) abrogated

2) on proposal of the president of the corresponding circuit (fleet) military court establishes the panels of judges of the judicial chamber for administrative cases, judicial chamber for civil cases and judicial chamber for criminal cases, composed of the judges of the court;

3) considers materials regarding the study and generalization of judicial practice and the analysis of judicial statistics;

4) hears reports of chairpersons of judicial chambers of the circuit (fleet) military court regarding the activities of the chambers, considers issues pertaining to the work of the staff of the military court; on proposal of the president of the circuit (fleet) military court, adopts the staff structure and schedule, the staff regulations of the military court, stipulates the number of members of the court staff;

5) exercises other powers in accordance with the legislation of the Russian Federation.

Article 17. Manner of Work of the Presidium of a Circuit (Fleet) Military Court

1. Sessions of the presidium of a circuit (fleet) military court are convened at least once a month at the initiative of the court president.

2. A session of the presidium of a circuit (fleet) military court is quorate, if it is attended by more than a half of the presidium members.

3. Rulings of the presidium of a circuit (fleet) military court are adopted by a majority vote of the participating presidium members.

Article 18. Judicial Chambers and Panels of Judges of a Circuit (Fleet) Military Court

Judicial chambers and panels of judges of a circuit (fleet) military court consider:

- 1) in first instance, the cases referred to the jurisdiction of the circuit (fleet) military court by a federal constitutional law and (or) a federal law;
- 2) cases based on appeals and prosecutor's appeals against decisions, sentences, court decrees and rulings of garrison military courts that were adopted by them in first instance and have not entered into force;
- 3) cases based on new or newly discovered facts regarding effective decisions, court decrees and rulings in civil and administrative cases adopted by the corresponding judicial chamber, panel of judges;
- 4) cases based on new or newly discovered facts regarding effective sentences, court decrees and rulings adopted by the judicial chamber of the corresponding circuit (fleet) military court.

Article 19. President of a Circuit (Fleet) Military Court

1. The president of a circuit (fleet) military court is appointed by the President of the Russian Federation on proposal of the Chief Justice of the Supreme Court of the Russian Federation, based on a conclusion of the High Qualification Board of Judges of the Russian Federation.
2. The president of a circuit (fleet) military court:
 - 1) abrogated
 - 2) has the right to participate in the consideration of cases by the circuit (fleet) military court and to preside over court sessions;
 - 3) organises the activities of the court;
 - 4) convenes the sessions of the court presidium and suggests issues requiring resolution for its consideration, presides over its sessions;
 - 5) distributes duties among the deputy presidents;
 - 6) where necessary, resolves issues of transfer of cases from one judicial chamber or panel of judges to another judicial chamber or panel of judges and also resolves issues of directing the judges of one of the judicial chambers or panel of judges to consider cases as members of another judicial chamber or panel of judges;
 - 6.1) submits proposals to the High Qualification Board of Judges of the Russian Federation regarding the qualification attestation of judges of the circuit (fleet) military court, of presidents, deputy presidents and judges of garrison military courts, as well as regarding the suspension or termination of their powers;
 - 7) controls the work of the chief of staff – court administrator and of the court staff, appoints and dismisses members of the court staff who are not in the military service;

8) represents the court in state bodies, public associations and local self-government bodies;

9) exercises other powers stipulated in federal law.

Article 20. Deputy President of a Circuit (Fleet) Military Court, Deputy President – Chairperson of a Judicial Chamber or Head of a Panel of Judges of a Circuit (Fleet) Military Court, Head of a Panel of Judges of a Circuit (Fleet) Military Court

1. The deputy president of a circuit (fleet) military court is appointed by the President of the Russian Federation on proposal of the Chief Justice of the Supreme Court of the Russian Federation, based on a conclusion of the High Qualification Board of Judges of the Russian Federation.

2. A deputy president of a circuit (fleet) military court, deputy president – chairperson of a judicial chamber or head of a panel of judges of a circuit (fleet) military court:

1) has the right to participate in the consideration of cases by the corresponding judicial chamber or panel of judges and to preside over court sessions;

2) organises the work of the corresponding judicial chamber or panel of judges;

3) controls the work of staff of the corresponding judicial chamber or panel of judges;

4) exercises other powers stipulated in federal law and fulfils the duties imposed on her/him by the court president.

3. A deputy president of a circuit (fleet) military court exercises the powers of the president of the circuit (fleet) military court in the president's absence and fulfils other duties according to the president's instructions.

4. A head of a panel of judges of a circuit (fleet) military court:

1) has the right to participate in the consideration of cases by the panel of judges and to preside over court sessions;

2) organises the work of the panel of judges;

3) controls the work of staff of the panel of judges;

4) exercises other powers stipulated in federal law and fulfils the duties imposed on her/him by the court president and/or the chairperson of the corresponding judicial chamber.

Article 21. Garrison Military Court

1. A garrison military court functions on the territory where one or several military garrisons are stationed.

2. A garrison military court is formed in the composition of the president, her/his deputies and other judges.

3. In order to administer justice closer to the place of stationing of military units and institutions of the Armed Forces of the Russian Federation, of other military forces, military formations and bodies, a remote court office may be created within the composition of a garrison military court outside of its permanent location by virtue of a federal law. The remote court office of a garrison military court is a separate department of that court, exercising its powers.

Article 22. Jurisdiction of a Garrison Military Court

1. Within the limits stipulated in this Federal Constitutional Law, a garrison military court considers, as a court of first instance, the civil, administrative and criminal cases not referred to the jurisdiction of the Judicial Chamber for Cases of the Military or of a circuit (fleet) military court by a federal constitutional law and (or) a federal law, as well as materials regarding the perpetration of severe disciplinary offences by military personnel and citizens undergoing military training, for which disciplinary arrest may be appointed.

2. A garrison military court considers, due to new and newly discovered facts, the cases regarding effective decisions, court decrees, rulings and sentences adopted by it in civil, administrative and criminal cases.

3. In cases within its jurisdiction, a garrison military court adopts decisions stipulated in Parts 2 and 3 of Article 29 of the Criminal Procedure Code of the Russian Federation.

Article 23. Composition of a Garrison Military Court in Administration of Justice

1. A garrison military court considers cases in first instance in the following composition:

1) civil and administrative cases are considered by a single judge or, where so stipulated in a federal constitutional law and (or) a federal law, by a chamber composed of three judges;

2) criminal cases are considered by a single judge, or by a chamber composed of three judges, or by the court with participation of a jury.

1.1. In a garrison military court stationed outside of the Russian Federation, criminal cases are considered in first instance by a single judge or by a chamber composed of three judges.

2. Decisions stipulated in Parts 2 and 3 of Article 29 of the Criminal Procedure Code of the Russian Federation are adopted by a single judge of a garrison military court in cases referred to her/his jurisdiction.

3. Materials regarding the perpetration of severe disciplinary offences by military personnel and citizens undergoing military training, for which disciplinary arrest may be appointed, are considered by a single judge of a garrison military court in the manner stipulated in federal law.

Article 24. President of a Garrison Military Court

1. The president of a garrison military court is appointed by the President of the Russian Federation on proposal of the Chief Justice of the Supreme Court of the Russian Federation, based on a conclusion of the High Qualification Board of Judges of the Russian Federation.

2. The president of a garrison military court:

1) has the right to participate in the consideration of cases by the garrison military court and to preside over court sessions;

2) organises the activities of the court;

3) distributes duties among the judges;

4) controls the work of the court staff; appoints and dismisses members of the court staff, except those indicated in Item 4.1 of this Part; adopts the staff regulations;

4.1) submits a proposal regarding the candidate for the position of the administrator of the garrison military court, of a remote court office of the garrison military court to the head of the division of the Judicial Department at the Supreme Court of the Russian Federation in the constituent entity of the Russian Federation;

5) represents the court in state bodies, public associations and local self-government bodies.

Article 25. Deputy President of a Garrison Military Court

1. The deputy president of a garrison military court is appointed by the President of the Russian Federation on proposal of the Chief Justice of the Supreme Court of the Russian Federation, based on a conclusion of the High Qualification Board of Judges of the Russian Federation.

2. Apart from fulfilling the duties of a judge, a deputy president of a garrison military court substitutes for the president of the garrison military court in her/his absence and fulfils other duties according to the president's instructions.

Chapter 3. Status of Judges of Military Courts

Article 26. Features of Status of Judges of Military Courts and of Judges of the Judicial Chamber of the Supreme Court of the Russian Federation for Cases of the Military

1. The status of judges of military courts and of judges of the Judicial Chamber for Cases of the Military is stipulated in the Constitution of the Russian Federation, in Law of the Russian Federation No. 3132-1 of 26 June 1992 "On the Status of Judges in the Russian Federation" (hereinafter referred to as Law of the Russian Federation "On the Status of Judges in the Russian Federation"), this Federal Constitutional Law, other federal constitutional laws and federal laws.

2. Abrogated

3. Abrogated

Article 27. Requirements to Candidates for the Judicial Office in a Military Court

1. A citizen of the Russian Federation who meets the requirements to candidates for the judicial office stipulated in Law of the Russian Federation "On the Status of Judges in the Russian Federation" and has received a positive conclusion of the High Qualification Board of Judges of the Russian Federation may be a judge of a military court.
2. A member of the military personnel who has the military rank of an officer, as well as a citizen who has the military rank of an officer and is in reserve or in retirement, has priority during appointment for the judicial office in a military court.

Article 28. Status of Jurors of Military Courts

The status of jurors of military courts and the manner of drawing citizens of the Russian Federation to the administration of justice in the capacity of jurors are stipulated in federal constitutional laws and federal laws.

Article 29. Features of Material Support of Judges of Military Courts and Judges of the Judicial Chamber of the Supreme Court of the Russian Federation for Cases of the Military

1. The monthly monetary remuneration and the quarterly monetary reward are paid to judges of military courts and judges of the Judicial Chamber for Cases of the Military on the grounds and in the amount stipulated for judges in federal laws.
2. In case of honorary resignation (honorary removal) of a judge of a military court or of a judge of the Judicial Chamber for Cases of the Military into retirement with simultaneous discharge from military service, that judge receives, at her/his own choice, either a single-payment military discharge allowance stipulated in federal law for military personnel or a dismissal wage stipulated for judges in Law of the Russian Federation "On the Status of Judges in the Russian Federation". If a member of the military personnel continues military service after resigning (being removed) into retirement from the judicial office, upon discharge from military service he/she is entitled to the single-payment allowance stipulated for military personnel. Herewith, the period for which the dismissal wage stipulated for judges was paid is not taken into account during calculation of the aforementioned allowance.

Article 30. Lifetime Allowance and Pension Support of Judges of Military Courts and of Judges of the Judicial Chamber of the Supreme Court of the Russian Federation for Cases of the Military

In case of honorary resignation (honorary removal) of judges of military courts and of judges of the Judicial Chamber for Cases of the Military into retirement, the aforementioned judges are paid, at their own choice, the tax exempt monthly lifetime allowance stipulated for judges in federal law, or the pension stipulated for military personnel, or the pension stipulated for other citizens.

Article 31. Features of Social Security for Judges of Military Courts and Judges of the Judicial Chamber of the Supreme Court of the Russian Federation for Cases of the Military and Their Family Members

1. Judges of military courts and judges of the Judicial Chamber for Cases of the Military, their family members and their property are under special protection of the state. Internal affairs bodies, military units command or the corresponding body of the Military Police of the Armed Forces of the Russian Federation at the location of the military court (in particular outside of the Russian Federation) must take the necessary measures to ensure the security of judges of military courts and judges of the Judicial Chamber for Cases of the Military, their family members and preservation of their property in accordance with Federal Law No. 45 of 20 April 1995 "On State Protection of Judges, Officials of Law Enforcement and Controlling Bodies".

2. In case of (unexpected) death of a judge of a military court or of a judge of the Judicial Chamber for Cases of the Military (in particular of a retired judge) for reasons not pertaining to her/his official activities, the bodies ensuring pension support of judges or of military personnel pay to the handicapped family members dependant on the judge, at these persons' choice, either the pension that could be granted to the judge of a military court or judge of the Judicial Chamber for Cases of the Military on grounds stipulated in this Federal Constitutional Law, Law of the Russian Federation No. 4468-1 "On Pension Support of Persons Engaged in Military Service, Service in Internal Affairs Bodies, State Firefighting Service, Bodies Controlling the Turnover of Narcotic Drugs and Psychotropic Substances, Institutions and Bodies of the Penitentiary System, Forces of the National Guard of the Russian Federation, Enforcement Bodies of the Russian Federation and of Their Families", or in Law of the Russian Federation "On the Status of Judges in the Russian Federation".

3. Abrogated

4. Residential premises are provided to judges of military courts and judges of the Judicial Chamber for Cases of the Military on a priority basis by the corresponding bodies of the Armed Forces of the Russian Federation, of other military forces, military formations and bodies with further compensation of expenses incurred by them out of the federal budget or acquired at the expense of the federal budget, using the funds allocated for these purposes in accordance with Law of the Russian Federation "On the Status of Judges in the Russian Federation", no later than six months after the judge is vested with judicial powers.

5. The living space occupied by judges of military courts and judges of the Judicial Chamber for Cases of the Military in houses of the state and municipal housing funds, when vacated, is provided to other judges of military courts, as well as members of staff of military courts, in need of better living conditions with due regard to the norms stipulated in federal law.

6. Medical service, including medicinal drugs and health resort treatment, is provided for judges of military courts (including retired judges) and their family members in accordance with the norms and in the manner stipulated for judges in federal law. Medical service is provided for judges of the Judicial

Chamber for Cases of the Military in the manner stipulated for judges of the Supreme Court of the Russian Federation.

6.1. If there are no medical organisations that are part of the state or municipal healthcare system at the location of a military court, judges of military courts are provided with medical service, medicinal drugs and health resort treatment by medical, military-medical branches, units and organisations of federal executive bodies and federal state bodies in which military service is stipulated by federal law. The Judicial Department at the Supreme Court of the Russian Federation (hereinafter – the Judicial Department) covers the actual costs incurred by them.

7. Abrogated

Chapter 4. Financing and Support of Activities of Military Courts and of the Judicial Chamber of the Supreme Court of the Russian Federation for Cases of the Military

Article 32. Financing and Support of Military Courts and of the Judicial Chamber of the Supreme Court of the Russian Federation for Cases of the Military

1. The financing and support of military courts and of the Judicial Chamber for Cases of the Military are performed, accordingly, by the Judicial Department and the Supreme Court of the Russian Federation, at the expense of the federal budget, based on Federal Constitutional Law “On the Judicial System of the Russian Federation” and this Federal Constitutional Law.

2. Corresponding bodies of the Armed Forces of the Russian Federation, of other military forces, military formations and bodies provide the military courts with communication means and service premises, store their archives. The costs incurred by them are covered, accordingly, by the Judicial Department and the Supreme Court of the Russian Federation.

3. Organisational support of activities of the Judicial Chamber for Cases of the Military is provided by the staff of the Supreme Court of the Russian Federation, and of military courts – by the Judicial Department.

4. The manner of financing and support of activities of military courts in war time and in case of imposition of a state of emergency are stipulated in the corresponding federal constitutional laws.

Article 33. Staff of a Military Court

1. The organisational support of activities of a military court in the administration of justice is performed by the staff of the court.

2. The general management of activities of the staff of a military court is performed by the president of the corresponding court.

2.1. The direct management of activities of the staff of the Military Court of Cassation, of the Appellate Military Court, of a circuit (fleet) military court is performed by the chief of staff – administrator of the Military Court of Cassation, of the Appellate Military Court, of a circuit (fleet) military court (hereinafter – chief of staff of a military court).

2.2. The chief of staff of a military court is appointed and dismissed by the president of the corresponding court and is directly subordinated to the president of that court. A person that has higher legal education is appointed to the position of the chief of staff of a military court.

2.3. The model duty regulations for a federal state civil servant occupying the position of the chief of staff – administrator of the Military Court of Cassation, of the Appellate Military Court, of a circuit (fleet) military court in the federal state civil service are adopted by the Judicial Department.

2.4. The staff of a military court:

- 1) accepts and issues documents;
- 2) certifies copies of court documents;
- 3) performs the service of documents, court notifications and summons;
- 4) controls the payment of fees and levies;
- 5) performs organisational-preparatory actions related to appointment of cases for hearing;
- 6) assists the judges in drawing jurors to the administration of justice;
- 7) conducts the minutes of the court sessions;
- 8) registers the movement of cases and the time of their processing by the court;
- 9) hands over the court decisions for enforcement;
- 10) stores the cases and documents;
- 11) participates in the generalization of judicial practice data, collects judicial statistics, conducts information and reference work regarding the legislation of the Russian Federation and other work;
- 12) performs the reception of citizens;
- 13) exercises other powers in ensuring the activities of the military court in accordance with the instructions of the president of that court.

3. The staff structure, the number of members of staff and the staff schedule of a military court are stipulated by the president of the corresponding court upon approval of the Judicial Department, within the limits of the total number of staff members of military courts and the amount of budgetary allocations stipulated in the federal budget for the next financial year and the planning period.

3.1. The total number of staff members of military courts (excluding the transport, building security and maintenance staff) is stipulated in the federal law on the federal budget for the next financial year and the planning period and must ensure the possibility of the full and independent administration of justice.

4. Abrogated

5. Abrogated

6. Members of staff of a military court are federal state civil servants, occupying positions of the federal state civil service.

6.1. Members of staff of a military court that have class ranks are provided with official uniform.

6.2. Wearing official uniform is obligatory for the members of staff of a military court participating in court sessions, as well as engaged in direct (personal) interaction with citizens and representatives of organisations in performance of their duties pertaining to the organisation of court proceedings and organisational support of consideration of received addresses.

6.3. The manner and norms of providing the members of staff of a military court having class ranks with official uniform, as well as the rules of wearing it are adopted by the Judicial Department at the Supreme Court of the Russian Federation with approval of the Council of Judges of the Russian Federation.

6.4. The technical description of specimen items of official uniform of members of staff of a military court having class ranks is adopted by the Judicial Department at the Supreme Court of the Russian Federation with approval of the Council of Judges of the Russian Federation and the Heraldic Council of the President of the Russian Federation.

7. Members of staff of a military court may occupy positions that are not positions of the federal state civil service.

8. The rights and duties of members of staff of a military court who are federal state civil servants, as well as the manner of their service in the federal state civil service, are stipulated in federal laws and other normative legal acts regarding the federal state civil service. The aforementioned staff members receive class ranks of the state civil service of the Russian Federation.

9. The rights and duties of members of staff of a military court occupying positions that are not positions of the federal state civil service are stipulated in labour legislation.

Article 34. Abrogated

Article 35. Abrogated

Article 36. Abrogated

Article 36.1. Registration of Judges of Military Courts and Judges of the Judicial Chamber of the Supreme Court of the Russian Federation for Cases of the Military, of Members of Staff of Military

Courts and of the Judicial Department Discharged from Military Service for the Purposes of Military Service

The judges of military courts and judges of the Judicial Chamber for Cases of the Military, members of staff of military courts and of the Judicial Department discharged from military service are registered for the purposes of military service at the military registration and enlistment offices, and their personnel files are stored at these offices, in the manner stipulated in federal law.

Article 37. Buildings and Other Property of Military Courts

1. Military courts occupy buildings the appearance and internal structure of which correspond to the constitutional status of the judicial power in the Russian Federation.
2. For purposes of administration of justice, a judge of a military court is provided with premises meeting the sanitary-hygienic and other stipulated standards.
3. Buildings, constructions and movable property are used by military courts only for the purposes of administration of justice or organisational support of their activities and are federal property. The aforementioned property may not be seized.
4. Military courts are exempt from paying rent and other payments for the use of land allocated for accommodation of buildings and constructions in possession of the military courts.

Article 38. Guarding and Convoying of Persons in Custody

1. In military courts, the guarding, as well as convoying, of persons kept in disciplinary military units, in custody at detention rooms are performed, accordingly, by the military units or the military police of the Armed Forces of the Russian Federation.
2. The convoying of persons located in other places of custody, as well as in prisons and correctional colonies, to the place of consideration of cases by military courts is performed by the authorised federal executive bodies.

Chapter 5. Closing and Transitional Provisions

Article 39. Status of Military Courts of Garrisons, Unit Groups, Large Unit Groups, Flotillas, of Military Courts of Circuits, Fleets and of the Strategic Missile Forces

1. From the day of entry of this Federal Constitutional Law into force, military courts of garrisons, unit groups, large unit groups, flotillas gain the status of garrison military courts.
2. From the day of entry of this Federal Constitutional Law into force, military courts of circuits, fleets and of the Strategic Missile Forces gain the status of circuit (fleet) military courts.

3. The Military Court of Cassation, the Appellate Military Court and circuit (fleet) military courts have the rights of legal persons.

4. In regard of garrison military courts, the powers of legal persons are realised by the Judicial Department.

Article 40. Status of Judges of Military Courts of Garrisons, Unit Groups, Large Unit Groups, Flotillas, of Military Courts of Circuits, Fleets, of the Strategic Missile Forces and of the Military Chamber

From the day of entry of this Federal Constitutional Law into force, judges of military courts of garrisons, unit groups, large unit groups, flotillas, of military courts of circuits, fleets, of the Strategic Missile Forces and of the Military Chamber gain the status of judges of, accordingly, military courts and of the Military Chamber.

Article 41. Abrogated

Article 42. Status of Members of Staff of Military Courts of Garrisons, Unit Groups, Large Unit Groups, Flotillas, of Military Courts of Circuits, Fleets, of the Strategic Missile Forces, of the Military Chamber and of Employees of the Judicial Department

1. From the day of entry of this Federal Constitutional Law into force, members of staff of military courts of garrisons, unit groups, large unit groups, flotillas, of military courts of circuits, fleets, of the Strategic Missile Forces, of the Military Chamber and employees of the Judicial Department gain the status of, accordingly, members of staff of military courts, of the Military Chamber and of the Judicial Department.

2. Abrogated

3. On the sixtieth day following the entry of this Federal Constitutional Law into force, the payroll of the Military Courts Department of the Ministry of Justice of the Russian Federation is transferred to the Judicial Department.

4. Prior to the payroll transfer from the Military Courts Department of the Ministry of Justice of the Russian Federation to the Judicial Department, the former exercises the functions of organisational support of activities of military courts in accordance with this Federal Constitutional Law.

Article 43. Property of Military Courts of Garrisons, Unit Groups, Large Unit Groups, Flotillas, of Military Courts of Circuits, Fleets, of the Strategic Missile Forces and of the Military Chamber

The military courts preserve the property in operational administration of the military courts of garrisons, unit groups, large unit groups, flotillas, of military courts of circuits, fleets, of the Strategic Missile Forces, as well as of the Military Chamber.

Article 44. Features of Financing, Material and Technical Support of Military Courts during the Transitional Period

1. Until 1 January 2000, the financing, material and technical support of military courts, of the Military Chamber and of the Main department for support of activities of military courts of the Judicial Department are performed by the Ministry of Defence of the Russian Federation in the volume stipulated in this Federal Constitutional Law.

2. The financing of military courts located outside of the Russian Federation, as well as in other cases, where necessary, is performed by the corresponding bodies of the Armed Forces of the Russian Federation, of other military forces, military formations and bodies out of funds transferred to them by the Judicial Department.

Article 45. Entry of this Federal Constitutional Law into Force

1. This Federal Constitutional Law enters into force from the day of its official publication.

2. The norms of Part 2 of Article 15, Part 3 of Article 22 and Part 2 of Article 23 of this Federal Constitutional Law regarding the decisions of military courts on arrest, putting into custody and remand in custody become effective from the day of entry into force of the corresponding federal criminal procedure law.

3. From the day of entry of this Federal Constitutional Law into force, Law of the RSFSR "On Court Structure of the RSFSR" of 8 July 1981, with later amendments and additions (Gazette of the Supreme Soviet of the RSFSR, 1981, No. 28, Art. 976; Gazette of the Congress of the People's Deputies of the Russian Federation and of the Supreme Soviet of the Russian Federation, 1992, No. 27, Art. 1560; No. 30, Art. 1794; 1993, No. 33, Art. 1313; Legislation Bulletin of the Russian Federation, 1994, No. 32, Art. 3300; 1999, No. 1, Art. 5), the Ruling of the Supreme Soviet of the Russian Federation No. 4502-1 of 17 February 1993 "On Certain Issues of Realisation of Provisions of the Law of the Russian Federation 'On the Status of Judges in the Russian Federation' Pertaining to Judges of Military Courts, their Material Support and Social Protection Measures" (Gazette of the Congress of the People's Deputies of the Russian Federation and of the Supreme Soviet of the Russian Federation, 1993, No. 9, Art. 331) and Federal Law "On Certain Issues of Organisation and Activities of Military Courts and Bodies of Military Justice" with later amendments and additions (Legislation Bulletin of the Russian Federation, 1994, No. 32, Art. 3305; 1998, No. 16, Art. 1796) are applied in the part that does not contradict this Federal Constitutional Law.

4. From the day of entry of this Federal Constitutional Law into force, the following are not effective in the Russian Federation and are not subject to application by the military courts located outside of the Russian Federation:

1) Law of the USSR of 25 December 1958 "On Adoption of Regulations on Military Tribunals" and the Regulations on Military Tribunals stipulated by that Law (Gazette of the Supreme Soviet of the USSR, 1959, No. 1, Art. 14);

- 2) Order of the Presidium of the Supreme Soviet of the USSR of 21 February 1968 "On Amendments and Additions to Regulations on Military Tribunals" (Gazette of the Supreme Soviet of the USSR, 1968, No. 9, Art. 64);
- 3) Law of the USSR of 26 June 1968 "On Adoption of Order of the Presidium of the Supreme Soviet of the USSR 'On Amendments and Additions to Regulations on Military Tribunals'" (Gazette of the Supreme Soviet of the USSR, 1968, No. 27, Art. 235);
- 4) Order of the Presidium of the Supreme Soviet of the USSR of 6 July 1970 "On Amendments to Article 9 of Regulations on Military Tribunals" (Gazette of the Supreme Soviet of the USSR, 1970, No. 28, Art. 250);
- 5) Law of the USSR of 15 July 1970 "On Adoption of Order of the Presidium of the Supreme Soviet of the USSR 'On Amendments to Article 9 of Regulations on Military Tribunals'" (Gazette of the Supreme Soviet of the USSR, 1970, No. 29, Art. 275);
- 6) Article 4 of Order of the Presidium of the Supreme Soviet of the USSR of 12 August 1971 "On Amendments and Additions to Legislation of the USSR with regard to Creation of the Union-Republican Ministry of Justice of the USSR" (Gazette of the Supreme Soviet of the USSR, 1971, No. 33, Art. 332);
- 7) Article 4 of Order of the Presidium of the Supreme Soviet of the USSR of 26 November 1973 "On Amendments and Additions to Certain Legislative Acts of the USSR" (Gazette of the Supreme Soviet of the USSR, 1973, No. 48, Art. 679);
- 8) Law of the USSR of 25 June 1980 "On Amendments and Additions to Regulations on Military Tribunals" and the new edition of the Regulations on Military Tribunals adopted by that Law (Gazette of the Supreme Soviet of the USSR, 1980, No. 27, Art. 546);
- 9) Law of the USSR of 4 August 1989 "On the Status of Judges in the USSR" (Gazette of the Supreme Soviet of the USSR, 1989, No. 9, Art. 223);
- 10) Resolution of the Supreme Soviet of the USSR of 4 August 1989 "On the Manner of Enactment of Law of the USSR 'On the Status of Judges in the USSR'" (Gazette of the Congress of the People's Deputies of the USSR and of the Supreme Soviet of the USSR, 1989, No. 9, Art. 224);
- 11) Resolution of the Supreme Soviet of the USSR of 2 November 1989 "On the Oath of Judges and People's Assessors of Courts of the USSR" (Gazette of the Congress of the People's Deputies of the USSR and of the Supreme Soviet of the USSR, 1989, No. 22, Art. 420);
- 12) Resolution of the Supreme Soviet of the USSR of 2 November 1989 "On Adoption of Regulations on Qualification Boards of Judges of Courts of the USSR" and the Regulations on Qualification Boards of Judges of Courts of the USSR adopted by that Resolution (Gazette of the Congress of the People's Deputies of the USSR and of the Supreme Soviet of the USSR, 1989, No. 22, Art. 421);

13) Resolution of the Supreme Soviet of the USSR of 2 November 1989 “On Adoption of Regulations on Qualification Attestation of Judges” and the Regulations on Qualification Attestation of Judges adopted by that Resolution (Gazette of the Congress of the People’s Deputies of the USSR and of the Supreme Soviet of the USSR, 1989, No. 22, Art. 422);

14) Resolution of the Supreme Soviet of the USSR of 2 November 1989 “On Adoption of Regulations on Disciplinary Liability of Judges, Recall and Removal of Judges and People’s Assessors of Courts of the USSR” and the Regulations on Disciplinary Liability of Judges, Recall and Removal of Judges and People’s Assessors of Courts of the USSR adopted by that Resolution (Gazette of the Congress of the People’s Deputies of the USSR and of the Supreme Soviet of the USSR, 1989, No. 22, Art. 423);

15) Resolution of the Supreme Soviet of the USSR of 3 June 1991 “On Amendments to Regulations on Qualification Attestation of Judges and Regulations on Qualification Classes of Judges of Courts of the USSR and of the Union’s Republics” (Gazette of the Congress of the People’s Deputies of the USSR and of the Supreme Soviet of the USSR, 1991, No. 24, Art. 691) as regards amendments to Regulations on Qualification Attestation of Judges;

16) Decree of the President of the USSR of 31 July 1991 “On Identification Documents of Judges and People’s Assessors of Military Tribunals of the Armed Forces of the USSR” (Gazette of the Congress of the People’s Deputies of the USSR and of the Supreme Soviet of the USSR, 1991, No. 32, Art. 917);

17) Article 3 of the Order of the Presidium of the Supreme Soviet of the USSR of 30 July 1975 “On Application of Army Regulations to Persons Serving in Special Motorised Units of the Militia of the Ministry of Internal Affairs of the USSR and in Militarized Firefighting Department of the Main Internal Affairs Department of Moscow City Executive Committee and on Liability of These Persons Based on Law of the USSR of 25 December 1958 ‘On Criminal Liability for Military Crimes’” (Gazette of the Congress of the People’s Deputies of the USSR and of the Supreme Soviet of the USSR, 1991, No. 12, Arts. 421-422) as regards the establishment of jurisdiction of military tribunals;

18) Article 1 of the Order of the Presidium of the Supreme Soviet of the USSR of 5 March 1981 “On Referral of All Criminal and Civil Cases Arising in Certain Top Security Military Units of the Ministry of Defence of the USSR to the Jurisdiction of Military Tribunals and on Prosecutorial Oversight in These Units” (Gazette of the Congress of the People’s Deputies of the USSR and of the Supreme Soviet of the USSR, 1991, No. 12, Arts. 422-423).

Federal Constitutional Law “On Military Courts of the Russian Federation”