

## JUDICIAL IMPARTIALITY AND PUBLIC PERCEPTION

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(Original text in Russian)

As we know, the judiciary offers the most reliable and civilized way of resolving the conflicts that arise in society, protecting the rights and freedoms of citizens, and the interests of civil society and the State. Every human being and citizen is recognized as having the right to a fair trial. Article 6 of the European Convention on Human Rights and Fundamental Freedoms reads: “In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.”

A similar right is proclaimed in the Universal Declaration of Human Rights (article 10), and also enshrined in article 14 of the International Covenant on Civil and Political Rights.

In Russian law, impartiality is regarded as one of the most important conditions for ensuring thorough and objective consideration of a case and for a fair and well-motivated decision.

Impartiality means free of partiality, just. These two concepts are intimately related and inseparable.

Judges are independent and subject only to the Constitution of the Russian Federation and the law. In their work of administering justice, they are answerable to no-one. The relevant provisions of the Russian Constitution serve as the most important guarantee of the impartiality of judges in their administration of justice.

More specific norms are contained in the law of the RF “On the status of judges”. This law says *inter alia* that in the performance of his duties, and also in his extra-judicial relations, a judge must avoid anything that could lessen the authority of the judiciary, the dignity of judges or cast doubt on his objectivity, fairness and impartiality. On first being elected to office, a judge swears a solemn oath: “I solemnly swear honestly and conscientiously to perform my duties, to administer justice subject only to the law, to be impartial and fair as I am bidden by my duty as a judge and by my conscience.”

A judge may not serve as a deputy, belong to a political party or movement, engage in business activities, or combine his work as a judge with other paid employment except in the field of research, teaching or literature.

All judges of the Russian Federation enjoy the same status and differ only in their powers and responsibilities. The particular status of individual categories of judges is determined by federal laws, and where those laws so provide, also by the laws of subjects of the Russian Federation.

The honour code of judges of the Russian Federation requires them to avoid anything that could diminish the authority of the judiciary. In particular, they must refrain from personal, financial and

