English Abstract

The object of this thesis is the international civil procedure law as it is currently regulated on the territory of the Russian Federation. The thesis describes and analyzes the legal regulations contained in the Russian Civil Procedure Codes as well as in the related laws, points to the main interpretative problems and seeks to find the most probable interpretation in the future due to its argumentation.

The first chapter presents an initial response to this purpose and brings the general negotiation of international private law in the Russian Federation, with subsequent focus on international civil procedure law as an integral part of Russian private international law. We have succeeded and brought the definition of this part of private international law, which reflects the Russian realities and to the doctrinal conclusion of the Russian doctrine.

The second chapter deals with the Russian analogical approach to Czech Section 8 of the Act on Private International Law, which stipulates that the Czech courts proceed in proceedings under Czech procedural rules with this and its theoretical background. In Russian legal doctrine, this principle applies as in the Czech Republic, but is justified by the postulate of state sovereignty and not by the lex fori principle.

The third chapter deals with the question of the jurisdiction of the Russian courts in the process of deciding cases with a foreign element. Emphasis is placed on the issue of the application of the principle of parties’ autonomy and of the arbitrary and derogatory clauses. The fourth chapter deals with the status of foreigners in proceedings before the Russian courts.

The fifth chapter discusses the issues of recognition and enforcement of foreign judgments. The sixth chapter is concentrated on the issue of legal assistance. A significant part of this chapter is devoted to the international treaty concluded between the Czechoslovak Socialist Republic and the Union of Soviet Socialist Republics.

The last, seventh chapter deals with issues of international arbitration and questions of recognition and enforcement of foreign arbitration decisions on the territory of the Russian Federation.