

Russia's Second Nationwide Moot Court Competition in Constitutional Law
Among the Law Schools
'Campaign against the companies, or private life and public interest'
St. Petersburg, 22-23 November 2012



On 23 November in St. Petersburg in the Pompeii Hall of the House of Laval – the residence of the Constitutional Court of Russia – the final of Russia's Second Nationwide Law Schools Moot Court Competition in Constitutional Law took place. The competition was established by the Institute of Law and Public Policy, together with the Venice Commission of the Council of Europe, and falls under the aegis of the Constitutional Court of the Russian Federation.

The first nationwide competition on Constitutional Law among the law schools was developed as a part of the three-year ReSET project supported by the Higher Education Special Project. The first nationwide competition on Constitutional Law among student teams took place in 2011 and sparked huge interest among students and professors of Russian universities - more than 30 teams registered to participate, 15 of them presented procedural documents in the qualifying phase and the 4 best teams met in the oral rounds. The team from the National Research University-Higher School of Economics (Moscow) won the first competition in 2011, receiving the 'Crystal Themis' main prize.

The competition was launched in February 2012. 27 Russian universities filed applications for participation in the competition. In early April, a case (competition problem) was published on the ILPP web page.

By mid-September, based on a case and supplementary material published on the website of the Institute, the teams had to prepare two documents: a complaint to the Constitutional Court of the Russian Federation and a review of public authority. 18 teams sent such written work. One team was disqualified, four teams presented papers although violating the submission deadline but were allowed to participate with punitive points deducted.

19 experts were invited to evaluate the materials. Each separate procedural document of the team was evaluated on several criteria by two experts. The papers of the teams competing for access to the semifinals were the subject of further assessment.

After the qualifying round in 2012, in which experts assessed procedural documents from 18 teams (including a complaint to the Constitutional Court of the Russian Federation and a review of public authority) in the semifinals, the four strongest teams from Russian universities met on 22 November 2012: the team of the Baltic Federal University named after Immanuel Kant, the Kursk State University team, the team of the Russian Academy of Justice and the team of St. Petersburg State University. The venue for the semifinals was kindly provided – as in 2011 – by the Law faculty of St. Petersburg State University.

The semifinal rounds consisted of oral proceedings, where each team addressed a bench of three judges in two rounds both as the complainant and as the State party. The case (competition problem) was entitled *'Campaign against the companies, or private life and public interest'*, and was created specifically for the competition. Under the rules of the contest, only specific facts and directly challenged provisions of normative legal acts are fictional; the rest is real legislation. By the end of the day, two teams remained, meeting in the final in the Constitutional Court of the Russian Federation to compete for the privilege of owning the Crystal Themis. These were the teams of the Baltic Federal University named after Immanuel Kant and St. Petersburg State University.

It should be mentioned that throughout the competition – until the award ceremony – all the teams were assigned a registration number for identification. Neither the experts nor the judges of the semi-final and final rounds knew which university the students represented.



In the final round of the contest, held on 23 November 2012 in the Pompeiskii Hall of the Constitutional Court, the performance of teams, as in 2011, was evaluated by an International College of seven judges of the competition: A. Endzins (Member of the Venice Commission of the Council of Europe, Chairman of the



Constitutional Court of Latvia (retired)), G.Gadzhiev (judge of the Constitutional Court of the Russian Federation), T. Morschakova (judge of the Constitutional Court of the Russian Federation (retired)), A. Blankenagel (Professor of Humboldt University, Germany), S. Sergevnin (Constitutional Adviser to the Russian Constitutional Court), E.Taribo (head of the constitutional foundations of public law of the Constitutional Court of the Russian Federation), and L. Ivanov (former adviser to judges of the Constitutional Court of the Russian Federation). These judges evaluated:



demonstrated knowledge of the law; the ability to use facts freely; the skill to answer questions posed by the judges during the performance; the art of debate; oratory skills and manners; and the ability to manage time allotted for presentation. The judges paid particular attention to assessing the ability to use the legal positions

of the Constitutional Court of the Russian Federation and the jurisprudence of the European Court of human rights.

The team of St. Petersburg State University won in the final round with a small margin. Young lawyers from Petersburg received the main Prize of the contest – Crystal Themis – presented by G. Gadzhiev (judge of the Constitutional Court of the Russian Federation). The Director of the Institute of Law and Public Policy, O. Sidorovich, gave the diploma to the winning team. A. Endzins (Member of the Venice Commission of the Council of Europe) congratulated the coach and team for their victory.



St. Petersburg State University therefore became the second Russian university after the Higher School of Economics (Moscow), which will keep the unique Crystal Themis, inspiring new students to further victories. The prize is not rolling and is deposited in the winning university.

Under the rules of the contest, in addition to the main prize of the qualifying and final rounds, prizes were also awarded to five teams, as well as one individual nomination. Traditionally, the most difficult choice for judges concerned determining a winner for the only individual nomination for best oral presentation. This year, two students were named as the best speaker - Maria Kiskachi and Dmitriy Borodin, both representing the St. Petersburg State University.

The diploma for the prize ‘For excellent knowledge and use of the practice of the European Court of Human Rights’ was presented to the team of the Russian Academy of Justice.



Diplomas for the prizes ‘Best procedural document (complaint to the Constitutional Court of the Russian Federation)’, ‘Best procedural document (review of public authority)’, ‘For excellent knowledge and use of the legal positions of the Constitutional Court of the Russian Federation’, and ‘For the best use of comparative law methods’ were presented to the team of the Baltic Federal University named after Immanuel Kant.



All four teams received diplomas from the contest, special diplomas from the founding partners, and numerous mementos from the founders and partners of the contest. It should be noted that the number of competition partners is growing steadily: in 2012, the competition was supported by the Venice Commission of the Council of Europe, the International Higher Education Support Program (Budapest), Ministry of Justice of Russia and the St. Petersburg International Legal Forum, the Association of Lawyers of Russia, law firms ‘Dolomanov and partners’, ‘Kamenskaya and partners’, ‘Pepeliaev group’, law offices ‘Egorov, Puginsky, Afanasiev and partners’, the bar association ‘Muranov, Chernyakov & partners’, the Russian Agency of Legal and Judicial information, legal systems ‘Garant’ and ‘Consultant plus’, and the journals and magazines ‘The

Judge’, ‘Comparative Constitutional Review’ and ‘International justice’. Many of the representatives of partner organizations found an opportunity, together with the representatives of the founding members of the competition (the Venice Commission of the Council of Europe, the Constitutional Court of Russia and the Institute of Law and Public Policy) to take part personally in the award ceremony, making speeches and presenting awards. Thus, the ceremony was attended by O. Bendickaya (head of public relations of the Department of the St. Petersburg International Legal Forum), T. Kamenskaya (managing partner of the law firm ‘Kamenskaya and partners’), A. Muranov (managing partner of the bar association ‘Muranov, Chernyakov & partners’), V. Zaripov (head of analytical services of the law firm ‘Pepeliaev group’), A. Ryzhkin (senior associate lawyer of the law offices ‘Egorov, Puginsky, Afanasiev and partners’), and M. Dolomanov (Chairman of the law firm ‘Dolomanov and partners’). Attention to this competition from public authorities and leading practitioners in Russia is invaluable for students, clearly demonstrating the value of, and prospects for, deep knowledge and skilful use of the constitutional right to life, opening up new prospects.

Information about the ongoing competition and its results was posted on the official website of the Constitutional Court (<http://www.ksrf.ru/ru/News/Pages/ViewItem.aspx?ParamId=30566> <http://www.ksrf.ru/ru/News/Pages/ViewItem.aspx?ParamId=3059>), attracting more media attention to the contest/
<http://www.consultant.ru/about/presscenter/news/measure/article5395/>,
<http://www.alrf.ru/home-13812>,
http://zakon.ru/Blogs/final_vtorogo_vserossijskogo_konkursa_po_konstitucionnomu_pravosudiyu_sredi_studencheskix_komand_23_/4807, .
<http://zhurnalsudya.ru/news/862>,
<http://cljournal.ru/ann/66/>
<http://www.spblegalforum.com/2013/Satellite?c=Page&cid=1321283863069&pagename=LF%2FPage%2FANewsWrapperTpl&saction=ANewsShortTpl&sid=1349301860847>
etc

Detailed information on all stages of the competition rules, as well as selected procedural documents from 2011 and 2012 and an overall ranking of teams and photographic archive can be found on the official website of the competition: www.moot-court.ilpp.ru