

## **Web Conferencing in the Supreme Court of the Russian Federation**

Nowadays, the Supreme Court of the Russian Federation and the whole Russian judiciary function in conditions of global challenges and intensive socioeconomic processes and reforms, which create new tasks and set the need for the courts to transfer to a whole new level of activities. One of such challenges that have changed the world forever is the coronavirus pandemic, the results of which have deeply influenced all the aspects of life of the society, including the judicial procedure. It's also undeniable that the risk of future pandemics persists. Challenges like this clearly require effective and modern solutions.

Currently, legislation provides participants of court proceedings with a right to submit applications to the corresponding court in order to participate in its sessions with the use of videoconferencing systems while actually appearing in other courts, situated at their place of residence or location. This right to hold court sessions with the use of videoconferencing is stipulated in all procedural codes of the Russian Federation and is an important instrument in ensuring access to justice and its transparency.

The first hearing with remote participation of convicted persons took place in the Supreme Court of the Russian Federation on 19 April 2000. From then on, videoconferencing for holding of court sessions began to form in Russia on the federal level.

Today, the Supreme Court of the Russian Federation can access over 8,000 contact points at different geographical locations. These include all the courts of the Russian Federation of different levels, pre-trial detention facilities, prisons, educational and correctional colonies, colonies-settlements, treatment-and-correction and treatment-and-prophylactic institutions, tuberculosis and psychiatric clinics, etc. In 2018, offices of justices of the peace began joining the videoconferencing system – there are more than 7,500 of such offices across the country.

With its 20-year experience of using videoconferencing, the Russian Supreme Court has been actively studying the possibilities of holding court sessions with participation of citizens via web conferencing since 2019.

There is a significant difference between these two related technologies, videoconferencing and web conferencing. First of all, let's look at their definitions:

- Videoconferencing is a telecommunications technology for interactive cooperation of three and more remote users, during which they can exchange audio and video information in real time (with due allowance for the time needed for transfer of control data), mostly over guaranteed channels (e.g. those used only by the court and its counterparts at the time of data exchange);
- Web conferencing is a technology and a set of tools for organising online meetings and joint work in real time over the Internet (which is not a guaranteed channel).

The primary difference is the data transfer guarantee – in this case, it's audio and video data being transferred. During web conferencing, the private user's equipment quality and producer are also a factor of some significance.

Internet reliability is gradually increasing thanks to higher quality and widespread use of this network, higher bandwidth capacity, as well as the constant development of computer technologies, communications and online public services.

From a practical viewpoint, web conferencing technology already on this day allows one to participate in a court session from one's office or even home, using a personal computer. The possibility of participation in a court session with the use of web conferencing technology from one's office or housing premises will be ensured by introducing biometric authentication of court session participants (voice and facial recognition) into court activities. However, before being implemented on a larger scale, this technology needs to undergo certain integration and communication works, all the procedural issues need to be resolved.

In order to prevent the spread of the novel coronavirus infection on the territory of the Russian Federation, the Presidium of the Supreme Court and the Presidium of the Council of Judges adopted a joint ruling on 8 April 2020.

To decrease the risks of COVID-19 spread, further steps aimed at developing remote participation in court sessions should be taken. Such steps may in particular allow remote participation in consideration of urgent cases and materials, including those regarding protection of constitutional civil rights to freedom and personal inviolability, protection of health and property.

For this purpose, the Supreme Court of the Russian Federation has started selectively hearing urgent cases with the use of web conferencing technology. On 21 April 2020, the Supreme Court heard 6 cases with participation of 9 individuals, using web conferencing. All proceedings went uninterrupted. Naturally, there were a few organisational issues, but all these were successfully resolved on the go.

For example, one of the court session participants filed a motion for participation 5 minutes before the court session began. Moreover, that participant was situated in California (the USA). As a result, the technical services organised and provided access to the court session for that participant within 10 minutes. The court session was conducted successfully (see image 1).



*Img. 1 Web conference with remote participants, one of them situated in the state of California*

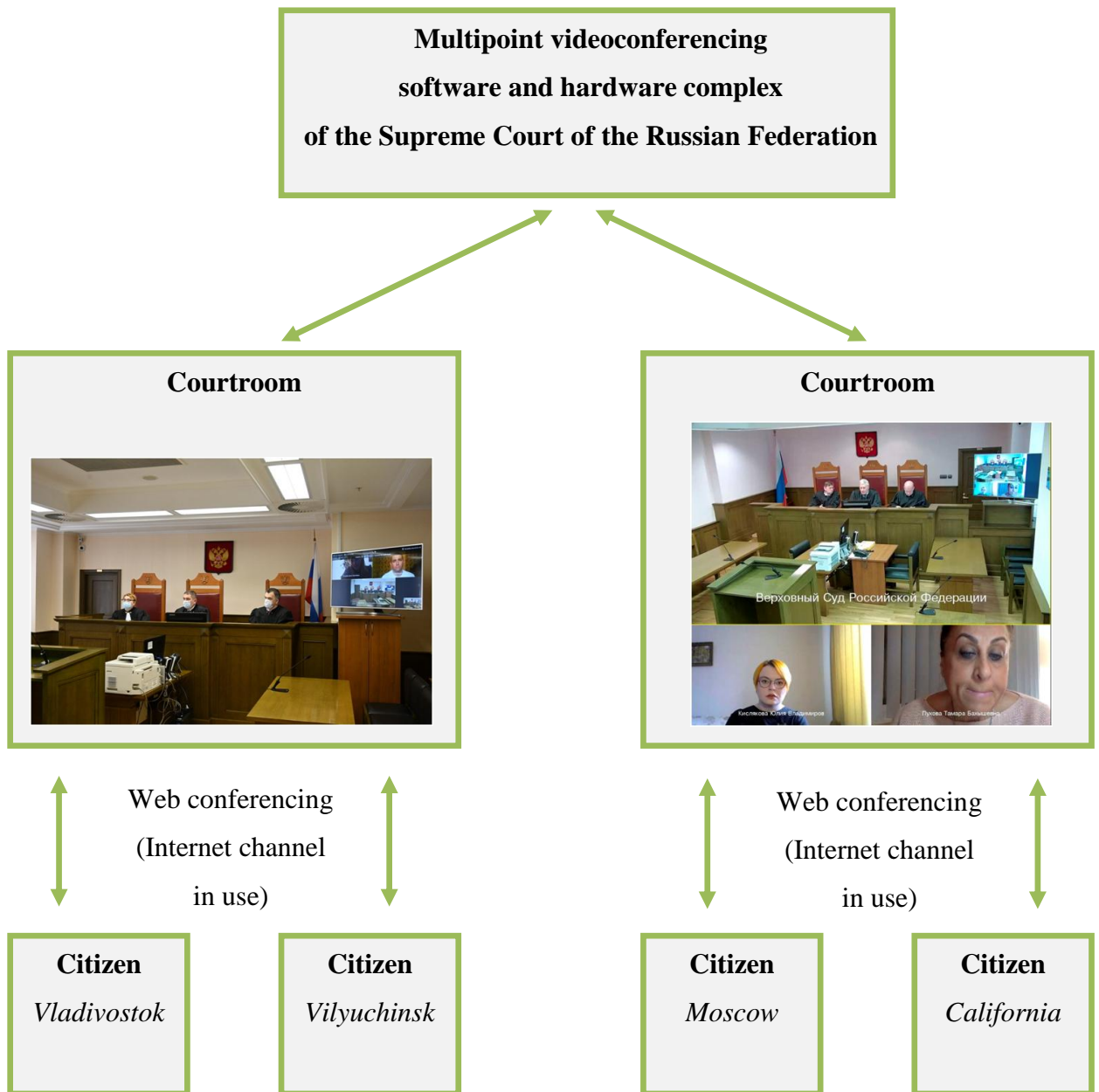
Another case originated a long way away from Moscow: one of the participants was in Vladivostok (over 9,000 km from the Russian capital, +7 hours' time difference), and another – in the city of Vilyuchinsk, Kamchatka Territory (over 10,000 km away from Moscow, time difference: +9 hours) (image 2).



*Img. 2 Web conference with remote participants situated in Vladivostok and Vilyuchinsk, Kamchatka Territory*

The Supreme Court of the Russian Federation already has this capacity thanks to a domestic producer of multipoint web conferencing solutions, Vinteo. Participants of proceedings, who wish to use this opportunity, should forward the corresponding applications and documents confirming their powers to the court within a reasonable time, prior to the date of the court session, and also complete identification and authentication procedures at the [Public Services Portal](#). If the court satisfies the application, the court session participants receive a hyperlink through which they can access the virtual courtroom of the Russian Supreme Court, via e-mail and through their personal accounts on the portal (image 3).

On the appointed date of the court session, participants of proceedings access the court's videoconferencing system using their personal computers and communication devices and authorise at the Public Services Portal in order to confirm their identity. After this, the court checks their identity and powers and allows them to participate in the court session.



*Img. 3 Connection scheme: web conference with remote participants*

Web conferencing is significant not only because it allows to overcome limitations in times of a pandemic. Rather, it has a significantly wider scope of application: now and in the future, it will allow persons with disabilities to fully participate in court proceedings, which will no doubt improve the level of enjoyment of the right to court protection for such persons. It will have a similar effect for participants of proceedings residing in remote locations, who have to incur significant travel expenses in order to participate in court sessions.