



**Federal Constitutional Law  
«On the Constitutional Court  
of the Russian Federation»**

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# TITLE ONE

## ORGANISATION OF THE CONSTITUTIONAL COURT OF THE RUSSIAN FEDERATION AND THE STATUS OF JUDGES

### *Chapter I* *General Provisions*

#### **Article 1. The Constitutional Court of the Russian Federation - Judicial Body of Constitutional Review**

*Revised in accordance with the Federal Constitutional Law of 9 November 2020 No. 5-ΦK3*

The Constitutional Court of the Russian Federation shall be the judicial body of constitutional review, exercising judicial authority autonomously and independently, by means of constitutional judicial proceedings in order to protect the constitutional order, fundamental rights and freedoms of man and citizen, ensuring the supremacy and direct action of the Constitution of the Russian Federation on the territory of Russian Federation.

#### **Article 2. Legislation on the Constitutional Court of the Russian Federation**

The powers, procedures for the constitution and functioning of the Constitutional Court of the Russian Federation shall be determined by the Constitution of the Russian Federation and by the present Federal Constitutional Law.

#### **Article 3. Powers of the Constitutional Court of the Russian Federation**

*As amended and supplemented by Federal Constitutional Laws of 15 December 2001 no. 4-ΦK3, of 3 November 2010 no. 7-ΦK3, of 4 June 2014 no. 9-ΦK3, of 14 December 2015 no. 7-ΦK3, of 9 November 2020, no.5-ΦK3*

The Constitutional Court of the Russian Federation shall:

1) at the request of the President of the Russian Federation, the Council of Federation of the Federal Assembly of the Russian Federation (hereinafter – the Federation Council), the State Duma of the Federal Assembly of the Russian Federation (hereinafter – the State Duma), one-fifth of the senators of the Russian Federation or of the deputies of the State Duma, the Government of the Russian Federation, Supreme Court of the Russian Federation, bodies of legislative and executive authorities of constituent entities of the Russian Federation resolve cases about compliance of the Constitution of the Russian Federation:

a) federal laws, normative acts of the President of the Russian Federation, the Council of Federation, the State Duma, the Government of the Russian Federation;

б) constitutions of republics, charters as well as laws and other normative acts of constituent entities of the Russian Federation adopted on issues under the jurisdiction of bodies of State power of the Russian Federation and under the joint jurisdiction of bodies of State power of the Russian Federation and bodies of State power of constituent entities of the Russian Federation;

b) treaties between bodies of State power of the Russian Federation and bodies of State power of constituent entities of the Russian Federation, treaties between bodies of State power of constituent entities of the Russian Federation;

r) international treaties of the Russian Federation pending their entry into force;

2) at the request of the President of the Russian Federation, any of the disputed bodies involved in the dispute, decide disputes concerning competence:

a) between federal State government bodies;

б) between State government bodies of the Russian Federation and State government bodies of constituent entities of the Russian Federation;

b) between supreme bodies of State Power of constituent entities of the Russian Federation;

3) shall, on complaints about violation of constitutional rights and freedoms of citizens, verify the constitutionality of Federal Constitutional Laws, federal laws, normative acts issued by the President of the Russian Federation, the Federation Council, the State Duma, the Government of the Russian Federation, constitutions of republics, charters, as well as laws and other normative acts issued by constituent entities of the Russian Federation on matters pertaining to the jurisdiction of bodies of State Power of the Russian Federation and to the joint jurisdiction of bodies of State Power of the Russian Federation and bodies of State Power of constituent entities of the Russian Federation that has been applied in a specific case, if all other domestic remedies have been exhausted;

3.1) shall, at requests of courts, verify the constitutionality of Federal Constitutional Laws, federal laws, normative acts issued by the President of the Russian Federation, the Federation Council, the State Duma, the Government of the Russian Federation, constitutions of republics, charters, as well as laws and other normative acts issued by constituent entities of the Russian Federation on matters pertaining to the jurisdiction of bodies of State Power of the Russian Federation and to the joint jurisdiction of bodies of State Power of the Russian Federation and bodies of State Power of constituent entities of the Russian Federation that ought to be applied by a respective court in a specific case.

3.2) shall, at the request of the President of the Russian Federation, the Government of the Russian Federation, the Supreme Court of the Russian Federation, Office of the Prosecutor General of the Russian Federation, rule on the possibility of the executing the judgements of the interstate bodies based on the provisions of the international treaties of the Russian Federation in an interpretation that leads to their divergence from the Constitution of the Russian Federation;

3.3) shall, at the request of the President of the Russian Federation, the Government of the Russian Federation, the Supreme Court of the Russian Federation, Office of the Prosecutor General of the Russian Federation rule on the possibility of the executing a judgement of foreign or international (interstate) court, foreign or international tribunal (arbitration) which imposed obligations on the Russian Federation if this judgement is contrary to the principles of public order in the Russian Federation;

4) shall, at the President of the Russian Federation, the Federation Council, the State Duma, the Government of the Russian Federation, bodies of legislative power of the constituent entities of the Russian Federation, give the interpretation of the Constitution of the Russian Federation;

5) shall, at the request the Federation Council, render declaratory judgment on the observance of a prescribed procedure for charging the President of the Russian Federation or the President of the Russian Federation who has ceased to exercise his (her) powers upon expiration of his (her) term of office or before the end of his (her) term due to his (her) resignation or persistent inability for health reasons to carry out the powers invested in him (her), with high treason or with commission of other grave offense;

5.1) verifies conformity to the Constitution of the Russian Federation of a question submitted to a referendum in accordance with the Federal Constitutional Law regulating holding of a referendum of the Russian Federation;

5.2) shall, at the request of the President of the Russian Federation verify constitutionality of draft laws of the Russian Federation on amendment to the Constitution of the Russian Federation, of draft Federal Constitutional Laws and federal laws, as well as laws adopted in the order established by saection two and three of Article 107, section two of Article 108 of the Constitution of the Russian Federation, before their signing by the President of the Russian Federation, laws of a constituent entity of the Russian Federation before their promulgation by the highest official of the constituent entity of the Russian Federation (head of the highest executive state authority in a constituent entity of the Russian Federation);

6) Repealed – *Federal Constitutional Law of 9 November 2020, no.5-ΦK3*

7) shall exercise other powers vested in it by the Constitution of the Russian Federation, the Federation Treaty and Federal Constitutional Laws;

The competence of the Constitutional Court of the Russian Federation as provided for by the present Article, shall not be altered other than by the introduction of an amendment to the present Federal Constitutional Law.

The Constitutional Court of the Russian Federation shall decide exclusively on matters of law.

In carrying out constitutional judicial proceedings the Constitutional Court of the Russian Federation shall refrain from establishment and investigation of actual facts whenever this falls within competence of other courts or other bodies.

Regarding its internal administration the Constitutional Court of the Russian Federation shall adopt the Rules of the Constitutional Court of the Russian Federation.

The Constitutional Court of the Russian Federation shall take legislative initiative on matters pertaining to its jurisdiction.

#### **Article 4. Composition, Procedure for the Establishment, and Duration of Powers of the Constitutional Court of the Russian Federation**

*Revised in accordance with the Federal Constitutional Law of 9 November 2020 No. 5-ΦK3*

The Constitutional Court shall consist of 11 judges, including the President of the Constitutional Court of the Russian Federation and his deputy. The Judges of the Constitutional Court appointed by the Federation Council upon nomination made by the President of the Russian Federation.

*Section two of Article 4 shall enter into force on the date when the number of judges of the Constitutional Court of the Russian Federation will be 11, in accordance with section 7 of Article 3 of the Law on the Amendment to the Constitution of the Russian Federation of 14 March 2020*

The Constitutional Court of the Russian Federation is entitled to carry out its activity provided there is presence of two thirds of the total number of Judges.

The powers of the Constitutional Court of the Russian Federation shall be of unlimited duration.

#### **Article 5. Governing Principles of Functioning of the Constitutional Court of the Russian Federation**

The governing principles of the functioning of the Constitutional Court of the Russian Federation shall be independence, collegiality, openness, adversary system and equality of parties.

#### **Article 6. Binding Force of Decisions of the Constitutional Court of the Russian Federation**

The decisions of the Constitutional Court of the Russian Federation shall be obligatory throughout the territory of the Russian Federation for all representative, executive, and judicial bodies of State Power, bodies of local government, enterprises, agencies, organizations, officials, citizens and their associations.

#### **Article 7. Guarantees of Functioning of the Constitutional Court of the Russian Federation**

*As amended by the Federal Constitutional Law of 9 November 2020 no. 5-ΦK3*

The Constitutional Court of the Russian Federation shall be independent of any other body in organizational, financial, and material and technical terms. Funding of the Constitutional Court of the Russian Federation shall be provided for in the federal budget and shall ensure an independent and comprehensive carrying out of constitutional judicial proceedings. The federal budget shall annually allocate in a separate item funds needed to ensure functioning of the Constitutional Court of the Russian Federation that shall be managed by the Constitutional Court

of the Russian Federation autonomously. Spending estimates of the Constitutional Court of the Russian Federation may not be reduced as compared to a preceding financial year.

The Constitutional Court of the Russian Federation shall autonomously and independently provide for informational and personnel support of its functioning.

Assets essential for the functioning the Constitutional Court of the Russian Federation and managed by it shall be the federal property. The Constitutional Court of the Russian Federation may assume functions of the right to manage the aforementioned property in the structural units comprising its staff.

There shall be no restriction of legal, organizational, financial, informational, material and technical, personnel, and other conditions of functioning of the Constitutional Court of the Russian Federation, prescribed by the present Federal Constitutional Law.

## *Chapter II*

### *Status of the Judge of the Constitutional Court of the Russian Federation*

#### **Article 8. Requirements for Candidate for the Office of the Judge of the Constitutional Court of the Russian Federation**

*As amended by the Federal Constitutional Law of 9 November 2020 no. 5-ΦK3*

A citizen of the Russian Federation who has by the day of the appointment attained forty years of age, of high moral character, who has higher juridical education and work experience in the legal profession of at least fifteen years, who possesses recognized high qualifications in the sphere of law, who permanently resides in the Russian Federation and has no foreign citizenship, residence permit or another document certifying the right of the citizen of the Russian Federation to have residence in the territory of a foreign state may be appointed the Judge of the Constitutional Court of the Russian Federation.

#### **Article 9. Procedure of Appointment of the Judge of the Constitutional Court of the Russian Federation**

*As amended by Federal Constitutional Laws of 5 April 2005 no. 2-ΦK3, of 4 June 2014 no. 9-ΦK3, of 9 November 2020 no. 5-ΦK3*

Proposals regarding candidates for offices of Judges of the Constitutional Court of the Russian Federation may be introduced to the President of the Russian Federation by committees of the Federation Council and of the State Duma, the Supreme Court of the Russian Federation, by legislative (representative) bodies of state power of constituent entities of the Russian Federation, as well as by elected bodies of the judicial community in the Russian Federation and in the constituent entities of the Russian Federation, all-Russia law associations, legal research and educational organisations.

The Federation Council shall consider the question of the appointment of the Judge of the Constitutional Court of the Russian Federation in no event later than fourteen days after the receipt of the submission of the President of the Russian Federation.

Each Judge of the Constitutional Court of the Russian Federation shall be appointed individually by secret ballot. The person who receives a majority of the votes of the total number of senators of the Russian Federation shall be considered appointed.

If in the event of a Judge's withdrawal from the composition of the Constitutional Court of the Russian Federation the number of Judges appears to be less than eight Judges, a submission to appoint another person to fill the vacancy of a Judge shall be made by the President of the Russian Federation to the Council of Federation in no event later than one month after the occurrence of the vacancy.

#### **Article 10. Oath of the Judge of the Constitutional Court of the Russian Federation**

The President of the Federation Council under a procedure established by the Federation Council shall administer the oath to a person appointed to the office of Judge of the Constitutional Court of the Russian Federation.

The Judge of the Constitutional Court of the Russian Federation shall take the following oath: "I do swear to carry out honestly and conscientiously the duties of the Judge of the Constitutional Court of the Russian Federation, bound solely by the Constitution of the Russian Federation and by nothing and no one else."

#### **Article 11. Occupations and Activities Incompatible with the Office of the Judge of the Constitutional Court of the Russian Federation**

*As amended and supplemented by the Federal Constitutional Law of 9 November 2020 no. 5-ΦK3*

No Judge of the Constitutional Court of the Russian Federation may be a senator of the Russian Federation, a deputy of the State Duma, other representative bodies, hold or retain other public or social office, have private practice, engage in entrepreneurial or any other remunerative activities apart from teaching, academic and other creative activity which shall pose no impediment to the discharge of duties of a Judge of the Constitutional Court of the Russian Federation and shall not be deemed as a valid reason for being absent from a session, if the Constitutional Court of the Russian Federation has not given its consent to it. The prohibition to be a senator of the Russian Federation, a deputy, to hold other public office, as well as to carry out other activities, if it is permitted for a retired judge by the federal law on the status of judges in the Russian Federation, does not apply to retired judges of the Constitutional Court of the Russian Federation.

No Judge of the Constitutional Court of the Russian Federation may conduct defense or provide representation, other than legal representation, in court, in court of arbitration or in other bodies, render patronage to anyone in obtaining rights and relieving from duties.

No Judge of the Constitutional Court of the Russian Federation may belong to political parties and movements, render material support to them, participate in political actions, conduct political propaganda or campaigning, participate in election campaigns to bodies of State Power and bodies of local self-government, attend congresses and conferences of political parties and

movements, engage in other political activity. Nor may he be part of the leadership of any social associations, even if they do not pursue political goals.

No Judge of the Constitutional Court of the Russian Federation shall, when appearing in print publication, in the means of mass media, self-distributed texts, on sites (site pages) in the information and telecommunications network "Internet", before any audience, in correspondence with public authorities, organizations and citizens, who may, in the circumstances of their conduct, may public it, express his opinion on the matter which may be subject to consideration by the Constitutional Court of the Russian Federation, as well as the one which is currently under consideration or has been admitted for consideration by the Constitutional Court of the Russian Federation until the decision on the matter has been handed down, as well as criticise in any form the decisions of the Constitutional Court of the Russian Federation.

No Judge of the Constitutional Court of the Russian Federation, in accordance with the procedure established by federal law, there are restrictions connected to opening and presence of bank accounts (deposits), keeping of cash assets and valuables in foreign banks situated outside the territory of the Russian Federation.

A Judge of the Constitutional Court of the Russian Federation is also subject to other prohibitions and restrictions provided for by the federal law on the status of judges in the Russian Federation.

A retired judge of the Constitutional Court of the Russian Federation shall be subject to the provisions of this article, except in cases where this article or a federal law on the status of judges in the Russian Federation provides for the possibility of engaging in relevant activities and performing certain actions in relation to a retired judge. Nothing in the present Article shall be considered as restricting the right of the Judge of the Constitutional Court of the Russian Federation to freely express his will as citizen and voter by voting at elections and referendum.

## **Article 12. Term of Office of the Judge of the Constitutional Court of the Russian Federation**

*Revised in accordance with the Federal Constitutional Law of 5 April 2005 no.2-ΦK3, as amended and supplemented by Federal Constitutional Laws of 3 November 2010 no. 7-ΦK3, of 4 June 2014 no. 9-ΦK3, of 29 July 2018 no. 1-ΦK3*

The term of the office of the Judge of the Constitutional Court of the Russian Federation shall be indefinite. The age limit for the office of the Judge of the Constitutional Court of the Russian Federation shall be seventy years. The Judge of the Constitutional Court of the Russian Federation shall be considered to have assumed his office from the moment of his taking the oath. His powers shall terminate on the last day of the month in which he is to attain the age of seventy. The Judge of the Constitutional Court of the Russian Federation who has attained the age limit for the office of the Judge shall continue to carry out his duties until the final decision in a case that originated with his participation is handed down, hearing of which was held with his participation.

If in the event of a Judge's withdrawal from the composition of the Constitutional Court of the Russian Federation on the ground indicated in items 2 or 3 of section one of Article 18 of the present Federal Constitutional Law the number of Judges appears to be less than two thirds of the total number of Judges, he shall continue to carry out the duties of a Judge until the appointment of a new Judge.

The age limit for the office of the Judge established by the present Article, as well as by other Federal Constitutional Laws and federal laws, shall not apply to the President of the Constitutional Court of the Russian Federation.

The age limit for the position of Vice-President of the Constitutional Court of the Russian Federation is seventy-six years.

### **Article 13. Guarantees of Independence of the Judge of the Constitutional Court of the Russian Federation**

*As amended by the Federal Constitutional Law of 9 November 2020 no. 5-ΦK3*

The independence of the Judge of the Constitutional Court of the Russian Federation shall be ensured by his irremovability from office, immunity, equality of rights of Judges, the procedure provided for by the present Federal Constitutional Law for suspension and termination of powers of the Judge, the right to resign, the binding force of the established procedure of the constitutional judicial proceedings, the prohibition of any interference whatsoever with the judicial activity, by granting to the Judge material and social security, the guarantees of his safety appropriate to his high status.

Material guarantees of independence of the Judge of the Constitutional Court of the Russian Federation, related to his salary, granting annual leave, social benefits, providing dwelling, social and consumer services, compulsory State life and health insurance of the Judge, as well as of the property belonging to him and to his family members, shall be established by the present Federal Constitutional Law, other Federal Constitutional Laws, federal laws and other laws and regulations. In the event that other legal acts establish different norms, providing a high level of legal protection, material and social security of the Judges of the Constitutional Court of the Russian Federation, the provisions of those acts shall apply.

*The present Federal Constitutional Law was supplemented by Article 13.1 in accordance with the Federal Constitutional Law of 9 November 2020 no. 5-ΦK3 3 November 2010 no. 7-ΦK3*

#### **Article 13.1. Procedure for Granting of a Qualification Grade to the Judge of the Constitutional Court of the Russian Federation**

On submission of the President of the Constitutional Court of the Russian Federation the supreme judicial qualification grade shall be granted to the Judge of the Constitutional Court of the Russian Federation by the President of the Russian Federation in the course of six months.



#### **Article 14. Irremovability of the Judge of the Constitutional Court of the Russian Federation**

The Judge of the Constitutional Court of the Russian Federation shall be irremovable.

The powers of the Judge of the Constitutional Court of the Russian Federation may be terminated or suspended only under the procedure and on the grounds, provided for by the present Federal Constitutional Law.

#### **Article 15. Immunity of the Judge of the Constitutional Court of the Russian Federation**

*As amended by Federal Constitutional Laws of 15 December 2001 no.4-ΦK3, of 5 April 2005 no. 2-ΦK3, of 9 November 2020 no. 5-ΦK3*

The Judge of the Constitutional Court shall enjoy immunity. The guarantees of the immunity of the Judge of the Constitutional Court shall be provided for by the present Federal Constitutional Law and by a federal law on the status of judges.

The Judge of the Constitutional Court of the Russian Federation, including after expiration of his term of office, shall not be held responsible for a position expressed at a session of the Constitutional Court of the Russian Federation, unless found guilty of the malicious abuse of authority by a court sentence that has entered into force.

A disciplinary misdeed committed by a Judge of the Constitutional Court of the Russian Federation (a violation of the present Federal Constitutional Law, a federal law on the status of judges, as well as of the Code of Judicial Ethics adopted by the All-Russia Congress of Judges) shall be punishable pursuant to a decision of the Constitutional Court of the Russian Federation by a disciplinary action, such as:

admonition;

termination of powers of the judge.

#### **Article 16. Equality of Rights of Judges of the Constitutional Court of the Russian Federation**

*As amended by Federal Constitutional Law of 2 June 2009 no.2-ΦK3, of 3 November 2010 no.7-ΦK3, of 9 November 2020 no. 5-ΦK3*

Judges of the Constitutional Court of the Russian Federation shall enjoy equal rights.

The Judge of the Constitutional Court of the Russian Federation shall have the casting vote on all the questions considered in sessions of the Constitutional Court of the Russian Federation.

The powers of the President and Vice-President of the Constitutional Court of the Russian Federation shall be established by the present Federal Constitutional Law.

## **Article 17. Suspension of Powers of the Judge of the Constitutional Court of the Russian Federation**

*As amended by Federal Constitutional Laws of 15 December 2001 no. 4-ΦK3, of 25 December 2012 no. 5-ΦK3, of 9 November 2020 no. 5-ΦK3*

The powers of the Judge of the Constitutional Court of the Russian Federation may be suspended in the event of:

1) criminal charges being brought against a Judge, or a Judge being joined in an indictment in a separate criminal case;

2) the Judge being temporarily unable to perform his duties due to the state of his health.

Suspension of powers of the Judge of the Constitutional Court of the Russian Federation shall be implemented by the decision of the Constitutional Court of the Russian Federation, taken in no event later than one month after the grounds for such suspension have been revealed.

No Judge of the Constitutional Court of the Russian Federation whose powers have been suspended may participate in sessions of the Constitutional Court of the Russian Federation or send official documents to the state bodies and organizations, social associations, officials and citizens and to demand from them any documents or other information.

The Constitutional Court of the Russian Federation shall suspend powers of the Judge until grounds for such suspension cease to exist. The restoration of powers of the Judge shall be formalized by the decision of the Constitutional Court of the Russian Federation.

Suspension of powers of the Judge of the Constitutional Court of the Russian Federation shall not entail the suspension of payment of the Judge's salary and shall not deprive him of the guarantees stipulated by the present Federal Constitutional Law.

## **Article 18. Termination of Powers of Judge of the Constitutional Court of the Russian Federation**

*As amended and supplemented by Federal Constitutional Laws of 5 April 2005 no.2-ΦK3, of 3 November 2010 no.7-ΦK3, of 4 June 2014 no. 9-ΦK3, of 9 November 2020 no. 5-ΦK3*

The powers of the Judge of the Constitutional Court of the Russian Federation including the President and Vice-President of the Constitutional Court of the Russian Federation shall be terminated in view of the following:

1) violation of the procedure of his (her) appointment as a Judge of the Constitutional Court of the Russian Federation and non-observance upon his (her) appointment of the requirements for the candidate for the office of judge of the Constitutional Court of the Russian Federation as established under the Constitution of the Russian Federation and the present Federal Constitutional Law;

2) the attainment of the age limit for the office of the judge;

3) personal application in writing for early retirement prior to the attainment of the age limit for the office of the Judge;

4) the forfeiture by the Judge of the citizenship of the Russian Federation, acquiring of citizenship (allegiance) of a foreign state or obtaining residence permit or another document allowing a citizen of the Russian Federation to reside in the territory of a foreign state;

5) the decision of conviction passed upon the Judge that has come into legal effect;

6) the commission by the Judge of an act defamatory to the honor and dignity of the Judge;

7) engagement in occupations and activities incompatible with office of the Judge;

8) failure by the Judge to attend the sessions of the Constitutional Court of the Russian Federation or his vote evasion for more than two times in succession without a valid reason;

9) the declaration of the Judge as incapable person by a court decision that has come into legal effect;

10) the declaration of the Judge as missing person by court decision that has come into legal effect;

11) the declaration of the Judge as dead person by court decision that has come into legal effect;

12) death of the Judge.

The powers of the Judge of the Constitutional Court of the Russian Federation may also be terminated in view of his incapacity due to health reasons or due to other valid reasons to perform duties of a Judge during an extended period of time (no less than ten months in succession).

The termination of the powers of the President of the Constitutional Court of the Russian Federation, Vice-President of the Constitutional Court of the Russian Federation, judges of the Constitutional Court of the Russian Federation can be effected by the Constitutional Court of the Russian Federation, and in case of commission by them of an action tarnishing honor and dignity of a judge and another situation foreseen by the present Federal Constitutional Law demonstrating impossibility for a judge to perform his powers, also by the Federation Council upon submission of the President of the Russian Federation.

Where the termination of the powers of the Judge of the Constitutional Court of the Russian Federation has been effected by the Constitutional Court of the Russian Federation, the relevant decision shall be transmitted to the President of the Russian Federation, to the Federation Council and shall constitute an official notification of the occurrence of the vacancy.

Termination of powers of a Judge of the Constitutional Court of the Russian Federation by the Federation Council upon submission of the President of the Russian Federation is possible upon the grounds foreseen by items 1, 4-7 of section one of the present Article.

The Constitutional Court of the Russian Federation shall have the right to propose the President of the Russian Federation to apply to the Federation Council with a submission to terminate the powers of the Judge of the Constitutional Court of the Russian Federation upon the grounds foreseen by items 1, 4-7 of section one of the present Article if the Constitutional Court of the Russian Federation has grounds to consider that the relevant circumstances require additional check.

### **Article 19. Retirement of the Judge of the Constitutional Court of the Russian Federation**

*As amended by the Federal Constitutional Law 25 December 2012 no. 5-ΦK3*

The Judge shall be considered retired or removed into retirement if his powers are terminated on the grounds stipulated by items 2, 3 and 9 of section one and by section two of Article 18 of the present Federal Constitutional Law.

The retired Judge of the Constitutional Court of the Russian Federation with a period of service in the office of the judge of not less than fifteen years, irrespective of his age, shall be paid at his choice either the pension or the tax-free monthly life allowance equal to eighty per cent of the salary of the Judge of the Constitutional Court of the Russian Federation in office. The work experience, making him eligible to monthly life allowance, shall include the preceding experience in the legal profession.

The procedure for assessment and payment of the monthly life allowance shall be prescribed by the Government of the Russian Federation upon the submission of the Constitutional Court of the Russian Federation. Funding for the payment of the monthly life allowance to the retired Judges of the Constitutional Court of the Russian Federation shall be appropriated from the federal budget.

Other provisions pertinent to the status of a retired judge, established by the legislation of the Russian Federation, shall extend to the retired Judge of the Constitutional Court of the Russian Federation.

## ***Chapter III*** ***Structure and Organisation of Functioning*** ***of the Constitutional Court of the Russian Federation***

### **Article 20. Organisational Forms of Constitutional Judicial Proceedings**

*Revised in accordance with the Federal Constitutional Law of 3 November 2010 no.7-ΦK3*

The Constitutional Court of the Russian Federation shall consider and decide cases in sessions of the Constitutional Court of the Russian Federation with the holding of hearings, and in cases and procedures stipulated by Article 471 of the present Federal Constitutional Law without holding of hearings.

### **Article 21. Questions considered in Sessions of the Constitutional Court of the Russian Federation**

*Revised in accordance with the Federal Constitutional Law of 3 November 2010 no.7-ΦK3, as amended by the Federal Constitutional Law of 9 November 2020 no.5-ΦK3*

The Constitutional Court of the Russian Federation shall consider in sessions all questions related to powers of the Constitutional Court of the Russian Federation stipulated by the Constitution of the Russian Federation and Article 3 of the present Federal Constitutional Law.

The Constitutional Court of the Russian Federation in sessions shall also:

1) Repealed - *Federal Constitutional Law of 9 November 2020 no.5-ΦK3*

2) adopt the Rules of the Constitutional Court of the Russian Federation and introduce amendments and additions thereto;

3) decide on the nomination of a Judge of the Constitutional Court of the Russian Federation to be awarded a state decoration of the Russian Federation including conferment upon him an honorary title of the Russian Federation, and on requesting the President of the Russian Federation for his consent to acceptance by a Judge of the Constitutional Court of the Russian Federation of a or other honorable distinction of a foreign state;

4) decide on suspension or termination of the powers of the Judge of the Constitutional Court of the Russian Federation, except for cases of their termination by the Federation Council upon submission of the President of the Russian Federation in accordance with sections three and five of Article 18 of the present Federal Constitutional Law; decide to propose the President of the Russian Federation to apply to the Federation Council with a submission to terminate the powers of the Judge of the Constitutional Court of the Russian Federation in accordance with section six of Article 18 of the present Federal Constitutional Law; decide upon the grounds for early termination by the Federation Council on the submission of the President of the Russian Federation of the powers of the President or the Vice-President of the Constitutional Court of the Russian Federation;

5) exercise other powers envisaged by the present Federal Constitutional Law.

**Article 22. Repealed** – *Federal Constitutional Law of 3 November 2010 no.7-ΦK3*

### **Article 23. Appointment to the Office of the President and Vice-President of the Constitutional Court of the Russian Federation**

*Revised in accordance with the Federal Constitutional Law of 2 June 2009 no.2-ΦK3, as amended by Federal Constitutional Laws of 3 November 2010 no.7-ΦK3, of 4 June 2014 no.9-ΦK3, of 9 November 2020 no.5-ΦK3*

The President and the Vice-President of the Constitutional Court of the Russian Federation shall be appointed to the office by the Council of the Federation upon submission of the President of the Russian Federation for the term of six years.

Section two was repealed - *Federal Constitutional Law of 9 November 2020 no.5-ΦK3*

The President and Vice-President of the Constitutional Court of the Russian Federation may be re-appointed to the office for new terms upon expiration of preceding terms of office.

The President and Vice-President of the Constitutional Court of the Russian Federation may vacate their respective offices by submitting a personal application in writing. Such vacation of offices shall be acknowledged by the decision of the Constitutional Court of the Russian Federation.

The powers of the President or the Vice-President of the Constitutional Court of the Russian Federation may be terminated early by the Federation Council upon submission of the President of the Russian Federation without termination of his (her) powers of a Judge of the Constitutional Court of the Russian Federation, if it is established by the decision of the Constitutional Court of the Russian Federation that the President or Vice-President of the Constitutional Court of the Russian Federation fail to perform their duties or perform them in an inappropriate manner. The aforementioned decision of the Constitutional Court of the Russian Federation shall be adopted by the majority of no less than two thirds of the number of acting Judges of the Constitutional Court of the Russian Federation by secret ballot in the procedure established by the Rules of the Constitutional Court of the Russian Federation. A person occupying the office of the President of the Constitutional Court or Vice-President of the Constitutional Court upon termination of powers of a Judge shall simultaneously be deprived of his status of the President of the Constitutional Court of the Russian Federation or Vice-President of the Constitutional Court of the Russian Federation.

If the offices of the President or Vice-President of the Constitutional Court of the Russian Federation fall vacant, the President or the Vice-President of the Constitutional Court of the Russian Federation shall be appointed to the office under the procedure established by the present Article. Upon expiration of their terms the President or Vice-President of the Constitutional Court of the Russian Federation shall continue to carry out their duties until the appointment to the office of the new President or Vice-President of the Constitutional Court of the Russian Federation.

#### **Article 24. The President of the Constitutional Court of the Russian Federation**

*As amended by Federal Constitutional Laws of 2 June 2009 no.2-ΦK3, of 3 November 2010 no.7-ΦK3, of 4 June 2014 no.9-ΦK3, of 9 November 2020 no.5-ΦK3*

The President of the Constitutional Court of the Russian Federation shall:

- 1) oversee preparation of the sessions of the Constitutional Court of the Russian Federation, convene them and preside over them;
- 2) submit for the consideration of the Constitutional Court of the Russian Federation the questions to be considered at its sessions;
- 3) represent the Constitutional Court of Russian Federation in relations with state bodies and organisations, public associations, and, under the authority of the Constitutional Court of Russian Federation, pronounces statements on its behalf;

4) perform general management of the staff of the Constitutional Court of the Russian Federation, submit for the confirmation by the Constitutional Court of the Russian Federation candidates for head of staff and head of the Secretariat of the Constitutional Court of the Russian Federation as well as the Regulations of the Secretariat of the Constitutional Court of the Russian Federation, the quantity and structure of the staff;

5) exercise other powers in accordance with the present Federal Constitutional Law and the Rules of the Constitutional Court of the Russian Federation.

The President of the Constitutional Court of the Russian Federation shall issue orders and directives.

### **Article 25. Temporary Performance of Duties of the President of the Constitutional Court of the Russian Federation**

*Revised in accordance with the Federal Constitutional Law of 9 November 2020 no. 5-ΦK3*

Whenever the President of the Constitutional Court of the Russian Federation is unable to perform his duties they shall be temporarily performed by the Vice-President of the Constitutional Court of the Russian Federation.

In the event that the Vice-President of the Constitutional Court of the Russian Federation is unable to perform duties of the President, temporary performance of those duties shall be assumed by a Judge with the longest time of service as the Judge of the Constitutional Court of the Russian Federation, and in the event of such time being even – to the Judge of the Constitutional Court of the Russian Federation with the seniority of age.

### **Article 26. Vice-President of the Constitutional Court of the Russian Federation**

*Revised in accordance with the Federal Constitutional Law of 9 November 2020 no. 5-ΦK3*

The Vice-President of the Constitutional Court of the Russian Federation shall exercise on authorization of the President of the Constitutional Court of the Russian Federation certain his powers, as well as perform other duties imposed on him by the President of the Constitutional Court of the Russian Federation.

**Article 27. Repealed** – *Federal Constitutional Law of 2 June 2009 no. 2-ΦK3*

### **Article 28. Rules of the Constitutional Court of the Russian Federation**

*Revised in accordance with the Federal Constitutional Law of 3 November 2010 no.7-ΦK3*

On the basis of the Constitution of the Russian Federation and the present Federal Constitutional Law the Rules of the Constitutional Court of the Russian Federation shall establish procedure for defining the priority of considering cases in the sessions, rules of procedure and etiquette in the sessions, the special character of the office-work in the Constitutional Court of the Russian Federation, requirements to be met by members of the staff of the Constitutional Court of the Russian Federation and other questions of internal administration of the Constitutional Court of the Russian Federation.

**TITLE TWO**  
**GENERAL RULES OF PROCEEDINGS**  
**IN THE CONSTITUTIONAL COURT OF THE RUSSIAN FEDERATION**

*Chapter IV*  
*Principles of the Constitutional Judicial Proceedings*

**Article 29. Independence**

The Judges of the Constitutional Court of the Russian Federation shall be independent and while exercising their powers shall be guided solely by the Constitution of the Russian Federation and the present Federal Constitutional Law.

In their activity the Judges of the Constitutional Court of the Russian Federation shall act in their personal capacity and shall not represent any state or social bodies, political parties and movements, state, social, other enterprises, agencies and organizations, officials, state and territorial establishments, nations, societal groups.

The decisions and other acts of the Constitutional Court of the Russian Federation shall express the legal position of the Judges corresponding to the Constitution of the Russian Federation and free from political bias.

The Judges of the Constitutional Court of the Russian Federation shall pass decisions under conditions exclusive of any outside influence upon free expression of their will. They may not communicate inquiries to, or receive instructions from anyone pertaining to the questions admitted for the preliminary review or that are being considered by the Constitutional Court of the Russian Federation.

Any interference with the functioning of the Constitutional Court of the Russian Federation shall be prohibited and shall entail responsibility under the law.

**Article 30. Collegiality**

*As amended by Federal Constitutional Laws of 3 November 2010 no.7-ΦK3, of 4 June 2014 no.9-ΦK3, of 9 November 2020 no.5-ΦK3*

The Constitutional Court of the Russian Federation shall consider cases and questions and take decisions on them collegially. The decision shall be taken only by those Judges who participated in consideration of the case in the court session.

The Constitutional Court of the Russian Federation shall have authority to take decisions in sessions provided no fewer than two thirds of the number of acting Judges are present.

Section three was repealed - *Federal Constitutional Law of 9 November 2020 no.5-ΦK3*

**Article 31. Openness**



*Revised by the Federal Constitutional Laws of 3 November 2010 no.7-ΦK3, of 4 June 2014 no.9-ΦK3, of 9 November 2020 no.5-ΦK3*

Consideration of cases assigned for hearing in the session of the Constitutional Court of the Russian Federation shall be open. The holding of sessions in camera shall only be permitted if stipulated by the present Federal Constitutional Law. Decisions taken both in open sessions and in sessions in camera shall be pronounced publicly.

The information about petitions received by the Constitutional Court of the Russian Federation in accordance with the present Federal Constitutional Law, a list of petitions accepted for consideration, other information in accordance with the federal law regulating ensuring access to information on the work of courts in the Russian Federation shall be published on the official website of the Constitutional Court of the Russian Federation on the information-telecommunication network “the Internet”.

### **Article 32. Oral Hearings**

*as amended by the Federal Constitutional Laws of 3 November 2010 no.7-ΦK3, of 9 November 2020 no.5-ΦK3*

The hearings in the sessions of the Constitutional Court of the Russian Federation shall be oral. In the course of oral hearings the Constitutional Court of the Russian Federation shall hear explanations of the parties, testimonies of experts and witnesses. During the oral hearings in situations stipulated by the present Federal Constitutional Law the available documents shall be read out.

The documents that were submitted to the Judges and the parties for familiarization, or the contents of which were stated in the hearings on that particular case need not be read out in the session of the Constitutional Court of the Russian Federation.

### **Article 33. Language of the Constitutional Judicial Proceedings**

*As amended and supplemented by the Federal Constitutional Law of 9 November 2020 no.5-ΦK3*

The judicial proceedings in the Constitutional Court of the Russian Federation shall be conducted in the Russian language.

Citizens that are not conversant with the Russian language in case of petitioning the Constitutional Court of the Russian Federation without a representative with a complaint on infringement of their rights by a normative act applied in the course of consideration of a criminal case must be provided with an opportunity to use the services of an interpreter free of charge in the order established by the Government of the Russian Federation.

### **Article 34. Continuity of Court Session**

*As amended by the Federal Constitutional Law of 3 November 2010 no. 7-ΦK3*

The session of the Constitutional Court of Russian Federation on every case shall be continuous, excluding time reserved for rest or required to prepare the participants in the

proceedings for further hearings, as well as for the removal of the circumstances hampering the normal course of the session.

Sections two – four were repealed – *Federal Constitutional Law of 3 November 2010 no. 7-ФКЗ*

### **Article 35. Adversary Proceedings and Equality of Arms**

*As amended by the Federal Constitutional Law of 3 November 2010 no. 7-ФКЗ*

The parties shall enjoy equal rights and opportunities while asserting their positions in the session of the Constitutional Court of the Russian Federation on the adversarial basis, as well as when cases are considered by the Constitutional Court of the Russian Federation in the procedure stipulated by Article 47.1 of the present Federal Constitutional Law.

## **Chapter V**

### ***Petition to the Constitutional Court of the Russian Federation***

#### **Article 36. Reasons and Grounds for Consideration of a Case in the Constitutional Court of the Russian Federation**

*As amended and supplemented by the Federal Constitutional Laws of 14 December 2015 no.7-ФКЗ, of 9 November 2020 no.5-ФКЗ*

The reason for the consideration of a case in the Constitutional Court of the Russian Federation shall be a petition to the Constitutional Court of the Russian Federation made in the form of a request, application or complaint meeting the requirements of the present Federal Constitutional Law.

The ground for consideration of a case shall be the revealed uncertainty in the question whether a law (draft law), other normative act, a treaty between bodies of State Power, an international treaty pending its entry into force, or the revealed uncertainty regarding the possibility of executing a judgement of an interstate body for the protection of human rights and freedoms, based on the provisions of the relevant international treaty of the Russian Federation in an interpretation that presumably leads to their divergence from the Constitution of the Russian Federation, or the revealed uncertainty regarding the possibility to on the possibility to execute the decision of a foreign or international (interstate) court, foreign or international arbitration court (arbitrage) imposing obligations on the Russian Federation, in case if such decision contradicts the basis of public order of the Russian Federation, or the revealed contradiction in the positions of the parties on the possession of the authority in the disputes concerning competence, or the discovery of an uncertainty in the understanding of the provisions of the Constitution of the Russian Federation или обнаружившееся противоречие в позициях сторон о принадлежности полномочия в спорах о компетенции, или обнаружившаяся неопределенность в понимании положений Конституции Российской Федерации.

In exercise of powers vested in the Constitutional Court of the Russian Federation by subparagraph "г" of item 1 (in part related to verification of constitutionality of international treaties on acceptance of a new constituent entity into the Russian Federation, that have not

come into force), items 5, 5.1, 5.2 of section one of Article 3 of the present Federal Constitutional Law the ground for consideration of a case shall be the power of the Constitutional Court of the Russian Federation to consider the relevant case, established by the Federal Constitutional Law.

### **Article 37. General Requirements to the Petition**

*As amended and supplemented by Federal Constitutional Laws of 8 June 2015 no.5-ΦK3, of 9 November 2020 no.5-ΦK3*

The petition shall be communicated to the Constitutional Court of the Russian Federation in writing and shall be signed by an authorized person (authorized persons). The petition can be communicated to the Constitutional Court of the Russian Federation in electronic form by filling out a special form on the official website of the Constitutional Court of the Russian Federation on the Internet information and telecommunications network in the manner determined by the Rules of Procedure of the Constitutional Court of the Russian Federation, or in the form of an electronic document signed by an enhanced qualified electronic signature. In this case, correspondence with the applicant may also be carried out in electronic form in the manner determined by the Rules of Procedure of the Constitutional Court of the Russian Federation.

The petition shall indicate:

- 1) the Constitutional Court of the Russian Federation as the body to which the petition is communicated;
- 2) the designation of the petitioner (in a complaint of a citizen - his full name), address, as well as other data about the petitioner, if it is necessary to identify the petitioner;
- 3) required details about the representative of the petitioner and his powers except for *ex officio* representation, or for cases when the petitioner has no representative;
- 4) the designation and the address of the state body which issued the act to be verified or which is a party to the dispute about competence;
- 5) the provisions of the Constitution of the Russian Federation and the present Federal Constitutional Law which entitle to petition the Constitutional Court of the Russian Federation;
- 6) the exact name, number, date of adoption, source of publication, and other details about the act to be verified, details on the draft law to be verified, identification of the provision of the Constitution of the Russian Federation or defining the challenged competence;
- 7) specific grounds, provided for by the present Federal Constitutional Law for the consideration of the petition by the Constitutional Court of the Russian Federation;
- 8) the position of the petitioner on the question raised by him and its legal substantiation with reference to the relevant norms of the Constitution of the Russian Federation, except for [petitions on the issues listed in section three of Article 36 of the present Federal Constitutional Law;

9) the demand addressed to the Constitutional Court of the Russian Federation in connection with the request, application or complaint;

10) the list of documents enclosed with the petition.

### **Article 38. Documents enclosed with the Petition**

*As amended and supplemented by Federal Constitutional Laws of 4 June 2014 no.9-ΦK3, of 8 June 2015 no.5-ΦK3, of 9 November 2020 no.5-ΦK3*

Enclosed with the petition to the Constitutional Court of the Russian Federation shall be:

1) the text of the act (draft act) to be verified or the provisions of the Constitution of the Russian Federation to be interpreted;

2) the document confirming the powers of the representative: copy of a document appointing the citizen to an office and copies of documents on the relevant organisation (body) according to which the citizen appointed to this office can act *ex officio* on behalf of this organisation (body) without a power of attorney; decision of a group of senators of the Russian Federation or deputies of State Duma, petitioning the Constitutional Court of the Russian Federation with a request, on vesting the functions of representatives to the senators of the Russian Federation or deputies of State Duma from among those petitioning with a request; copies of documents confirming the right to represent according to legislation; power of attorney that is conformant with requirements of section five of the present Article; copies of documents confirming the right of an individual to act in the Constitutional Court of the Russian Federation as a representative if representation is not performed *ex officio*;

3) the document confirming payment of the state fee or application for exemption from paying the state fee or for reduction of the fee or postponement of payment (establishing its payment in installments), and documents confirming grounds for the relevant application;

3.1) documents confirming the right to petition the Constitutional Court of the Russian Federation, as well as admissibility of such petition in accordance with the requirements of the present Federal Constitutional Law as regards the right to petition and admissibility of petition on certain categories of cases;

4) the translation into the Russian language of all the documents and other materials presented in a different language.

Enclosed with the petition may be the lists of witnesses and experts who are proposed to be summoned to the session of the Constitutional Court of the Russian Federation, as well as other documents and materials.

The petition and the documents and other materials enclosed with it as required by section one of the present Article shall be submitted to the Constitutional Court of the Russian Federation with one copy.

In case the application is communicated electronically, the documents attached thereto and other materials shall be submitted in electronic form, while attachment of copies of the application, documents and other materials is not required.

The power of attorney produced on behalf of an organisation must be signed by its head or another person authorized to do so in accordance with its incorporation documents, and sealed with the seal of organisation (if it exists). The power of attorney produced on behalf of the individual entrepreneur must be signed by him (her) and sealed by his (her) seal, or it can be certified in the same manner as a power of attorney produced on behalf of a citizen. The power of attorney produced on behalf of a citizen shall be certified by a notary or by an official of a organisation where the principal studies, works or undertakes service, as well as by a home unit company, housing, housing-building or other specialised consumer co-operative that manages an apartment block, managing organisation at the place of residence of the principal, administration of stationary organisation of social service where the principal lives, or administration of a medical organisation where the petitioner is undertakes treatment stationary. Powers of attorney produced on behalf of military servicemen, employees of military units, formations, institutions, military educational organisations, or by members of their families, may be certified by a commander (chief) of the relevant military unit, formation, institution, military educational organisation. Powers of attorney produced on behalf of persons detained on remand or serving their prison terms may be certified by the head of relevant institution.

#### **Article 39. State Fee**

*As amended by the Federal Constitutional Laws of 3 November 2010 no.7-ΦK3, of 9 November 2020 no.5-ΦK3*

Matters related to charging the state fee for the petition to the Constitutional Court of the Russian Federation, shall be regulated in accordance with the Russian Federation legislation on taxes and duties.

Sections two – four were repealed - *Federal Constitutional Law of 9 November 2020 no.5-ΦK3*

### **Chapter VI**

#### ***Preliminary Consideration of Petitions***

#### **Article 40. Consideration of Petitions by the Secretariat of the Constitutional Court of the Russian Federation**

*As amended and supplemented by the Federal Constitutional Laws of 4 June 2014 no.9-ΦK3, of 9 November 2020 no.5-ΦK3*

Petitions communicated to the Constitutional Court of the Russian Federation shall be subject to compulsory registration.

In the event that the petition:

1) is manifestly beyond the jurisdiction of the Constitutional Court of the Russian Federation;

2) does not meet in its form the requirements of the present Federal Constitutional Law;

3) originates from a manifestly inappropriate body or person;

4) has not been paid for by the state fee, and no application for exemption from paying the state fee or for reduction of the fee or postponement of payment (establishing its payment in installments), and documents confirming grounds for the relevant application are enclosed therewith;

5) cannot be recognised as admissible in connection with the expiry by the moment of lodging a complaint against violation of constitutional rights and freedoms of the term from the day of adoption of the court decision which exhausts all other internal judicial remedies for protection of rights of the applicant or person in whose interests the complaint was lodged within a concrete case.

The Secretariat of the Constitutional Court of the Russian Federation shall notify the petitioner that his petition does not meet the requirements of the present Federal Constitutional Law. The petitioner shall be entitled to demand that the Constitutional Court of the Russian Federation take a decision on this question.

Once the deficiencies indicated in items 2 and 3 of section two of the present Article have been removed, the petitioner shall be entitled to re-submit his petition to the Constitutional Court of the Russian Federation. At that where such petition has the deficiencies removed and is submitted to the Constitutional Court of the Russian Federation within four month from sending him the relevant notification of the Secretariat of the Constitutional Court of the Russian Federation, the petition of the petitioner shall be considered as lodged on the date of the first petition for the purposes of calculation of time-limits established by Article 97 of the present Federal Constitutional Law.

Section four was repealed - *Federal Constitutional Law of 9 November 2020 no.5-ΦK3*

#### **Article 41. Preliminary Review of Petition by Judges of the Constitutional Court of the Russian Federation**

*As amended and supplemented by the Federal Constitutional Laws of 3 November 2010 no.7-ΦK3, 4 June 2014 no.9-ΦK3, of 9 November 2020 no.5-ΦK3*

The President of the Constitutional Court of the Russian Federation with due regard of the principle of equitability of assignments of the Judges shall assign one or several Judges to preliminary review the petition. Preliminary review of the petition by a Judge (Judges) shall be a compulsory stage of proceedings before the Constitutional Court of the Russian Federation before admission the petition to consideration, except for petitions on the issues listed in section three of Article 36 of the present Federal Constitutional Law.

A Judge that performs preliminary review of the petition shall be entitled to demand from bodies, officials and other persons provision of information, except for requiring conducting of a research, checks, expert examinations and documents necessary to develop the position upon the petition. These demands are subject to provisions of Article 50 of the present Federal Constitutional Law as regards their obligatory nature, time-limits for their consideration, expenses connected to their fulfilment, and liability for not fulfilling them.

The finding of the Judge (Judges) of the Constitutional Court of the Russian Federation on the results of the preliminary review of the petition shall be reported at the session of the Constitutional Court of the Russian Federation.

#### **Article 42. Admission of Petition for Consideration**

*As amended by the Federal Constitutional Laws of 3 November 2010 no. 7-ΦK3, 4 June 2014 no.9-ΦK3, of 9 November 2020 no.5-ΦK3*

The decision on the question of admission of the petition for consideration shall be taken by the Constitutional Court of the Russian Federation in session.

The parties shall be notified of the decision taken by the Constitutional Court of the Russian Federation.

In the event of urgency the Constitutional Court of the Russian Federation may propose to the respective bodies and officials that they suspend the challenged act, the process of coming into force of the challenged act, the process of entry of the challenged international treaty of the Russian Federation into force until the Constitutional Court of the Russian Federation has completed the consideration of the case.

#### **Article 43. Dismissal of Petition**

*As amended and supplemented by the Federal Constitutional Laws of 3 November 2010 no. 7-ΦK3, 4 June 2014 no.9-ΦK3, of 9 November 2020 no.5-ΦK3*

The Constitutional Court of the Russian Federation shall take a decision to dismiss the petition in the events where:

1) resolution of the question raised in the petition is beyond the jurisdiction of the Constitutional Court of the Russian Federation;

2) in accordance with the requirements of the present Federal Constitutional Law the petition is inadmissible;

2.1) the petition originates from an inappropriate body or person;

3) the Constitutional Court of the Russian Federation has issued a judgment on the subject matter of the petition, that judgment retaining its force, except when the petition has been sent in accordance with section one of Article 85 or section two of Article 101 of the present Federal Constitutional Law in connection with adoption of the decision by an inter-State body for the protection of human rights and freedoms;

4) the act which constitutionality is being contested was abrogated or lost force, with the exception of cases when it continues to be applied to legal relations having arisen during its operation.

Section two is repealed - *Federal Constitutional Law of 4 June 2014 no.9-ΦK3*

The Judges and other persons taking part in the session where the issue was discussed whether the petition is to be admitted for consideration shall have no right to disclose the contents of discussion and the results of the voting, including by way of demonstrating his (her) disapproval of the decision taking in any form.

#### **Article 44. Withdrawal of Petition**

*As revised in accordance with the Federal Constitutional Law of 9 November 2020 no.5-ΦK3*

The petition to the Constitutional Court of the Russian Federation may be withdrawn by the petitioner in the cases considered with an oral hearing, not later than 10 days before consideration of the case in a session of the Constitutional Court of the Russian Federation, and in the cases considered without an oral hearing – within a month from admission of the petition to consideration. In case of withdrawal of the petition in conformity with the said requirements consideration of the case shall be discontinued.

### **Chapter VII**

## **General Procedural Provisions of Consideration of Cases in the Constitutional Court of the Russian Federation**

#### **Article 45. Convocation of Sessions**

*As revised in accordance with the Federal Constitutional Law of 3 November 2010 no.7-ΦK3*

The sessions of the Constitutional Court of the Russian Federation shall be convoked by the President of the Constitutional Court of the Russian Federation.

**Article 46. Repealed** - *Federal Constitutional Law of 3 November 2010 no.7-ΦK3*

#### **Article 47. Assigning Cases for Hearing**

*As revised in accordance with the Federal Constitutional Law of 9 November 2020 no.5-ΦK3*

The decision on assigning cases for hearing in the session of the Constitutional Court of the Russian Federation shall be taken by the Constitutional Court of the Russian Federation taking into account the public importance of cases and the succession of communication of petitions.

*The present Federal Constitutional Law was supplemented with Article 47.1 in accordance with the Federal Constitutional Law of 3 November 2010 no.7-ΦK3*



## **Article 47.1. Resolution of Cases without Holding of Hearings**

*As amended by Federal Constitutional Laws of 4 June 2014 No. 9-ΦK3, of 14 December 2015 No. 7-ΦK3, of 9 November 2020 No. 5-ΦK3*

The Constitutional Court of the Russian Federation may consider and decide cases on conformity to the Constitution of the Russian Federation of normative legal acts indicated in item 1 of section one of Article 3 of the present Federal Constitutional Law, verify upon complaint against violation of constitutional rights and freedoms of citizens constitutionality of a law applied in a concrete case, verify upon request of a court constitutionality of a law subject to application in a concrete case, verify constitutionality of the issue submitted to the referendum of the Russian Federation, draft laws of the Russian Federation on an amendment to the Constitution of the Russian Federation, draft Federal Constitutional Laws and federal laws, as well as laws adopted in the manner prescribed by sections two and three of Article 107 and section two of Article 108 of the Constitution Of the Russian Federation, until they are signed by the President of the Russian Federation, laws of a constituent entity of the Russian Federation, until they are promulgated by the highest official of the constituent entity of the Russian Federation (the head of the supreme executive body of state power of the constituent entity of the Russian Federation), resolve the issue of the possibility of executing a decision of an interstate body or a decision of a foreign or international (interstate) court, a foreign or international arbitration court (arbitration) imposing obligations on the Russian Federation, if it comes to the conclusion that the issue can be resolved on the basis of legal positions adopted by the Constitutional Court of the Russian Federation, or if, taking into account the nature of the question posed and the circumstances of the case, there is no clear need for an oral presentation of the position of the applicant and the other party, if any.

Section two repealed - *Federal Constitutional Law of 9 November 2020 No. 5-ΦK3*

Resolution of a case without holding of hearings shall be exercised in the session of the Constitution Court of the Russian Federation. On the outcome of the resolution of the case without holding of hearings a judgment shall be passed.

At the resolution of a case without holding of hearings the provisions of Articles 48 – 50, 52, and 53 of the present Federal Constitutional Law shall be applied, with the exception of the provisions whose application is possible exclusively at oral consideration with holding of hearings. A session of the Constitutional Court of the Russian Federation to consider a case without holding of hearing shall be held in the manner prescribed by Article 70 of this Federal Constitutional Law, while recording is carried out in accordance with sections one – three of Article 59 of this Federal Constitutional Law.

Should the Constitutional Court of the Russian Federation intend to resolve the case without holding of hearing, copies of the application and the documents and materials attached thereto shall be sent by the Judge Rapporteur to the other party, if any, to submit a written response to the Constitutional Court of the Russian Federation. The response submitted to the Constitutional Court of the Russian Federation shall be forwarded to the petitioner for familiarization and submission of objections to it.

#### **Article 48. Joinder of Cases**

The consideration of each case shall be the subject of a special session. The Constitutional Court of the Russian Federation may join in single proceeding petitions pertaining to one and the same subject.

#### **Article 49. Preparation of Case for Hearing**

*As amended by the Federal Constitutional Law of 9 November 2020 No. 5-ΦK3*

To prepare the case for hearing, to draw up a draft decision of the Constitutional Court of the Russian Federation, as well as to present case materials in the session, the Constitutional Court of the Russian Federation shall appoint one or several Judges Rapporteurs.

While reviewing the petition and preparing the case for hearing the Judge Rapporteur shall demand, within the powers of the Constitutional Court of the Russian Federation, the necessary documents and other materials, order examinations, studies, expert findings, shall consult specialists, upon agreement with the President of the Constitutional Court of the Russian Federation, shall demand to conduct checks, research, submission of written professional opinion of specialists. Appointment of examinations is carried out in accordance with section one of Article 63 of this Federal Constitutional Law.

#### **Article 50. Demands of the Constitutional Court of the Russian Federation**

Demands of the Constitutional Court of the Russian Federation for the production of texts of enactments and other legal acts, documents and their copies, case files, information and other materials; for certification of documents and texts of enactments; for examinations, studies and expert findings; for establishment of certain circumstances; for specialists to be involved; for explanations, consultations to be provided and for professional opinions on the cases under consideration to be stated, shall be binding for all bodies, organisations and persons to whom they may be addressed. The demands of the Constitutional Court of the Russian Federation shall be considered and the reply on the results of such consideration shall be communicated to the Constitutional Court of the Russian Federation in no event later than one month after the receipt of the aforementioned demands, unless the Constitutional Court of the Russian Federation specifies other time.

Expenses related to execution by the state bodies and organizations of demands of the Constitutional Court of the Russian Federation shall be borne by those bodies and organisations. Expenses incurred by other organisations and persons shall be reimbursed from the federal budget as prescribed by the Government of the Russian Federation.

Refusal or evasion from consideration or execution, breach of time limits for consideration or execution, non-execution or improper execution of demands of the Constitutional Court of the Russian Federation as well as deception shall entail the responsibility under the legislation of the Russian Federation.

#### **Article 51. Distribution of Materials for the Cases with Holding of Hearings. Notification of a Session for the Cases with Holding of Hearings**

*As amended by the Federal Constitutional Law of 9 November 2020 No. 5-ΦK3*

Notification of a session of the Constitutional Court of Russian Federation, copies of petitions and responses received thereto, copies of the acts being verified, and, if necessary, other documents shall be communicated to the Judges and the parties to the proceedings in no event later than ten days prior to the commencement of the session, with the exception of sessions on cases related to the exercise of the powers of the Constitutional Court of the Russian Federation, provided for by subparagraph "d" of item 1 (in the part concerning the verification of the constitutionality of international treaties which have not entered into force regarding the acceptance of a new constituent entity into the Russian Federation), Items 5, 5.1 and 5.2 of section one of Article 3 of this Federal Constitutional Law, upon notification of which and distribution of documents for which the specified period may be reduced. Responses to the petitions shall be communicated within this period only if they have arrived no later than two weeks prior to the commencement of the session.

Information about the date and time of the meetings of the Constitutional Court of the Russian Federation is posted on the official website of the Constitutional Court of the Russian Federation on the Internet network, in publicly accessible places occupied by the Constitutional Court of the Russian Federation, as well as in the media.

The Judge Rapporteur and the Judge presiding in the session shall define the range of persons to be invited and summoned to the session, shall issue directives providing for the notification of the venue and the time of the session and for the communication of the necessary materials to the participants in the proceedings.

#### **Article 52. Participants in Proceedings**

The participants in the proceedings in the Constitutional Court of the Russian Federation shall be the parties, their representatives, witnesses, experts, interpreters.

#### **Article 53. Parties and their representatives**

*As amended by the Federal Constitutional Law of 9 November 2020 No.5- ΦK3 5-ΦK3*

The parties in the constitutional judicial proceedings shall be:

1) petitioners - bodies or persons that have petitioned the Constitutional Court of the Russian Federation;

1.1) persons in respect of whom a decision of an interstate body or a decision of a foreign or international (interstate) court, foreign or international arbitration court (arbitration), imposing obligations on the Russian Federation, has been issued, when resolving the issue of the possibility of executing such decisions;

2) bodies or officials that have issued or signed the act, the constitutionality of which is to be reviewed;

3) state bodies the competence of which is being contested.

The following may act as representatives of parties *ex officio*: the head of the body who signed the petition to the Constitutional Court of Russian Federation, the head of the body which issued the challenged act or which is a party to the dispute about competence, the official who signed the challenged act, senator of the Russian Federation or deputy of the State Duma from among those who made the inquiry, to whom the functions of a representative are entrusted by a decision of a group of senators of the Russian Federation or deputies of the State Duma who have submitted a request to the Constitutional Court of the Russian Federation. By virtue of the law, representatives of the parties are persons who have the right to act in the interests of the applicant without a power of attorney in accordance with the provisions of federal law. The parties may also be represented by advocates or persons with an academic degree in law, whose powers are confirmed by relevant documents. Each party may have no more than three representatives.

The parties shall have equal procedural rights. The parties and their representatives shall have the right to familiarise themselves with the materials in the case, state their position on the case, pose questions to other participants in the proceedings, submit motions, including those to recuse a Judge. The party may submit written responses to the petition which shall be appended to the materials in the case, may acquaint itself with responses of the other party.

The parties and their representatives, when summoned by the Constitutional Court of the Russian Federation, shall appear before it, plead and answer questions. Failure of the party or its representative to appear in the session of the Constitutional Court of the Russian Federation shall not prevent the consideration of the case, unless the party applies for the case to be considered in its presence and certifies valid reason for its absence.

#### **Article 54. Open Sessions**

*As amended by Federal Constitutional Laws of 3 November 2010 No. 7-ΦK3, of 8 June 2015 No. 5-ΦK3, of 9 November 2020 No. 5-ΦK3*

The sessions of the Constitutional Court of the Russian Federation shall be open unless stipulated otherwise by the present Federal Constitutional Law. Those present shall have the right to record the course of the session from their seats. Taking of motion or still pictures, video-taping, live radio or television broadcasting of the session shall be permitted with the leave granted by the Constitutional Court of the Russian Federation.

Broadcasting of the meeting in the Internet network is allowed on the initiative of the Constitutional Court of the Russian Federation or with the permission of the Constitutional Court of the Russian Federation at the request of the persons participating in the case who are present at the meeting. The procedure for broadcasting is established by the Rules of Procedure of the Constitutional Court of the Russian Federation.

With a view to ensuring safety of those present in the session of the Constitutional Court of the Russian Federation the President of the Constitutional Court of the Russian Federation with the consent of the Constitutional Court of the Russian Federation may order to inspect persons willing to attend the session, including checking of the identification documents, as well as the search of items brought to the courtroom and personal search.

Those present in the courtroom shall treat with due respect the Constitutional Court of the Russian Federation and its rules and procedures, obey the directives of the Presiding Judge to observe the schedule of the session.

The order in the session of the Constitutional Court of the Russian Federation shall be maintained by bailiffs whose demands shall be binding on all those present.

An individual who breaks the order in the session or fails to obey the lawful directives of the Presiding Judge may be removed from the courtroom after warning. The Presiding Judge may, with the consent of the Constitutional Court of the Russian Federation, remove the public after warning if it has broken the order and thereby violated the normal course of the session.

Section seven was repealed - *Federal Constitutional Law of 9 November 2020 No. 5-ΦK3*

### **Article 55. Session *In Camera***

*As amended by the Federal Constitutional Law of 8 June 2015 No. 5-ΦK3*

The Constitutional Court of the Russian Federation shall schedule a session *in camera* when it is necessary to preserve secrets protected by law, to ensure safety of citizens, to protect social moral.

The session *in camera* may be attended by the Judges of the Constitutional Court of the Russian Federation, parties and their representatives. The possibility of attendance by other participants in the proceedings and by members of the Secretariat of the Constitutional Court of Russian Federation who directly ensure the normal course of a session shall be decided by the Presiding Judge in coordination with the Judges.

When holding *in camera* meeting, film and photography, video recording, live radio and TV broadcasting of the meeting, as well as broadcasting of the meeting in the Internet is not allowed.

In the session *in camera* cases shall be considered in accordance with the general rules of constitutional judicial proceedings.

### **Article 56. Exclusion of the Judge from Participation in the Consideration of a Case**

*As amended by the Federal Constitutional Law of 9 November 2020 No.5- ΦK3 5-ΦK3*

The Judge of the Constitutional Court of the Russian Federation shall be excluded from participation in the consideration of a case if:

1) previously the Judge by virtue of his official position was involved in adoption of the act under consideration;

2) objectivity of the Judge in deciding the case may be questioned due to his ties by blood or by marriage to the representatives of the parties.

3) there are other circumstances that may raise doubts about the objectivity and impartiality of the judge.

Under the circumstances provided for in section one of the present Article the Judge of the Constitutional Court of the Russian Federation shall recuse himself before the hearing of the case begins.

The exclusion of the Judge of the Constitutional Court of the Russian Federation from the participation in the hearing of the case shall be done by the motivated decision of the Constitutional Court of the Russian Federation taken by the majority of the Judges present after hearing the Judge whose dismissal is to be decided upon.

#### **Article 57. Session Schedule**

At the appointed time the Presiding Judge, having certified the presence of a quorum, shall open the session of the Constitutional Court of the Russian Federation and announce which case is due to be considered.

The Presiding Judge shall certify the presence of the participants in the proceedings and verify the credentials of the representatives of the parties. If any of the participants in the proceedings fail to appear or if the representative of the party lacks proper authority, the presiding Judge shall raise the question of the possibility of consideration of the case. If the Constitutional Court of the Russian Federation recognises that the case cannot be considered, it shall be adjourned.

The presiding Judge shall explain to the parties and their representatives their rights and duties, and to other participants in the proceedings their rights, duties and responsibility.

#### **Article 58. Judge Presiding in Session**

The Judge presiding in the session of the Constitutional Court of the Russian Federation shall conduct the session taking necessary measures to provide for the prescribed procedure of the hearing, its completeness and comprehensiveness, to have its course and results recorded; shall remove from the hearings anything that is irrelevant to the case under consideration; shall give the floor to the Judges and the participants in the proceedings; shall interrupt the statements of the participants in the proceedings if they concern questions irrelevant to the hearing, withdraw their right to address the Court if they arbitrarily break the sequence of speeches, if they ignored twice the demands of the Presiding Judge, if they use rude or insulting words, make assertions and appeals prosecuted under law.

Objections made by any of the participants in the proceedings to the directives and actions of the Presiding Judge shall be entered into the records of the session. The directives and actions of the Presiding Judge may be reconsidered by the Constitutional Court of the Russian Federation during the same session at the proposal of a party or any Judge.

#### **Article 59. Records**

*As amended by Federal Constitutional Laws of 3 November 2010 No. 7-ΦK3, of 9 November 2020 No.5- ΦK3*

The records, meeting the requirements stipulated by the Rules of the Constitutional Court of the Russian Federation, shall be kept during the session of the Constitutional Court of the Russian Federation.

Verbatim record of the session may be kept to provide for a complete and precise record.

The record of the session shall be signed by the President of the Constitutional Court of the Russian Federation or on his authorisation by one of the Vice-Presidents of the Constitutional Court of the Russian Federation.

The parties shall have the right to read the record and verbatim record of the session of the Constitutional Court of the Russian Federation and submit comments on them. Other participants in the proceedings may read the record and verbatim record with the leave granted by the Constitutional Court of the Russian Federation.

Comments on the record or verbatim record of the session shall be considered jointly by the Presiding Judge and the Judge Rapporteur with the participation where necessary of the persons who submitted comments. Comments on the record and verbatim record of the session as well as the decision to verify their authenticity or to reject them shall be appended to the record and to the verbatim record, respectively.

#### **Article 60. Procedure for Investigation of Questions**

The investigation of the merits of the case under consideration in the session of the Constitutional Court of the Russian Federation shall open with the statement made by the Judge Rapporteur on the grounds and reasons for the consideration of the case, on merits of the question, on the contents of the available materials and on the measures taken to prepare the case for the consideration. Other Judges of the Constitutional Court of the Russian Federation may pose questions to the Judge Rapporteur.

After the conclusion of a statement by the Judge Rapporteur the Constitutional Court of the Russian Federation shall hear the motions of the parties and shall decide on the procedure for the investigation of the questions of the case.

The procedure established by the decision of the Constitutional Court of the Russian Federation may be altered only by the Constitutional Court of the Russian Federation itself. The proposals on the procedure for the investigation of questions put forward by the Judges of the Constitutional Court of the Russian Federation in the course of the consideration shall be considered by the Constitutional Court of the Russian Federation without delay.

#### **Article 61. Adjournment of Session**

*As amended by the Federal Constitutional Law of 9 November 2020 No.5- ΦK3 5-ΦK3*

The consideration of the case may be adjourned if the Constitutional Court of the Russian Federation finds that the question is insufficiently prepared, or that it requires further examination that cannot be carried out at the same session due to failure to appear of a party, a witness or an expert whose attendance was deemed compulsory, as well as due to failure to produce the required materials. In such event the Constitutional Court of the Russian Federation shall set a date until which the session is adjourned. The hearing of the consideration of which has been adjourned shall begin anew or resume from the point at which it has been adjourned.

### **Article 62. Pleadings of Parties**

In conformity with the procedure established by the decision of the Constitutional Court of the Russian Federation the Presiding Judge shall propose to the parties to give explanations on the merits of the question under consideration and to adduce legal arguments to prove their position. In the event that the position of the party is asserted by several representatives the sequence and duration of statements shall be defined by the party itself.

The parties and their representatives shall not use their statements in the Constitutional Court of the Russian Federation to make political statements and declarations and may not make insulting remarks about the state bodies, social associations, participants in the proceedings, officials and citizens.

The Constitutional Court of the Russian Federation shall hear pleadings in their entirety.

Following the pleadings of a party the Judges of the Constitutional Court of the Russian Federation and the other party, and with the leave granted by the Constitutional Court of the Russian Federation, the experts, may pose questions to that party.

### **Article 63. Expert Findings**

*As amended by the Federal Constitutional Law of 9 November 2020 No. 5-ΦK3*

On the basis of a decision of the Constitutional Court of the Russian Federation, a person with special knowledge on issues related to the case under consideration, but not directly related to the sphere of Russian law, may be summoned to a session of the Constitutional Court of the Russian Federation. The issues on which an expert must give an opinion are determined by the Constitutional Court of the Russian Federation at the suggestion of the Judge Rapporteur.

Prior to making the statement the expert shall take the oath and shall be warned about the responsibility for false findings. The expert makes an opinion and provides a written text of the opinion. The expert's speech and the written text of the opinion cannot differ in meaning.

With the leave granted by the Constitutional Court of the Russian Federation the expert may acquaint himself with the case files, pose questions to the parties and witnesses, as well as submit applications for additional materials to be placed at his disposal.

After stating his findings the expert shall answer additional questions posed to him by the Judges of the Constitutional Court of the Russian Federation.



#### **Article 64. Witness Testimony**

When it is necessary to investigate the actual facts, the determination of which is referred to the jurisdiction of the Constitutional Court of the Russian Federation, persons who possess information and materials pertaining to such facts may be summoned as witnesses.

Prior to delivery of his testimony the witness shall take the oath and shall be warned about the responsibility for false testimony.

The witness shall communicate to the Constitutional Court of the Russian Federation the circumstances pertaining to the substance of the case under consideration which are known to him personally and shall answer additional questions posed to him by the Judges of the Constitutional Court of the Russian Federation and by the parties. Where necessary he may make use of written notes, as well as of documents and other materials.

#### **Article 65. Investigation of Documents**

Documents may be read at the session of the Constitutional Court of the Russian Federation on the motion of the Judges or on the motion of the parties. The documents with dubious authenticity shall not be read.

The documents investigated by the Constitutional Court of the Russian Federation shall, by the decision of the Constitutional Court of the Russian Federation, be appended to the case files in the original or in certified copies.

#### **Article 66. Concluding Statements of Parties**

Concluding statements of the parties shall be heard at the completion of the judicial investigation. The Constitutional Court of the Russian Federation may grant time to the parties to prepare for the concluding statements at their request.

In their concluding statements the parties shall not refer to the documents and circumstances that were not investigated by the Constitutional Court of the Russian Federation.

#### **Article 67. Reopening of Consideration of Question**

If, after the concluding statements of the parties, the Constitutional Court of the Russian Federation deems it necessary to investigate additional circumstances substantial for the decision of the case, or to investigate new evidence, it shall decide on the reopening of the consideration of the question.

At the completion of additional investigation the parties shall be entitled to make new concluding statements provided they pertain only to new facts and evidence.

#### **Article 68. Discontinuance of Proceedings**

*As amended by the Federal Constitutional Law of 9 November 2020 No.5- ΦK3 5-ΦK3*

The Constitutional Court of the Russian Federation shall discontinue the proceedings in the case if, after the acceptance of the appeal for consideration, grounds for refusal to accept the appeal for consideration are revealed or circumstances arise that, if they were present at the stage of preliminary examination of the appeal, would serve as grounds for refusal to accept appeal for consideration.

Death of a citizen, liquidation of a legal entity, abolition of a municipality, if a citizen or a legal entity is an applicant or a person in whose interests the complaint is filed, or if the municipality is an applicant, as well as a revision of a specific case in which the contested normative act was applied, is not grounds for Discontinuance the proceedings.

### **Article 69. Completion of Hearing**

*As amended by the Federal Constitutional Law of 9 November 2020 No.5- ΦK3 5-ΦK3*

When the Constitutional Court of the Russian Federation deems the investigation of questions concluded, the Presiding Judge shall declare the completion of a hearing. The Constitutional Court of the Russian Federation may return to hearing the case in the cases specified in section one of Article 67 of this Federal Constitutional Law.

### **Article 70. Conference of Judges on the Adoption of the Final Decision**

*As amended by the Federal Constitutional Law of 9 November 2020 No.5- ΦK3 5-ΦK3*

The final decision on the case under consideration shall be passed by the Constitutional Court of the Russian Federation by the conference *in camera*.

Only the Judges of the Constitutional Court of the Russian Federation considering the case shall participate in the conference *in camera*. Members of the staff of the Constitutional Court of the Russian Federation who keep records and ensure the normal course of the conference may be present in the conference room.

During the conference *in camera* the Judge of the Constitutional Court of the Russian Federation may freely express his position on the question under discussion and may ask other Judges to clarify their positions. The number and duration of statements at the conference may not be limited.

The questions put to vote and the results of voting shall be put into the records of the conference. The records of the conference *in camera* shall be signed by all the Judges present and shall not be made public.

The judges and other persons who attended the closed meeting are not entitled to disclose the content of the discussion and the results of the voting, including making public their disagreement with the decision taken in any form.

## ***Chapter VIII***

### ***Decisions of the Constitutional Court of the Russian Federation***

#### **Article 71. Types of Decisions**

*As amended by Federal Constitutional Laws of 3 November 2010 No. 7-ΦK3, of 4 June 2014 No. 9-ΦK3, of 14 December 2015 No.7-ΦK3, of 9 November 2020 No.5- ΦK3*

Section one was repealed – *Federal Constitutional Law of 3 November 2010 No. 7-ΦK3*

The Constitutional Court of the Russian Federation, in the course of carrying out constitutional proceedings, makes decisions in the form of judgements, declaratory judgments, and decisions.

The final decision of the Constitutional Court of the Russian Federation on the merits of any of the questions listed in items 1, 2, 3, 3.1, 4 and 5.1 of section one of Article 3 of the present Federal Constitutional Law shall be known as judgment.

The final decision of the Constitutional Court of the Russian Federation on the merits of the request for compliance with the established procedure for bringing charges against the President of the Russian Federation or the President of the Russian Federation who terminated the exercise of powers due to the expiration of his term of office or early in the event of his resignation or persistent inability for health reasons to exercise powers belonging to him, in high treason or the commission of another serious crime is called conclusion.

The decisions and opinions of the Constitutional Court of the Russian Federation are made in the name of the Russian Federation.

All other decisions of the Constitutional Court of the Russian Federation passed in the course of the constitutional judicial proceedings shall be known as rulings.

Sessions of the Constitutional Court of the Russian Federation shall also decide on matters pertaining to the organisation of its functioning.

#### **Article 72. Passing of the Decision**

*As amended by Federal Constitutional Laws of 4 June 2014 NO. 9-ΦK3, of 9 November 2020 No.5-ΦK3*

The decision of the Constitutional Court of the Russian Federation shall be passed by an open ballot by roll call of the Judges. In all instances the final vote shall be cast by the Presiding Judge.

The decision of the Constitutional Court of the Russian Federation shall be deemed to have been passed provided that the majority of the Judges who took part in the ballot voted in favour, unless stipulated otherwise by the present Federal Constitutional Law.

If votes are evenly divided during the passing of the judgment on the review of the constitutionality of an enactment, an agreement between the bodies of State Power, an

international treaty of the Russian Federation pending its entry into force, a question submitted to a referendum of the Russian Federation, in the case of the possibility of executing a decision of an interstate body or a decision of a foreign or international (interstate) court, a foreign or international arbitration court (arbitration) imposing obligations on the Russian Federation, in the case of giving an opinion on compliance with the established procedure of the accusation of the President of the Russian Federation or the President of the Russian Federation who ceased to exercise his powers due to the expiration of his term of office or early in the event of his resignation or persistent inability for health reasons to exercise his powers, of high treason or committing another serious crime, the votes were divided equally, the decision is considered adopted in favour of the constitutionality of the corresponding object of constitutional review. A decision pertaining to disputes about competence shall be adopted by a majority vote in all events.

The decision on the interpretation of the Constitution of the Russian Federation shall be adopted by a majority of no less than two thirds of the number of acting Judges.

The Judge of the Constitutional Court of the Russian Federation may not abstain from voting or evade voting.

**Article 73. Repealed** - *Federal Constitutional Law of 3 November 2010 No. 7-ΦK3*

#### **Article 74. Requirements for Decisions**

*As amended by the Federal Constitutional Law of 9 November 2020 No.5-ΦK3*

Decisions of the Constitutional Court of the Russian Federation shall be based upon materials, investigated by the Constitutional Court of the Russian Federation.

The Constitutional Court of the Russian Federation shall pass the decision on the case assessing both the literal meaning of the act under consideration and the meaning attributed to it by an official and other interpretations or the prevailing law-applying practices, as well as proceeding from its place in the system of legal acts.

The Constitutional Court of the Russian Federation shall adopt judgments and pass declaratory judgments solely on the subject stated in the petition and only in relation to that part of the act or the competence of the body, the constitutionality of which is challenged in the petition. While passing the decision the Constitutional Court of the Russian Federation shall not be bound by the grounds and arguments stated in the petition.

The judgments and declaratory judgments of the Constitutional Court of the Russian Federation shall be stated in the form of individual documents which shall indicate the reasoning that determined their passing.

Rulings of the Constitutional Court of the Russian Federation shall be read in the session and shall be entered into the record, unless stipulated otherwise by the present Federal Constitutional Law or by the decision of the Constitutional Court of the Russian Federation.

#### **Article 75. Statement of Decision**

*As amended by Federal Constitutional Laws of 3 November 2010 No. 7-ΦK3, of 28 December 2016 No. 11-ΦK3, of 14 December 2015 No.7-ΦK3, of 9 November 2020 No.5- ΦK3*

The decision of the Constitutional Court of the Russian Federation, stated in an individual document, shall, depending on the nature of the question under consideration, contain the following information:

- 1) the designation of the decision, date and place of its passing;
- 2) names of judges constituting the membership of the Constitutional Court of the Russian Federation that passed the decision;
- 3) required description of the parties;
- 4) wording of the question under consideration, reasons and grounds for its consideration;
- 5) norms of the Constitution of the Russian Federation and the present Federal Constitutional Law due to which the Constitutional Court of the Russian Federation is entitled to consider the question;
- 6) demands, contained in the petition;
- 7) actual facts and other circumstances, determined by the Constitutional Court of the Russian Federation;
- 8) norms of the Constitution of the Russian Federation and the present Federal Constitutional Law on which the Constitutional Court of the Russian Federation relied in passing the decision;
- 9) arguments supporting the decision passed by the Constitutional Court of the Russian Federation and, where necessary, arguments refuting the assertion of the parties;
- 10) wording of the decision;
  - 10.1) an indication of the need to reconsider the case against the applicant or the person in whose interests the complaint was filed, if a final decision is made in the form of a decision on the recognition of a normative act challenged by the applicant or some of its provisions as inconsistent with the Constitution of the Russian Federation or corresponding to the Constitution of the Russian Federation in the interpretation of the Constitutional Court of the Russian Federation, unless the Constitutional Court of the Russian Federation comes to a reasoned conclusion that there are no grounds for revision; an indication of the need to reconsider the case with respect to persons other than the applicant or the person in whose interests the complaint was filed, in accordance with Item 7 of Section three of Article 79 of this Federal Constitutional Law;
- 11) statement on the final and binding nature of the decision;

12) procedure for the entry into force of the decision, as well as the procedure, dates and specifics of its execution and promulgation.

The final decision of the Constitutional Court of the Russian Federation shall be signed by all the Judges who participated in the voting.

#### **Article 76. Separate Opinion of the Judge**

*As amended by the Federal Constitutional Law of 9 November 2020 No.5-ΦK3*

The Judge of the Constitutional Court of the Russian Federation who dissents from the decision of the Constitutional Court of the Russian Federation may state his separate opinion in writing.

The Judge of the Constitutional Court of the Russian Federation who voted in favour of the judgment or of the declaratory judgment on the merits of the question, considered by the Constitutional Court of the Russian Federation, but found himself in the minority during the voting on another question or on the motivation of the decision, may state in writing his separate opinion which dissents from the majority of Judges.

The dissenting opinion or opinion of the judge shall be attached to the minutes of the session of the Constitutional Court of the Russian Federation and kept together therewith.

A judge of the Constitutional Court of the Russian Federation is not entitled to pronounce a dissenting opinion or opinion in any form or to publicly refer to it.

#### **Article 77. Pronouncement of Decision**

*As amended by Federal Constitutional Laws of 3 November 2010 No. 7-ΦK3, of 12 March 2014 No. 5-ΦK3, of 9 November 2020 No.5- ΦK3*

The decision of the Constitutional Court of the Russian Federation passed on the outcome of the consideration of a case, with the exception of the judgment adopted under the procedure stipulated by Article 471 of the present Federal Constitutional Law, shall be pronounced in its entirety in an open session of the Constitutional Court of the Russian Federation immediately after its signing. The decision of the Constitutional Court of the Russian Federation shall be proclaimed in the part concerning the information provided for in Items 1-5 and 10-12 of section one of Article 75 of this Federal Constitutional Law. The Constitutional Court of the Russian Federation may consider it necessary to proclaim the decision, rendered following the results of the consideration of the case, in full.

The judgments and declaratory judgments of the Constitutional Court of the Russian Federation in no event later than two weeks after signing shall be transmitted to:

- the Judges of the Constitutional Court of the Russian Federation;
- the parties;

- the President of the Russian Federation, the Federation Council, the State Duma, the Government of the Russian Federation, the Commissioner for Human Rights;

- the Supreme Court of the Russian Federation, the Prosecutor General of the Russian Federation, the Minister of Justice of the Russian Federation.

The decisions of the Constitutional Court of the Russian Federation may also be transmitted to other state bodies and organisations, social associations, officials and citizens.

### **Article 78. Promulgation of Decision**

*As amended by the Federal Constitutional Law of 9 November 2020 No.5-ΦK3*

The judgments and declaratory judgments of the Constitutional Court of the Russian Federation shall be promulgated with no delay in the official publications of the bodies of State Power of the Russian Federation, of the constituent entities of the Russian Federation which the decision may concern. The decisions of the Constitutional Court of the Russian Federation shall also be published in other publications if necessary.

The "Official Internet Portal of Legal Information" ([www.pravo.gov.ru](http://www.pravo.gov.ru)) posts (publishes) judgements of the Constitutional Court of the Russian Federation, decisions of the Constitutional Court of the Russian Federation on clarification of judgements of the Constitutional Court of the Russian Federation, as well as other decisions of the Constitutional Court of the Russian Federation, which provides for such a procedure for their placement (publication).

Judgements, declaratory judgments and decisions of the Constitutional Court of the Russian Federation shall be posted on the official website of the Constitutional Court of the Russian Federation in the information and telecommunication network "Internet".

### **Article 79. Legal Force of Decision**

*As amended by Federal Constitutional Laws 15 December 2001 No. 4-ΦK3, of 3 November 2010 No. 7-ΦK3, of 28 December 2016 No. 11-ΦK3, of 14 December 2015 No.7-ΦK3, of 9 November 2020 No.5- ΦK3*

The decision of the Constitutional Court of the Russian Federation shall be final and may not be appealed. The decision of the Constitutional Court of the Russian Federation passed on the outcome of the consideration of a case assigned for hearing in the session of the Constitutional Court of the Russian Federation shall come into force immediately upon pronouncement. The judgment of the Constitutional Court of the Russian Federation adopted under the procedure stipulated by Article 47.1 of this Federal Constitutional Law shall come into force from the day of its publication in accordance with Article 78 of the present Federal Constitutional Law. Other decisions of the Constitutional Court of the Russian Federation come into force from the day of their adoption.

The decision of the Constitutional Court of the Russian Federation shall be directly applicable and shall require no affirmation by other bodies and officials. The legal force of the

judgment of the Constitutional Court of the Russian Federation deeming the act to be unconstitutional may not be overcome by the new adoption of the same act.

Acts or their individual provisions, recognised as unconstitutional, become invalid or, in the cases provided for by this Federal Constitutional Law, do not gain legal force. The acts or individual provisions thereof found to be unconstitutional shall be null and void; international treaties of the Russian Federation pending their entry into force, found not to be in conformity with the Constitution of the Russian Federation shall not be brought into force and implemented. Decisions of courts and other bodies based on acts or their individual provisions recognised by a judgement of the Constitutional Court of the Russian Federation as unconstitutional or applied in an interpretation that is at variance with this Constitutional Court of the Russian Federation in the judgement by interpretation, must be revised (and are not subject to execution before revision) in cases:

1) provided for in Sections two and five of Article 100 of this Federal Constitutional Law;

2) if the decision did not enter into force when the case was considered by the court of appeal;

3) review of the case in a court of cassation or by way of supervision in connection with cassation and supervisory complaints, representations filed on other grounds, in accordance with the requirements of Section five of this article;

4) if a decision that has entered into force, which was adopted in a dispute between a public authority or local self-government body, on the one hand, and a citizen or legal entity, on the other hand, and entails the transfer by a citizen or legal entity of property or the payment of funds by them to a public establishment, not executed and during the execution of such a decision there was no abuse by a citizen or legal entity;

5) if the provisions recognised by the decision of the Constitutional Court of the Russian Federation as unconstitutional served as the basis for bringing the citizen to criminal liability;

6) if the provisions recognised by the decision of the Constitutional Court of the Russian Federation as unconstitutional served as the basis for bringing a citizen or a legal entity to administrative liability, while the period during which the person is considered to be subject to administrative punishment has not passed or has passed, but the fact of bringing to administrative liability continues to give rise to negative consequences to a citizen or a legal entity;

7) if the judgement of the Constitutional Court of the Russian Federation, adopted on a complaint on violation of constitutional rights and freedoms, explicitly indicates such a review in relation to persons other than the applicant or the person in whose interests the complaint is filed.

Should a normative act be found unconstitutional in its entirety or partially by a decision of the Constitutional Court of the Russian Federation, or should a need to eliminate a lacuna in legal regulation proceed from a decision of the Constitutional Court of the Russian Federation, a



state body or an official that has adopted that normative act shall consider adopting a new normative act that should, in particular, provide for an abrogation of a normative act found unconstitutional or an introduction of necessary amendments to a normative act found partially unconstitutional. Until a new normative act has been enacted, the Constitution of the Russian Federation shall be applied directly.

Since the entry into force of the judgment of the Constitutional Court of the Russian Federation, where the regulatory act or individual provisions thereof are deemed not to be in conformity with the Constitution of the Russian Federation, or the judgment of the Constitutional Court of the Russian Federation recognising the statutory act or its individual provisions conforming the Constitution of the Russian Federation in the interpretation given by the Constitutional Court, it is not allowed to use or implement in any other way a regulatory act or its provisions recognised by such a decision of the Constitutional Court of the Russian Federation inconsistent with the Constitution of the Russian Federation, as well as to apply or to implement in any other way a normative act or its individual provisions in an interpretation that diverges from the one given by the Constitutional Court of the Russian Federation in its judgment. The courts of general jurisdiction, arbitration courts when considering cases after the judgment of the Constitutional Court of the Russian Federation has come into force (including the cases, initiated before the judgment of the Constitutional Court of the Russian Federation came into force) are not entitled to be guided by a normative act or its individual provisions recognised by the judgment of the Constitutional Court of the Russian Federation not in compliance with the Constitution of the Russian Federation, or to apply the regulatory act or its provisions in interpretation, diverging with interpretation of the Constitutional Court of the Russian Federation in that judgment.

**Article 80. Duty of State Bodies and Officials to Bring Laws and Normative Acts into Conformity with the Constitution of the Russian Federation Pursuant to Decision of the Constitutional Court of the Russian Federation**

*As amended by Federal Constitutional Laws 28 December 2016 No. 11-ΦK3, of 9 November 2020 No.5- ΦK3*

Should a normative act be found unconstitutional in its entirety or partially by a decision of the Constitutional Court of the Russian Federation, or should a need to eliminate a lacuna in legal regulation proceed from a decision of the Constitutional Court of the Russian Federation:

1) The Government of the Russian Federation no later than six months after the publication of a judgment of the Constitutional Court of the Russian Federation, unless otherwise established by the judgment of the Constitutional Court of the Russian Federation in accordance with Item 12 of Section one of Article 75 of this Federal Constitutional Law, submits to the State Duma a draft of a new Federal Constitutional Law, a draft of a new federal law, or a number of interrelated draft laws, or a bill amending the law, partly recognised unconstitutional by the Constitutional Court of the Russian Federation, or in the law whether it or some of its provisions are found to comply with the Constitution of the Russian Federation in the interpretation given by Constitutional Court of the Russian Federation.

The President of the Russian Federation, the Council of the Federation, senators Council of the Federation, deputies of the State Duma, legislative (representative) bodies of state power of the subjects of the Russian Federation, as well as the Supreme Court of the Russian Federation on issues of its competence have the right to prepare a draft of a new Federal Constitutional Law, draft of a new federal law or a number of interrelated draft laws, or a bill amending the law, partly recognised unconstitutional by the Constitutional Court of the Russian Federation, or in the law whether it or some of its provisions are found to comply with the Constitution of the Russian Federation in the interpretation given by Constitutional Court of the Russian Federation and submit them to the State Duma. The Government of the Russian Federation in the event of the preparation of a positive opinion or a positive official response to a bill introduced by one of the subjects of the right of legislative initiative specified in this Item, has the right to postpone the introduction of a bill initiated by the Government of the Russian Federation;

2) The President of the Russian Federation, the Government of the Russian Federation shall, not later than two months after the promulgation of a decision of the Constitutional Court of the Russian Federation repeal a normative act of, respectively, the President of the Russian Federation, the Government of the Russian Federation, adopt a new normative act, or introduce amendments to a normative act found partially unconstitutional;

3) A legislative (representative) body of State Power of a constituent entity of the Russian Federation shall, within six months of the promulgation of a decision of the Constitutional Court of the Russian Federation, introduce amendments to the Constitution (Charter) of a constituent entity of the Russian Federation, repeal a law of a constituent entity of the Russian Federation found unconstitutional, adopt a new law of a constituent entity of the Russian Federation, or several linked laws, or amend a law found partially unconstitutional. A supreme official of a constituent entity of the Russian Federation (head of a supreme executive body of State Power of a constituent entity of the Russian Federation) shall, not later than two months after the promulgation of a decision of the Constitutional Court of the Russian Federation, introduce a respective draft law to the legislative (representative) body of State Power of a constituent entity of the Russian Federation. If upon expiration of a six-month period following the promulgation of a decision of the Constitutional Court of the Russian Federation the legislative (representative) body of State Power of a constituent entity of the Russian Federation fails to adopt measures provided under the present item related to a decision of the Constitutional Court of the Russian Federation, rules of responsibility as provided for under the federal legislation shall apply;

4) A supreme official of a constituent entity of the Russian Federation (head of a supreme executive body of State Power of a constituent entity of the Russian Federation) shall, not later than two months after the promulgation of a decision of the Constitutional Court of the Russian Federation, repeal a normative act found unconstitutional and adopt a new normative act or introduce amendments to a normative act found partially unconstitutional. If upon expiration of a two-month period following the promulgation of a decision of the Constitutional Court of the Russian Federation supreme official of a constituent entity of the Russian Federation (head of a supreme executive body of State Power of a constituent entity of the Russian Federation) fails to adopt measures provided under the present item related to a decision of the Constitutional Court

of the Russian Federation, rules of responsibility as provided for under the federal legislation shall apply;

5) Federal bodies of State Power, bodies of State Power of constituent entities of the Russian Federation that have concluded a treaty between federal bodies of State Power and bodies of State Power of constituent entities of the Russian Federation or a treaty between bodies of State Power of constituent entities of the Russian Federation shall not later than two months after the promulgation of a decision of the Constitutional Court of the Russian Federation amend the treaty or abrogate the treaty.

### **Article 81. Consequences of Non-Execution of Decision**

Non-execution, improper execution or prevention of execution of the decision of the Constitutional Court of the Russian Federation shall entail responsibility under the federal law.

### **Article 82. Rectification of Omissions in Decision**

*As amended by the Federal Constitutional Law of 9 November 2020 No.5-ΦK3*

The Constitutional Court of the Russian Federation may rectify omissions in the decision in designations, denominations, clerical errors and apparent editorial and technical errors, and shall pass a decision on the matter.

### **Article 83. Explanation of Decision**

*As amended by the Federal Constitutional Law of 9 November 2020 No.5-ΦK3*

A judgement, a declaratory judgment of the Constitutional Court of the Russian Federation may be officially explained only by the Constitutional Court of the Russian Federation itself at the request of the party to the case on which the judgement was issued, as well as at the request of the President of the Russian Federation, the Federation Council, the State Duma, the Government of the Russian Federation, the Supreme Court of the Russian Federation, other bodies and persons to whom the judgment or declaratory judgment was sent. A decision of the Constitutional Court of the Russian Federation is not subject to explanation.

The issue of explanation of a judgement, a declaratory judgment of the Constitutional Court of the Russian Federation shall be considered in the manner prescribed by Article 70 of this Federal Constitutional Law, while recording is carried out in accordance with Sections one through three of Article 59 of this Federal Constitutional Law. The parties to the case, on which the judgement was made, the request for clarification of which was accepted by the Constitutional Court of the Russian Federation for consideration, this request is sent and it is invited to submit in writing their response on the issue raised in the request within a certain period, except for cases when an official explanation is urgent.

The explanation of the judgment, declaratory judgment of the Constitutional Court of the Russian Federation shall be the subject of a decision stated as an individual document and due to be published in the same order as a judgment or a declaratory judgment were published.

**TITLE THREE**  
**THE SPECIAL FEATURES OF PROCEEDINGS IN THE**  
**CONSTITUTIONAL COURT OF THE RUSSIAN FEDERATION IN**  
**RESPECT OF CERTAIN CATEGORIES OF CASES**

*Chapter IX Consideration of Cases on Conformity with the Constitution of the  
Russian Federation of Enactments of Bodies of State Power and of Agreements  
Between Them*

**Article 84. The Right to Petition the Constitutional Court of the Russian Federation**

*As amended by Federal Constitutional Laws 12 March 2014 No. 5-ΦK3, of 9 November 2020  
No.5- ΦK3*

The right to appeal to the Constitutional Court of the Russian Federation with a request for review of constitutionality of the normative acts of state power bodies and treaties between them specified in Article 125 (Section 2) of the Constitution of the Russian Federation shall be vested in the President of the Russian Federation, the Federation Council, the State Duma, one fifth of the senators of the Russian Federation or of the deputies of the State Duma, the Government of the Russian Federation, the Supreme Court of the Russian Federation, bodies of legislative and executive power of constituent entities of the Russian Federation.

**Article 85. Admissibility of the Request**

*As amended by Federal Constitutional Laws 12 March 2014 No. 5-ΦK3, of 9 November 2020  
No.5- ΦK3*

The request to the Constitutional Court of the Russian Federation to verify the constitutionality of the enactment of the body of State Power or the agreement between the bodies of State Power or of their individual provisions shall be admissible if the petitioner deems them either unenforceable due to their unconstitutionality or enforceable notwithstanding the official decision of the federal organs of State Power, the supreme state bodies of the constituent entities of the Russian Federation or their officials on the refusal to apply and execute them as not being in conformity with the Constitution of the Russian Federation or contrary to the decision, officially adopted by an inter-State body for the protection of human rights and freedoms, in which violation of human rights and freedoms by the Russian Federation in the course of application of a respective normative act or treaty and the need to make amendments to them eliminating the said violations are ascertained.

A request to verify the constitutionality of the enactment of a constituent entity of the Russian Federation shall be admissible if the enactment was issued on the matter pertaining to the jurisdiction of bodies of State Power of the Russian Federation and to the joint jurisdiction of bodies of State Power of the Russian Federation and bodies of State Power of constituent entities of the Russian Federation

## **Article 86. Limits of review**

The Constitutional Court of Russian Federation shall establish the conformity with the Constitution of the Russian Federation of enactments of bodies of State Power and of agreements between them as to:

- 1) substance of the norms;
- 2) form of the enactment, the agreement or the treaty;
- 3) procedure for their signing, conclusion, adoption, promulgation, or entry into effect;
- 4) in terms of the separation of State Power into the legislative, executive, and judicial as provided for by the Constitution of the Russian Federation;
- 5) in terms of the delimitation of competence between the federal bodies of State Power as provided for by the Constitution of the Russian Federation;
- 6) in terms of the delimitation of jurisdiction and powers between bodies of State Power of the Russian Federation and bodies of State Power of constituent entities of the Russian Federation as provided for by the Constitution of the Russian Federation, the Federation Treaty and other agreements on the delimitation of jurisdiction and powers.

The review of the constitutionality of the enactments of the organs of State Power and of agreements between them that were adopted prior to coming into force of the Constitution of the Russian Federation shall be done by the Constitutional Court of the Russian Federation only as for the substance of the norms.

## **Article 87. Final Decision in the Case**

*As amended by Federal Constitutional Laws 15 December 2001 No. 4-ΦK3, of 3 November 2010 No.7- ΦK3, of 28 December 2016 No.11- ΦK3,*

Based on the outcome of the consideration of a case on the review of the constitutionality of an enactment of the body of State Power or an agreement between the bodies of State Power the Constitutional Court of the Russian Federation shall pass one of the following judgments:

- 1) on acknowledgement of the conformity of the enactment or the agreement, or individual provisions thereof with the Constitution of the Russian Federation;
  - 1.1) on acknowledgement of a normative act or an agreement or their individual provisions corresponding to the Constitution of the Russian Federation in the interpretation given by the Constitutional Court of the Russian Federation;

- 2) on acknowledgement of the non-conformity of the enactment or the agreement, or individual provisions thereof with the Constitution of the Russian Federation.

The acknowledgement of non-conformity of a law, a normative act enacted by the President of the Russian Federation, or a normative act enacted by the Government of the

Russian Federation, or a treaty or individual provisions thereof with the Constitution of the Russian Federation shall make grounds for the abrogation in accordance with the prescribed procedure of the provisions of other normative acts or treaties, based upon the normative act or the treaty that were acknowledged as unconstitutional, or reproducing it, or containing the same provisions that were acknowledged as unconstitutional.

The acknowledgement of non-conformity of a normative act enacted by a constituent entity of the Russian Federation or individual provisions thereof with the Constitution of the Russian Federation shall make grounds for the abrogation in accordance with the prescribed procedure of the provisions of normative acts or treaties enacted or concluded by other a constituent entities of the Russian Federation that contain provisions identical to those acknowledged as unconstitutional.

The provisions of normative acts or treaties listed in Sections two and three above may not be applied by the courts, other bodies and officials.

In the event of, within six months of the promulgation of a decision of the Constitutional Court of the Russian Federation, a normative act analogous to the one found unconstitutional not being repealed or altered, or a treaty analogous to the one found unconstitutional not being abrogated in its entirety or in part, a state body or an official, duly authorised by a federal law, shall lodge a protest or apply to a court with a request to recognise that normative act or treaty as ineffective.

Should a normative act of a state authority or an agreement between state authorities or their individual provisions be recognised as conforming to the Constitution of the Russian Federation in the interpretation given by Constitutional Court of the Russian Federation, their application excludes any other interpretation, and the consequences of this judgment are subject to the provisions of this Federal Constitutional Law and other federal laws established for cases of recognition of a regulatory act or some of their provisions inconsistent with the Constitution of the Russian Federation, unless otherwise established by this Federal Constitutional Law.

### ***Chapter X Consideration of Cases on Conformity with the Constitution of the Russian Federation of International Treaties of the Russian Federation Pending Their Entry into Force***

#### **Article 88. Submission of a request to the Constitutional Court of the Russian Federation**

*As amended by the Federal Constitutional Law of 9 November 2020 No.5-ΦK3*

The right to petition the Constitutional Court of the Russian Federation with an request to verify the constitutionality of the international treaty of the Russian Federation pending its entry into force shall be vested in the President of the Russian Federation, the Federation Council, the State Duma, one fifth of the number of senators of the Russian Federation or of the deputies of the State Duma, the Government of the Russian Federation, the Supreme Court of the Russian Federation, the High Court of Arbitration of the Russian Federation, bodies of legislative and executive power of the constituent entities of the Russian Federation.

The President of the Russian Federation shall send to the Constitutional Court of the Russian Federation a request to verify the constitutionality of an international treaty on the admission of a new subject to the Russian Federation that has not entered into force.

### **Article 89. Admissibility of the Request**

*As amended by the Federal Constitutional Law of 9 November 2020 No.5-ΦK3*

The request to verify the constitutionality of the international treaty of the Russian Federation pending its entry into force shall be admissible if:

1) in accordance with the Constitution of the Russian Federation and the federal law the international treaty of the Russian Federation referred to in the request is subject to ratification by the State Duma or to approval by another federal body of State Power;

2) the petitioner deems the international treaty of the Russian Federation pending its entry into force as not subject to be brought into effect and to be applied in the Russian Federation due to its non-conformity with the Constitution of the Russian Federation.

A request for review of the constitutionality of an international treaty on the acceptance of a new subject into the Russian Federation that has not entered into force is admissible if the requirements of the Federal Constitutional Law of 17 December 2001 No. 6-ΦK3 “On the Procedure for Admission to the Russian Federation and composition of the new constituent entity of the Russian Federation”.

### **Article 90. Limits of review**

The scope of review by the Constitutional Court of the Russian Federation of the conformity with the Constitution of the Russian Federation of the international treaty of the Russian Federation pending its entry into force shall be prescribed by Article 86 of the present Federal Constitutional Law.

### **Article 91. Final Decision in the Case**

*As amended by Federal Constitutional Laws 3 November 2010 No. 7-ΦK3, of 9 November 2020 No.5- ΦK3*

Based on the outcome of the consideration of a case on the review of the constitutionality of the international treaty of the Russian Federation pending its entry into force the Constitutional Court of the Russian Federation shall pass one of the following judgments:

1) on acknowledgement of the conformity of the international treaty of the Russian Federation pending its entry into force, or individual provisions thereof with the Constitution of the Russian Federation;

2) on acknowledgement of the non-conformity of the international treaty of the Russian Federation pending its entry into force, or individual provisions thereof with the Constitution of the Russian Federation.

As of the time of the pronouncement of the judgment of the Constitutional Court of the Russian Federation on the acknowledgement of the non-conformity to the Constitution of the Russian Federation of the international treaty of the Russian Federation pending its entry into force, or individual provisions thereof, the international treaty shall not be brought into effect or applied, that is, it may not be ratified, approved and may not enter into force for the Russian Federation in any other mode.

## ***Chapter XI Consideration of Cases on Disputes Concerning Competence***

### **Article 92. Right to Petition the Constitutional Court of the Russian Federation**

The right to petition the Constitutional Court of the Russian Federation with an application to settle a dispute concerning competence shall be vested in any body of State Power party to the dispute, listed in Article 125 (Part 3) of the Constitution of the Russian Federation, whereas in the President of the Russian Federation it shall also be vested in the event envisaged by Article 85 (Part 1) of the Constitution of the Russian Federation.

### **Article 93. Admissibility of Application**

The application of the body (bodies) of State Power shall be admissible if:

- 1) the competence in dispute is defined by the Constitution of the Russian Federation;
- 2) the dispute does not concern the question of the proper jurisdiction of courts over a case or the justiciability;
- 3) the dispute has not been settled or cannot be settled by other means;
- 4) the petitioner considers the issuance of an act or the performance of an action of legal nature or the evasion from the issuance of an act or the performance of the aforementioned action to be a violation of the delimitation of competence between the bodies of State Power provided for by the Constitution of the Russian Federation;
- 5) the petitioner has previously applied in writing to the bodies of State Power listed in Article 125 (Part 3) of the Constitution of the Russian Federation alleging either their violation of the competence of the petitioner as defined by the Constitution of the Russian Federation and agreements or the evasion by these bodies from a responsibility within their competence;
- 6) the violations listed in the application in writing, as specified in item 5 of the present Article, have not been removed within a month of the receipt of the application;
- 7) in the event of an appropriate body of State Power requesting the President of the Russian Federation to apply conciliation procedures provided for in Article 85 of the Constitution of the Russian Federation, the President of the Russian Federation within a month of the request has not applied the conciliation procedures or those procedures did not result in the settlement of the dispute.

The application of the President of the Russian Federation submitted as provided for by Article 85 (Part 1) of the Constitution of the Russian Federation shall be admissible, if:



1) the President of the Russian Federation has applied the conciliation procedures to settle the discord between the bodies of State Power;

2) the discord between the bodies of State Power constitutes a dispute concerning competence that falls within the proper jurisdiction of the Constitutional Court of the Russian Federation.

#### **Article 94. Limits of review**

The Constitutional Court of the Russian Federation shall consider the disputes concerning competence exclusively from the perspective of the separation of State Power into the legislative, executive, and judicial and the delimitation of competence between bodies of State Power as provided for by the Constitution of the Russian Federation, as well as from the perspective of the delimitation of jurisdiction and powers between bodies of State Power of the Russian Federation and bodies of State Power of constituent entities of the Russian Federation, between the supreme bodies of State Power of the constituent entities of the Russian Federation, as provided for by the Constitution of the Russian Federation, the Federation Treaty and other agreements on the delimitation of jurisdiction and powers.

The consideration of the case on the conformity of the enactment, being subject of the dispute concerning competence, with the Constitution of the Russian Federation as to the substance of the norm, its form, the procedure for its signing, conclusion, adoption, promulgation, or entry into effect shall be possible only on the basis of an individual request and in accordance with the procedure for the consideration of cases on the constitutionality of the enactments.

#### **Article 95. Final Decision in the Case**

*As amended by Federal Constitutional Laws 3 November 2010 No. 7-ΦK3*

Based on the outcome of the consideration of the dispute concerning competence the Constitutional Court of the Russian Federation shall pass one of the following judgments:

1) confirming the authority of the respective body of State Power to issue the act or to perform the action of the legal nature that caused the dispute concerning competence;

2) denying the authority of the respective body of State Power to issue the act or to perform the action of the legal nature that caused the dispute concerning competence.

If the Constitutional Court of the Russian Federation acknowledges the issuance of the act as not being within the competence of the issuing body, the act shall be null and void as of the date stipulated in the judgment.

### ***Chapter XII***

#### ***Consideration Of Cases On Constitutionality Of Normative Acts At Complaints About Violation Of The Constitutional Rights And Freedoms***

*Revised in accordance with the Federal Constitutional Law of 9 November 2020 No. 5-ΦK3*

## **Article 96. Right to Petition the Constitutional Court of the Russian Federation**

The right to petition the Constitutional Court with the individual or collective complaint about violation of the constitutional rights and freedoms shall be vested in the citizens, legal persons and municipalities represented by municipal authorities, the rights and freedoms of which have been violated by following normative acts applied in a specific case: Federal Constitutional Law, federal law, normative legal act of the President of the Russian Federation, Council of Federation, State Duma, Government of the Russian Federation, constitution of a republic, charter, law or other normative act by a constituent entity of the Russian Federation adopted upon the issue under jurisdiction of the Russian Federation state authorities or under joint jurisdiction of state authorities of the Russian Federation and state authorities of the constituent entities of the Russian Federation, as well as – in the interests of such natural and persons – the High Commissioner for Human Rights in the Russian Federation, ombudsmen for the constituent entities of the Russian Federation, other ombudspersons for particular spheres of rights or particular persons provided for by the federal laws, other authorities or officials in accordance with federal law, All-Russian organisations that in accordance with federal law can represent the interests of such citizens and legal persons.

Enclosed with the complaint, additional to the documents listed in Article 38 of the present Federal Constitutional Law, shall be judicial decisions confirming the application of the appealed normative act by a court in the decision of the specific case and exhaustion of all other internal judicial remedies. Copies of such documents shall be issued by relevant courts to the petitioner at his or her request. If a complaint is petitioned not by the citizen or the legal person themselves, but by an authority, official or organisation in their interests, enclosed with the complaint shall also be a written consent of the citizen or legal person to petitioning a complaint.

## **Article 97. Admissibility of the Complaint**

The complaint on the violation by the normative act of the constitutional rights and freedoms shall be admissible if:

1) there are indications of infringement of rights and freedoms of the applicant or person in whose interests the complaint was lodged with the Constitutional Court of the Russian Federation, as the result of application of the challenged normative act in a concrete case with participation of the applicant or person in whose interest the complaint was lodged;

2) the complaint has been lodged no later than within one year from adoption of a judicial decision exhausting internal judicial remedies, or, if the revision of the judicial decision normally exhausting internal judicial remedies had been refused due to non-observance of the time-limit for challenging this judgment – no later than within one year from adoption of the latest judicial decision where the relevant normative act had been applied;

3) all other internal judicial remedies for protection of rights of the applicant or person in whose interests the complaint was lodged with the Constitutional Court of the Russian Federation have been exhausted within a concrete case. Exhaustion of internal judicial remedies shall be understood as lodging in accordance with legislation on the relevant type of judicial proceedings a cassation appeal by the applicant or person in whose interests the complaint has

been lodged with the Constitutional Court with the court of maximum instance for a given category of cases, or if the relevant judicial decisions that came into force can be reviewed only under supervision procedure – lodging a supervisory appeal, if judicial decision applying the challenged normative act was subject to cassation or supervisory review in connection with application of the challenged normative act and cassation or supervisory appeal did not result in elimination of indications of infringement of rights of the applicant or relevant person. The Constitutional Court of the Russian Federation shall also be entitled to recognise internal judicial remedy as exhausted if established law-enforcement practice of the court which judicial decision normally exhausts internal judicial remedies in a given category of cases, or official interpretation of the challenged normative act provided in clarifications of issues arising in judicial practice in order to ensure uniform application of the legislation of the Russian Federation demonstrates that interpretation of the challenged normative act different from the one that was made in the concrete case, is not expected.

### **Article 98. Consequences of Admission of Complaint for Consideration**

The Constitutional Court of the Russian Federation, having admitted for consideration the complaint about violation of constitutional rights and freedoms of citizens, shall notify about that the court that adopted the latest judgment on the case of the petitioner or a person in whose interests the complaint was lodged with the Constitutional Court of the Russian Federation, in which the appealed normative act has been applied and, upon the demand of the petitioner, - the body exercising the execution of this court judgment according to the federal law, and the court considering a case for which this court judgment may be of relevance. A respective court may adjourn the execution of the court judgment or proceedings in the case pending the passing of the judgment by the Constitutional Court of the Russian Federation.

In case continuation of execution of a court judgment delivered in the case of the applicant or a person in whose interests the complaint was lodged with the Constitutional Court of the Russian Federation can lead to impossibility of restoring the rights of the applicant or the named person after adoption by the Constitutional Court of the Russian Federation of the judgment foreseen by item 1.1 or 2 of section one of Article 87 of this Federal Constitutional Law, the Constitutional Court of the Russian Federation in its decision to admit the complaint for consideration shall be empowered to indicate the necessity to adjourn execution of the judicial decision pending the passing of the judgment by the Constitutional Court of the Russian Federation and reviewing of the concrete case where the challenged normative act had been applied. Such indication is obligatory for the courts and the body exercising the execution of this court judgment according to the federal law. In such case decision to admit a complaint for consideration is presented as a separate document.

### **Article 99. Limits of review**

The scope of verification by the Constitutional Court of the Russian Federation of the conformity with the Constitution of the Russian Federation of the normative act, indicated in the complaint about violation of the constitutional rights and freedoms of citizens shall be established by Article 86 of the present Federal Constitutional Law.

### **Article 100. Final decision in the case**

Following the consideration of the complaint about violation by the normative act of the constitutional rights and freedoms of citizens the Constitutional Court of the Russian Federation shall pass one of the judgments provided in Article 87 of this Federal Constitutional Law. The consequences of the adoption of this judgment are also established by this Article.

In the event that the Constitutional Court of the Russian Federation adopted a judgment provided for by items 1.1 or 2 of section one of Article 87 of this Federal Constitutional Law, the concrete case where the challenged normative act had been applied shall be subject to review in the usual manner provided that the judgment indicates the necessity for such review, the costs borne by citizens, legal persons, municipal authorities that have petitioned the Constitutional Court of the Russian Federation in accordance with Article 96 of the present Federal Constitutional Law, as well as human rights or charitable organisation or an organisation named in section one of Article 96 of this Federal Constitutional Law if it has borne relevant expenses, shall be reimbursed from the federal budget or a budget of a respective constituent entity of the Russian Federation in accordance with the procedure and in the amount prescribed by the Government of the Russian Federation:

- 1) charged state fee;
- 2) fees paid for the services of representatives, interpreter (within reasonable limits);
- 3) travel and lodging expenses of petitioners and their representatives related to their appearance in court;
- 4) postal expenses related to consideration of a case.
- 5) compensation in lieu of actual time lost.

If review of the case is not possible before introduction of changes to legal regulations in accordance with the judgment of the Constitutional Court of the Russian Federation provided for by items 1.1 or 2 of section one of Article 87 of this Federal Constitutional Law, the Constitutional Court of the Russian Federation indicates that review shall be performed after adoption of such changes.

If review of the case, given the special characteristics of the relevant legal relations, cannot lead to restoration of the rights of the applicant or a person in whose interests the complaint was lodged with the Constitutional Court of the Russian Federation, the Constitutional Court of the Russian Federation shall be entitled to indicate in its judgment provided for by item 1.1. or 2 of section one of Article 87 of this Federal Constitutional Law the necessity to apply compensation mechanisms to such applicant or person. In this case the form and amount of compensation shall be determined by the court that had considered in the first instance the concrete case where the normative act challenged in the Constitutional Court of the Russian Federation had been applied.

If before admission for consideration by the Constitutional Court of the Russian Federation of complaint the results of consideration of which the Constitutional Court of the Russian Federation adopted the judgment provided for by items 1.1. or 2 of section one of Article 87 of this Federal Constitutional Law another complaint was lodged with the

Constitutional Court of the Russian Federation concerning the same object, and the case upon this complaint has not been admitted for consideration or joined in single proceeding with a case upon which the Constitutional Court of the Russian Federation adopted the relevant judgment, the Constitutional Court of the Russian Federation in refusing to admit the complaint for consideration in accordance with item 3 of section one of Article 43 of this Federal Constitutional Law or in discontinuing proceedings upon this complaint shall be entitled to indicate in its decision that concrete case of this applicant or person in whose person in whose interests the complaint was lodged with the Constitutional Court of the Russian Federation shall be subject to review.

### *Chapter XIII*

#### *Consideration Of Cases On Constitutionality of Normative Acts At Requests Of Courts*

*Revised in accordance with the Federal Constitutional Law of 9 November 2020 No. 5-ΦK3*

#### **Article 101. Petition to the Constitutional Court of the Russian Federation**

The court while considering the case in any instance, having arrived at the conclusion about non-conformity with the Constitution of the Russian Federation of the Federal Constitutional Law, federal law, normative act of the President of the Russian Federation, Council of the Federation, State Duma, Government of the Russian Federation, constitution of a republic, charter, law or other normative act of a constituent entity of the Russian Federation adopted upon issue under jurisdiction of the Russian Federation state authorities or under joint jurisdiction of state authorities of the Russian Federation and state authorities of the constituent entities of the Russian Federation, that ought to be applied by it in a specific case, shall petition the Constitutional Court of the Russian Federation with a request to verify the constitutionality of the relevant normative act.

Court when reconsidering in the events established by the procedural legislation a case in connection with adoption of a decision by an inter-State body, identifying a violation in the Russian Federation of obligations, ensuring compliance with which lies with the competence of this body, in the course of application of a the Federal Constitutional Law, federal law, normative act of the President of the Russian Federation, Council of the Federation, State Duma, Government of the Russian Federation, constitution of a republic, charter, law or other normative act of a constituent entity of the Russian Federation adopted upon issue under jurisdiction of the Russian Federation state authorities or under joint jurisdiction of state authorities of the Russian Federation and state authorities of the constituent entities of the Russian Federation, having come to the conclusion that the question of the possibility of application of the respective law may be resolved only after confirmation of its conformity to the Constitution of the Russian Federation, shall petition the Constitutional Court of the Russian Federation on review of constitutionality of this law.

#### **Article 102. Admissibility of the request**

The request of the court shall be admissible if the normative act, in the opinion of the court, ought to be applied in the specific case that it is considering.

### **Article 103. Consequences of Submission of the Request**

As of the time of the decision of the court to petition the Constitutional Court of the Russian Federation and pending the judgment of the Constitutional Court of the Russian Federation the proceedings in the case or the execution of the decision passed by the court shall be adjourned. Enclosed with the court request, additional to the documents listed in Article 38 of the present Federal Constitutional Law, shall be judicial decision on adjourning the proceedings upon the case.

### **Article 104. Scope of Verification and Types of Final Decisions**

The limits of verification by the Constitutional Court of the Russian Federation of the conformity with the Constitution of the Russian Federation of the normative act challenged in the request of the court and types of final decisions on the case shall be prescribed by Articles 86 and 87 of the present Federal Constitutional Law.

*The present Federal Constitutional Law was supplemented by Chapter XIII.1 under the Federal Constitutional Law of 14 December 2015 no. 7-ΦK3*

## **CHAPTER XIII.1**

### ***Consideration of cases on the Possibility to Implement Decisions of Interstate Bodies***

*Revised in accordance with the Federal Constitutional Law of 9 November 2020 No. 5-ΦK3*

### **Article 104.1. Submission of the request to the Constitutional Court of the Russian Federation**

The President of the Russian Federation, the Government of the Russian Federation, the Supreme Court of the Russian Federation, the Office of the Prosecutor General of the Russian Federation shall have the right to petition the Constitutional Court of the Russian Federation with a request on the possibility to execute the decision of an interstate body due to the fact that in the part obliging the Russian Federation to take measures for its implementation this decision has been based on the provisions of the international treaty of the Russian Federation in its interpretation which presumably leads to their discrepancy with the Constitution of the Russian Federation.

The Office of the Prosecutor General of the Russian Federation shall decide upon necessity of appeal to the Constitutional Court of the Russian Federation on the basis of the opinion of the federal state bodies entrusted within its competence to take measures for the execution of decisions of the interstate body, or on the basis of its own conclusion that it is impossible to execute the decision of the interstate body.

Enclosed with the request shall be the official text of the relevant decision of the interstate body and its translation into Russian, if the decision has been adopted in another language.

### **Article 104.2. Admissibility of the request**

The request on the possibility to execute the decision of an interstate body shall be admissible if the applicant considers that the execution of the decision of an interstate body is impossible since it is based on the interpretation of provisions of the international treaty of the Russian Federation leading to their discrepancy with the Constitution of the Russian Federation.

### **Article 104.3. Limits of review**

The Constitutional Court of the Russian Federation resolves the issue of possibility to execute a decision of the interstate body adopted on the basis of the provisions of the international treaty of the Russian Federation in their interpretation by the interstate body, on the basis of whether this interpretation conforms to the Constitution of the Russian Federation.

### **Article 104.3. Final decision in the case**

Following the consideration of the case, the Constitutional Court of the Russian Federation adopts one of the following judgments:

- 1) on the possibility of executing in whole, in accordance with the Constitution of the Russian Federation, the decision of the interstate body;
- 2) on the possibility of executing in part, in accordance with the Constitution of the Russian Federation, the decision of the interstate body;
- 3) on the impossibility of execution, in accordance with the Constitution of the Russian Federation, of the decision of the interstate body.

If the Constitutional Court of the Russian Federation adopts a judgment provided for by item 3 of section one of this Article, any actions (acts) aimed at the implementation of the relevant decision of an intergovernmental body in the Russian Federation cannot be carried out (adopted).

*The present Federal Constitutional Law was supplemented by Chapter XIII.2 under the Federal Constitutional Law of 9 November 2020 no. 5-ΦK3*

## ***Chapter XIII.2***

### ***Consideration of Cases on the Possibility to Implement Decisions of Foreign or International (Interstate) Courts, Foreign or International Arbitration Courts (Arbitrages)***

### **Article 104.5. Submission of request to the Constitutional Court of the Russian Federation**

The President of the Russian Federation, the Government of the Russian Federation, the Supreme Court of the Russian Federation, the Office of the Prosecutor General of the Russian

Federation shall have the right to petition the Constitutional Court of the Russian Federation with a request on the possibility to execute the decision of a foreign or international (interstate) court, foreign or international arbitration court (arbitrage) imposing obligations on the Russian Federation.

Enclosed with the request shall be the relevant decision of the foreign or international (interstate) court, foreign or international arbitration court (arbitrage), or its duly certified copy, and its translation into Russian, if the decision has been adopted in another language.

If an international (interstate) court is an international body in accordance with an international treaty to which the Russian Federation is a party, the request shall be petitioned and the case shall be considered under the procedure provided for by Chapter XIII.1 of the present Federal Constitutional Law.

#### **Article 104.6. Admissibility of the request**

The request on the possibility to execute the decision of a foreign or international (interstate) court, foreign or international arbitration court (arbitrage) shall be admissible if:

1) the applicant considers that execution of decision is impossible since it contradicts the basis of public order of the Russian Federation;

2) the decision imposes obligations on the Russian Federation both directly and by way of imposing obligations on particular federal state bodies or organisations belonging to the Russian Federation;

3) the decision is based on varying from common meaning of terms used in the document, in accordance with which it has been adopted, or their context, or varying from the object, aims and content this document, or on non-compliance with the limits of competence upon adoption of such decision;

4) the current legal regulations system, including international legal system, does not provide for the possibility to refuse to execute such decision within the framework of normal law enforcement.

#### **Article 104.7. Limits of review**

The Constitutional Court of the Russian Federation resolves the issue of the possibility of executing a decision of the foreign or international (interstate) court, foreign or international arbitration court (arbitrage) from the point of view of its compliance with the basis of the constitutional system of the Russian Federation.

#### **Article 104.8. Final decision in the case**

Following the consideration of the case, the Constitutional Court of the Russian Federation adopts one of the following judgments:

1) on the possibility of executing in whole, a decision of the foreign or international (interstate) court, foreign or international arbitration court (arbitrage);



2) on the possibility of executing in part, a decision of the foreign or international (interstate) court, foreign or international arbitration court (arbitrage);

3) on the impossibility of execution of a decision of the foreign or international (interstate) court, foreign or international arbitration court (arbitrage).

If the Constitutional Court of the Russian Federation adopts a judgment provided for by item 3 of section one of this article, any actions (acts) aimed at the execution of the relevant decision of the foreign or international (interstate) court, foreign or international arbitration court (arbitrage) in the Russian Federation cannot be carried out (adopted).

## *Chapter XIV*

### *Consideration of Cases on Interpretation of the Constitution of the Russian Federation*

#### **Article 105. Right to petition the Constitutional Court of the Russian Federation**

*As amended and supplemented by Federal Constitutional Laws of 14 December 2015 no. 7-ΦK3, of 9 November 2020 no. 5-ΦK3*

The right to petition the Constitutional Court of the Russian Federation with a request to give the interpretation of the Constitution of the Russian Federation shall be vested in the President of the Russian Federation, the Council of Federation, the State Duma, the Government of the Russian Federation, bodies of legislative power of the constituent entities of the Russian Federation.

The right to appeal to the Constitutional Court of the Russian Federation with a request to interpret the provisions of the Constitution of the Russian Federation in order to eliminate the ambiguity in their understanding taking into account the revealed contradiction between the provisions of the international treaty of the Russian Federation in the interpretation given by the interstate body in relation to the possibility of executing the decision of the relevant interstate body shall be vested in the President of the Russian Federation and the Government of the Russian Federation.

#### **Article 106. Binding Force of Interpretation of the Constitution of the Russian Federation**

*As amended and supplemented by Federal Constitutional Laws of 14 December 2015 no. 7-ΦK3, of 9 November 2020 no. 5-ΦK3*

The interpretation of the Constitution of the Russian Federation adopted by the Constitutional Court of the Russian Federation shall be official and binding for all representative, executive, and judicial organs of State Power, organs of local government, enterprises, agencies, organizations, officials, citizens and their associations.

Interpretation of the provisions of the Constitution of the Russian Federation, eliminating the ambiguity in their understanding taking into account the revealed contradiction between the provisions of the international treaty of the Russian Federation in the interpretation given by the

interstate body, and the provisions of the Constitution of the Russian Federation as to the impossibility of implementing the relevant decision of the interstate body without violation of provisions of the Constitution of the Russian Federation, means that any actions (acts) aimed at and the execution of the relevant decision of the interstate body in the Russian Federation cannot be carried out (adopted).

***Chapter XV***  
***Consideration of Case on Delivery of Declaratory Judgment***  
***on Observance of Prescribed Procedure for Charging***  
***the President of the Russian Federation or the President of the Russian***  
***Federation who has ceased to exercise powers with High Treason or with***  
***Commission of other Grave Offense***

*As revised in accordance with the Federal Constitutional Law of 9 November 2020 No. 5-ФКЗ*

**Article 107. Petition to the Constitutional Court of the Russian Federation**

The petition with the request for a declaratory judgment on the observance of a prescribed procedure for charging the President of the Russian Federation or the President of the Russian Federation who has ceased to exercise his (her) powers upon expiration of his (her) term of office or before the end of his (her) term due to his (her) resignation or persistent inability for health reasons to carry out the powers invested in him (her) with high treason or with commission of other grave offense shall be transmitted to the Constitutional Court of the Russian Federation by the Federation Council.

**Article 108. Admissibility of the request**

The request to the Constitutional Court of the Russian Federation for a declaratory judgment on the observance of a prescribed procedure for charging the President of the Russian Federation or the President of the Russian Federation who has ceased to exercise his (her) powers with high treason or with commission of other grave offense shall be admissible provided the charge is brought by the State Duma and there is the finding of the Supreme Court of the Russian Federation on the presence in the actions of the President of the Russian Federation or the President of the Russian Federation who has ceased to exercise his (her) powers of the elements of the respective offense.

**Article 109. Procedure for Transmitting Request and for the Delivery of Declaratory Judgment**

The request for declaratory judgment on the observance of a prescribed procedure for charging the President of the Russian Federation or the President of the Russian Federation who has ceased to exercise his (her) powers with high treason or with commission of other grave offense shall be transmitted to the Constitutional Court of the Russian Federation in no event later seventy five days after the adoption by the State Duma of the decision to bring the charge. Enclosed with the request shall be the text of the decision of the State Duma to bring the charge, the records or verbatim records of the discussion of this question at the session of the State

Duma and texts of all documents pertaining to the discussion, as well as the text of the finding of the Supreme Court of the Russian Federation.

The declaratory judgment shall be delivered by the Constitutional Court of the Russian Federation in no event later than ten days after the registration of the inquiry.

**Article 110. Declaratory Judgment on Observance of Prescribed Procedure for Charging the President of the Russian Federation or the President of the Russian Federation who has Ceased to Exercise his (her) Powers With High Treason or with Commission of Other Grave Offense**

Following the consideration of a case the Constitutional Court of the Russian Federation shall deliver one of the following declaratory judgments:

- 1) that the prescribed procedure for charging has been observed;
- 2) that the prescribed procedure for charging has not been observed.

If the Constitutional Court of the Russian Federation passes the decision on the non-observance of a prescribed procedure for charging the President of the Russian Federation or the President of the Russian Federation who has ceased to exercise his (her) powers with high treason or with commission of other grave offense, the consideration of the charge, as provided for by the Constitution of the Russian Federation, shall be dismissed.

*The present Federal Constitutional Law was supplemented with Chapter XVI under the Federal Constitutional Law of 9 November 2020 no. 5-ΦK3*

***Chapter XVI***  
***Consideration of case on verifying conformity***  
***to the Constitution of the Russian Federation***  
***of a question submitted to a referendum of the Russian Federation***

**Article 110.1. Petition to the Constitutional Court of the Russian Federation**

Petition on verifying conformity to the Constitution of the Russian Federation of the question submitted to a referendum of the Russian Federation shall be transmitted to the Constitutional Court of the Russian Federation in the form of request of the Supreme Court of the Russian Federation or request of the President of the Russian Federation.

**Article 110.2. Admissibility of the request**

Request of the Supreme Court of the Russian Federation on verifying conformity to the Constitution of the Russian Federation of the question submitted to a referendum of the Russian Federation shall be admissible if the Supreme Court of the Russian Federation considers the case on challenging the decision of the Central Electoral Commission of the Russian Federation

approving its finding on non-conformity to the Constitution of the Russian Federation of the question submitted to a referendum of the Russian Federation.

Request of the President of the Russian Federation on verifying conformity to the Constitution of the Russian Federation of the question submitted to a referendum of the Russian Federation shall be admissible if the President of the Russian Federation has received from the Central Electoral Commission the documents serving as a basis to set the referendum of the Russian Federation.

Prior request of the Supreme Court of the Russian Federation shall be without prejudice to admissibility of the request of the President of the Russian Federation.

### **Article 110.3. Time-limit for adoption of the judgment of the Constitutional Court of the Russian Federation**

The judgment shall be delivered by the Constitutional Court of the Russian Federation not later than ten days after the registration of the inquiry.

### **Article 110.4. Limits of review**

The limits of review for verification by the Constitutional Court of the Russian Federation of conformity to the Constitution of the Russian Federation of the question submitted to a referendum of the Russian Federation shall be established by items 1, 4-6 of section one of Article 86 of this Federal Constitutional Law.

### **Article 110.5. Final decision in the case**

Based on the outcome of the consideration of a case on the verification of conformity to the Constitution of the Russian Federation of the question submitted to a referendum of the Russian Federation the Constitutional Court of the Russian Federation shall pass one of the following judgments:

1) on conformity to the Constitution of the Russian Federation of the question submitted to a referendum of the Russian Federation;

2) on non-conformity to the Constitution of the Russian Federation of the question submitted to a referendum of the Russian Federation.

If the Constitutional Court of the Russian Federation has recognised the question submitted to a referendum of the Russian Federation as non-conformant to the Constitution of the Russian Federation, the procedures for realisation of the initiative to hold it shall cease from the moment of coming into force of the judgment of the Constitutional Court of the Russian Federation.

*The present Federal Constitutional Law was supplemented by Chapter XVII under the Federal Constitutional Law of 9 November 2020 no. 5-ΦK3*

*Chapter XVII*  
*Consideration of cases on verification of constitutionality of draft laws  
and not signed or not promulgated laws*

**Article 110.6. Submission of the request to the Constitutional Court of the Russian Federation**

The President of the Russian Federation shall have the right to petition the Constitutional Court of the Russian Federation with a request on verification of constitutionality of draft Federal Constitutional Laws and draft federal laws, as well as the laws adopted under the order prescribed by sections 2 and 3 of Article 107 and section 2 of Article 108 of the Constitution of the Russian Federation, before their signing by the President of the Russian Federation, and laws of constituent entities of the Russian Federation before their promulgation by the highest official of a constituent entity of the Russian Federation (head of the highest executive body of state authority of a constituent entity of the Russian Federation).

The President of the Russian Federation shall petition the Constitutional Court of the Russian Federation with request on verification of constitutionality of draft law of the Russian Federation on amendment to the Constitution of the Russian Federation in part related to norms changing the provisions of the Constitution of the Russian Federation or defining the order of such norms coming into force, within five days from submission of this draft to the State Duma by the subject of the right to initiate such proposal defined by Article 134 of the Constitution of the Russian Federation, as well as of verification of constitutionality of amendment to such law (in part related to aforementioned norms) within five days after the committee of the State Duma vested with competence over issues of constitutional legislation recommends this amendment for adoption, or after the State Duma takes the decision to adopt the amendment to the law of the Russian Federation on amendment to the Constitution of the Russian Federation, previously not recommended by the aforementioned committee of the State Duma for adoption.

In part related to norms of the draft law of the Russian Federation on amendment to the Constitution of the Russian Federation that do not change the provisions of the Constitution of the Russian Federation and do not define the order of coming into force of norms changing the provisions of the Constitution of the Russian Federation the President of the Russian Federation shall have the right to petition the Constitutional Court of the Russian Federation in accordance with section one of the present Article a request that shall be considered by the Constitutional Court of the Russian Federation in the order established by the present Chapter for consideration of such requests.

The President of the Russian Federation after the Head of the Council of Federation sends him for signing and official publication of the Law of the Russian Federation on amendment to the Constitution of the Russian Federation shall have the right to petition the Constitutional Court of the Russian Federation with a request on verification of conformity to the Constitution of the Russian Federation of the order of its adoption by the State Duma, Council of Federation, and consideration by the legislative (representation) bodies of state power of constituent entities of the Russian Federation. Enclosed with the request submitted to the Constitutional Court in accordance with the present Article shall be materials certifying in the

opinion of the President of the Russian Federation the violation of the established order of adoption and consideration of the law of the Russian Federation on amendment to the Constitution of the Russian Federation.

#### **Article 110.7. Admissibility of the request**

The request to the Constitutional Court of the Russian Federation on verification of constitutionality of draft Federal Constitutional Law or draft federal law shall be admissible if the President of the Russian Federation considers that its provisions are not in conformity with the Constitution of the Russian Federation, at that it has been approved (adopted) by the State Duma in the first or the second reading, but has not been approved (adopted) in the third reading.

The request to the Constitutional Court of the Russian Federation on verification of constitutionality of law adopted under the order prescribed by sections 2 and 3 of Article 107 or section 2 of Article 108 of the Constitution of the Russian Federation shall be admissible if the President of the Russian Federation considers that its provisions are not in conformity with the Constitution of the Russian Federation, and the request has been sent within the time-limit established for signing of such law by the President of the Russian Federation, at that the relevant law has not been signed by the President of the Russian Federation.

The request to the Constitutional Court of the Russian Federation on verification of constitutionality of law of constituent entity of the Russian Federation before its promulgation by the highest official of a constituent entity of the Russian Federation (head of the highest executive body of state authority of a constituent entity of the Russian Federation) shall be admissible if the President of the Russian Federation considers that its provisions are not in conformity with the Constitution of the Russian Federation.

The request to the Constitutional Court of the Russian Federation on verification of conformity to the Constitution of the Russian Federation of the order of adoption by the State Duma, Council of Federation and consideration by the legislative (representation) bodies of state power of constituent entities of the Russian Federation of the law of the Russian Federation on amendment to the Constitution of the Russian Federation shall be admissible if the President of the Russian Federation considers that there has been a violation of the established order of adoption and consideration of the law of the Russian Federation on amendment to the Constitution of the Russian Federation, and the request has been sent no later than within five days after this law had been sent to him by the Chairman of the Council of Federation for signing and official publishing.

For the request of the President on verification of constitutionality of the law of the Russian Federation on amendment to the Constitution of the Russian Federation or amendment to such law no admissibility requirements shall be established.

#### **Article 110.8. Consequences of Submission of the Request**

Submission to the Constitutional Court of the Russian Federation of the request of the President of the Russian Federation on verification of constitutionality of a Federal Constitutional

Law or a federal law shall prevent its approval (adoption) in the next reading until adoption of decision of the Constitutional Court of the Russian Federation on this request.

Submission to the Constitutional Court of the Russian Federation of the request of the President of the Russian Federation on verification of constitutionality of the law adopted under the order prescribed by sections 2 and 3 of Article 107 or section 2 of Article 108 of the Constitution of the Russian Federation shall suspend running of the time-limit for signing of this law by the President of the Russian Federation until adoption of decision of the Constitutional Court of the Russian Federation on this request.

Submission to the Constitutional Court of the Russian Federation of the request of the President of the Russian Federation on verification of constitutionality of law of constituent entity of the Russian Federation before its promulgation by the highest official of a constituent entity of the Russian Federation (head of the highest executive body of state authority of a constituent entity of the Russian Federation) shall suspend running of the time-limit established by a constitution (charter) and law of a constituent entity of the Russian Federation for promulgation of a law of a constituent entity of the Russian Federation until adoption of decision of the Constitutional Court of the Russian Federation on this request, and shall prevent promulgation of such law until adoption of the aforementioned decision. If a law of a constituent entity is promulgated before adoption of the decision of the Constitutional Court of the Russian Federation this promulgation shall not create legal consequences.

Submission to the Constitutional Court of the Russian Federation of the request of the President of the Russian Federation on verification of constitutionality of a draft law of the Russian Federation on amendment to the Constitution of the Russian Federation shall prevent its approval by the State Duma:

1) in the first reading – upon submission of the request on verification of constitutionality of the law of the Russian Federation on amendment to the Constitution of the Russian Federation;

2) in the second reading – upon submission of the request on verification of constitutionality of amendments to the law of the Russian Federation on amendment to the Constitution of the Russian Federation due to recommendation for adoption of this amendment by the committee of the State Duma vested with competence over issues of constitutional legislation;

3) in the third reading – upon submission of the request on verification of constitutionality of amendment to the law of the Russian Federation on amendment to the Constitution of the Russian Federation due to decision of the State Duma to adopt this amendment which was not previously recommended for adoption by the committee of the State Duma vested with competence over issues of constitutional legislation.

Submission to the Constitutional Court of the Russian Federation of the request of the President of the Russian Federation on verification of conformity to the Constitution of the Russian Federation of the order of adoption by the State Duma, Council of Federation and consideration by the legislative (representation) bodies of state power of constituent entities of

the Russian Federation of the law of the Russian Federation on amendment to the Constitution of the Russian Federation shall prevent its signing by the President of the Russian Federation until adoption of the judgment of the Constitutional Court of the Russian Federation on this issue.

#### **Article 110.9. Time-limit for adoption of the judgment of the Constitutional Court of the Russian Federation**

The judgment shall be delivered by the Constitutional Court of the Russian Federation not later than twenty days after the registration of the request, and with regard to requests provided for by sections two and four of Article 110.6 of the present Federal Constitutional Law – not later than seven days after the registration of the request.

#### **Article 110.10. Limits of review**

As regards the request established by section one of Article 110.6 of the present Federal Constitutional Law the limits of review by the Constitutional Court of the Russian Federation of conformity with the Constitution of the Russian Federation of the law (draft law) shall be established by Article 86 of the present Federal Constitutional Law.

Draft law of the Russian Federation on amendment to the Constitution of the Russian Federation and amendment to such law (except for norms not changing the provisions of the Constitution of the Russian Federation and not defining the order of coming into force of norms changing the provisions of the Constitution of the Russian Federation) shall be verified for conformity to chapters 1, 2 and 9 of the Constitution of the Russian Federation.

Order of adoption by the State Duma, Council of Federation and consideration by the legislative (representation) bodies of state power of constituent entities of the Russian Federation of the law of the Russian Federation on amendment to the Constitution of the Russian Federation shall be verified for conformity to provisions of the Constitution of the Russian Federation regulating adoption of Federal Constitutional Laws, and provisions of Article 136 of the Constitution of the Russian Federation.

#### **Article 110.11. Final decision in the case**

Upon consideration of the case on verification of constitutionality of draft Federal Constitutional Law or law adopted under the order prescribed by sections 2 and 3 of Article 107 or section 2 of Article 108 of the Constitution of the Russian Federation, before its signing by the President of the Russian Federation, or the law of constituent entity of the Russian Federation before its promulgation by the highest official of a constituent entity of the Russian Federation (head of the highest executive body of state authority of a constituent entity of the Russian Federation) the Constitutional Court of the Russian Federation shall adopt one of the following judgments:

1) on recognising the law (draft law) as conforming with the Constitution of the Russian Federation;

2) on recognising the law (draft law) as not conforming with the Constitution of the Russian Federation.



A judgment on recognising the law (draft law) as not conforming with the Constitution of the Russian Federation shall be adopted if at least one of its provisions is not in conformity with the Constitution of the Russian Federation. Such judgment can contain recommendations as regards ensuring conformity of the law (draft law) with the Constitution of the Russian Federation.

Upon consideration of the case on verification of the draft law of the Russian Federation on amendment to the Constitution of the Russian Federation or amendment to such law, the Constitutional Court of the Russian Federation shall adopt one of the following judgments:

1) on conformity of the draft law of the Russian Federation on amendment to the Constitution of the Russian Federation or amendment to such law in part related to norms changing the provisions of the Constitution of the Russian Federation or defining the order of coming into force of these norms, with the provisions of chapters 1, 2 and 9 of the Constitution of the Russian Federation;

2) on non-conformity of the draft law of the Russian Federation on amendment to the Constitution of the Russian Federation or amendment to such law in part related to norms changing the provisions of the Constitution of the Russian Federation or defining the order of coming into force of these norms, with the provisions of chapters 1, 2 and 9 of the Constitution of the Russian Federation.

Upon consideration of the case on verification of conformity to the Constitution of the Russian Federation of the order of adoption by the State Duma, Council of Federation and consideration by the legislative (representation) bodies of state power of constituent entities of the Russian Federation of the law of the Russian Federation on amendment to the Constitution of the Russian Federation, the Constitutional Court of the Russian Federation shall adopt one of the following judgments:

1) on conformity with the order established by the Constitution of the Russian Federation of the order of adoption or consideration of the law of the Russian Federation on amendment to the Constitution of the Russian Federation;

2) on non-conformity with the order established by the Constitution of the Russian Federation of the order of adoption or consideration of the law of the Russian Federation on amendment to the Constitution of the Russian Federation.

#### **Article 110.12. Legal meaning of the judgment of the Constitutional Court of the Russian Federation**

In case the Constitutional Court of the Russian Federation adopts a judgment on recognising the law (draft law) as not conforming with the Constitution of the Russian Federation the legislative process with regard to such draft shall cease. The draft Federal Constitutional Law on the same matter of legal regulations may be resubmitted to the State Duma with exclusion of provisions that have lead to recognition of the draft Federal Constitutional Law or federal law as not conforming with the Constitution of the Russian Federation.

In case the Constitutional Court of the Russian Federation adopts a judgment on recognising as not conforming with the Constitution of the Russian Federation of the law adopted under the order prescribed by sections 2 and 3 of Article 107 or section 2 of Article 108 of the Constitution of the Russian Federation, the President of the Russian Federation returns this law to the State Duma for exclusion therefrom the provisions which have led to its recognition as not conforming with the Constitution of the Russian Federation.

In case the Constitutional Court of the Russian Federation adopts a judgment on recognising the law of constituent entity of the Russian Federation before its promulgation by the highest official of a constituent entity of the Russian Federation (head of the highest executive body of state authority of a constituent entity of the Russian Federation) as not conforming with the Constitution of the Russian Federation, this law cannot be promulgated, (if the law was not signed by the highest official of a constituent entity of the Russian Federation (head of the highest executive body of state authority of a constituent entity of the Russian Federation), it cannot be signed), and the highest official of a constituent entity of the Russian Federation (head of the highest executive body of state authority of a constituent entity of the Russian Federation) shall revoke his (her) signature under this law and returns it to the legislative (representation) body of the constituent entity of the Russian Federation for exclusion therefrom the provisions which have led to its recognition as not conforming with the Constitution of the Russian Federation.

In case the Constitutional Court of the Russian Federation adopts a judgment on non-conformity of the draft law of the Russian Federation on amendment to the Constitution of the Russian Federation with the provisions of chapters 1, 2 and 9 of the Constitution of the Russian Federation, this law shall be returned to the subject of the right of initiative to propose amendment to the Constitution of the Russian Federation, defined by Article 134 of the Constitution of the Russian Federation, and it may be resubmitted only upon exclusion therefrom of provisions which have led to its recognition as not conforming with the Constitution of the Russian Federation..

In case the Constitutional Court of the Russian Federation adopts a judgment on non-conformity of the amendment to the law of the Russian Federation on amendment to the Constitution of the Russian Federation in part related to norms changing the provisions of the Constitution of the Russian Federation or defining the order of such norms coming into force, with the provisions of chapters 1, 2 and 9 of the Constitution of the Russian Federation, this amendment shall not be included in the text of law of the Russian Federation on amendment to the Constitution of the Russian Federation.

In case the Constitutional Court of the Russian Federation adopts a judgment on non-conformity with the order established by the Constitution of the Russian Federation of the order of adoption or consideration of the law of the Russian Federation on amendment to the Constitution of the Russian Federation, the process of adoption or consideration of this law shall resume in such manner so as to eliminate this violation.

Adoption of a judgment of the Constitutional Court of the Russian Federation on conformity of a law (draft law), defined in section one of Article 110.6 of the present Federal Constitutional Law does not preclude, in accordance with the competence of the Constitutional

Court of the Russian Federation established by subparagraphs "a" and "б" of item 1, items 33 and 3.1 of section one of Article 3 of the present Federal Constitutional Law with due regard of the requirements of section two of Article 74 of the present Federal Constitutional Law, verification of constitutionality of provisions of this law after its coming into force and forming of law-enforcement practice in its regard.

## **TITLE FOUR FINAL PROVISIONS**

### **Article 111. Staff of the Constitutional Court of the Russian Federation**

*As amended and supplemented by Federal Constitutional Laws of 2 June 2009 no. 2-FKZ, of 9 November 2020 no. 5-ΦK3*

Performing of functions of the Constitutional Court of the Russian Federation shall be ensured by the staff comprised of the Secretariat of the Constitutional Court of the Russian Federation and other subdivisions.

The Secretariat of the Constitutional Court of the Russian Federation shall provide organisational, research and analytical, informational and referential, and other support of the functioning of the Constitutional Court of the Russian Federation, receive visitors; shall in a preliminary manner consider the petitions to the Constitutional Court of the Russian Federation and in the events when the petitions do not pertain to the questions that require the examination by the Judges of the Constitutional Court; shall assist the Judges in preparation of cases and of other questions for the consideration at sessions and conferences; shall study and summarise the activity of state bodies on ensuring execution of the decisions of the Constitutional Court of the Russian Federation. Other subdivisions of the staff shall provide financial, personnel, material and technical support, and welfare services for the Constitutional Court of the Russian Federation.

The Constitutional Court of the Russian Federation shall determine the necessary quantity of the staff members, establish the structure of the staff; approve the Regulations on the Secretariat of the Constitutional Court of the Russian Federation.

The rights, duties, responsibility of the members of the staff of the Constitutional Court of the Russian Federation, as well as the terms of their service shall be defined by the laws and other normative acts on the federal state service, by the normative acts on the legal status of the court staff members, as well as by labor legislation of the Russian Federation.

The quantity of the members of the staff of the Constitutional Court of the Russian Federation shall be established on the basis of submission of the Constitutional Court of the Russian Federation by the Federal Law on the federal budget for a consecutive financial year and prospected period.

### **Article 112. Repealed** – *Federal Constitutional Law of 9 November 2020 no. 5-ΦK3*

*The present Federal Constitutional Law was supplemented by Article 112.1 under the Federal Constitutional Law of 9 November 2020 no. 5-ΦK3*

### **Article 112.1. Official website of the Constitutional Court of the Russian Federation on the information-telecommunication network “the Internet”**

The Constitutional Court of the Russian Federation shall create an official website on the information-telecommunication network “the Internet”, where information shall be published in accordance with the federal law regulating ensuring access to information on the work of courts in the Russian Federation, as well as other information on the matters of constitutional justice.

### **Article 113. Seal of the Constitutional Court of the Russian Federation**

The Constitutional Court of the Russian Federation shall have the seal with the impression of the State Emblem of the Russian Federation and its designation.

### **Article 114. Symbols of Judicial Power of the Constitutional Court of the Russian Federation**

*As amended and supplemented by Federal Constitutional Laws of 2 June 2009 no. 2-FKZ, of 9 November 2020 no. 5-ΦK3*

The State Flag of the Russian Federation shall be raised over the premises of the Constitutional Court of the Russian Federation, as well as over the premises where the session of the Constitutional Court of the Russian Federation is held in accordance with section two of Article 115 of the present Federal Constitutional Law on the day of session.

The depiction of the State Emblem of the Russian Federation and the State Flag of the Russian Federation shall be displayed in the courtroom of the Constitutional Court of the Russian Federation.

The State Flag of the Russian Federation shall be placed in the office of the Judge of the Constitutional Court of the Russian Federation.

The Judges of the Constitutional Court of the Russian Federation shall sit in judicial robes.

### **Article 115. Seat of the Constitutional Court of the Russian Federation**

*As amended by Federal Constitutional Laws of 2 June 2009 no. 2-FKZ, of 9 November 2020 no. 5-ΦK3*

The permanent seat of the Constitutional Court of the Russian Federation shall be in the City of Saint-Petersburg.

Sessions of the Constitutional Court of the Russian Federation shall be held at its permanent seat. The Constitutional Court of the Russian Federation may hold sessions in the City of Moscow or elsewhere if it deems it necessary. Bodies of state power, municipal bodies shall be obliged to afford free of charge premises and equipment necessary for the holding of session of the Constitutional Court of the Russian Federation and for supporting its holding in the relevant place.

To ensure access of citizens and their associations to constitutional justice, permanent liaison of the Constitutional Court of the Russian Federation with other bodies of state power of the Russian Federation, constituent entities of the Russian Federation in the City of Moscow, assistance in exercising of its powers by the Constitutional Court of the Russian Federation the Representation of the Constitutional Court of the Russian Federation in the City of Moscow shall be set up.

## **TITLE FIVE TRANSITIONAL PROVISIONS**

*As amended by Federal Constitutional Laws of 8 February 2001 no. 1-ΦK3, of 5 April 2005 no. 2-ΦK3*

1. Petitions transmitted to the Constitutional Court of the Russian Federation prior to the entry into force of the Constitution of the Russian Federation shall be considered and decided upon by the Constitutional Court of the Russian Federation acting within its powers, established by Article 125 of the Constitution of the Russian Federation.

2. The full membership of the Constitutional Court of the Russian Federation shall be formed in no event later than thirty days after the entry into force of the present Federal Constitutional Law.

3. With the full membership of the Constitutional Court of the Russian Federation formed, it shall elect the President, Vice-President, Judge-Secretary, form the membership of the chambers of the Constitutional Court of the Russian Federation.

4. Provisions of Section One of Article 12 of the present Federal Constitutional Law shall apply to all office-holding Judges of the Constitutional Court of the Russian Federation.

5. The material guarantees of the independence of the Constitutional Court of the Russian Federation, of its Judges prescribed before the entry into force of the present Federal Constitutional Law shall remain effective.

## **TITLE SIX ENTRY INTO FORCE OF THE PRESENT FEDERAL CONSTITUTIONAL LAW**

1. The present Federal Constitutional Law shall enter into force on the day of its promulgation.

2. On the day of the entry into force of the present Federal Constitutional Law the Law of the RSFSR of July 12, 1991 "On the Constitutional Court of the RSFSR" (Vedomosty S'yezda Narodnykh Deputatov RSFSR i Verkhovnogo Sovieta RSFSR /The Gazette of the Congress of the People's Deputies of the RSFSR and the Supreme Soviet of the RSFSR, 1991, No. 30, p. 1017) shall be terminated.

President of the Russian Federation B. Yeltsin

Moscow, the Kremlin

21 July 1994

no. 1-ΦK3