

IN THE NAME OF THE RUSSIAN FEDERATION

CONSTITUTIONAL COURT
OF THE RUSSIAN FEDERATION

Judgment

of 23 November 1999 No. 16-II

in the case concerning the review of the constitutionality of Subsections 3 (3) and (4), Article 27 of the Federal Law of 26 September 1997 “On Freedom of Conscience and on Religious Associations”, in connection with complaints of the Religious Society of Jehovah’s Witnesses in Yaroslavl and the Religious Association “Christian Church of Glorification”.

Moscow, 23 November 1999

The Constitutional Court of the Russian Federation composed of Presiding Judge V. O. Luchin, and Judges M. V. Baglay, N. T. Vedernikov, Yu. M. Danilov, L. M. Zharkova, G. A. Zhilin, V. D. Zorkin, V. G. Strekozov, O. S. Khokhryakova,

in the attendance of V. A. Gladyshev and V. A. Leontyev, representatives of the Religious Society of Jehovah’s Witnesses in Yaroslavl, G. A. Krylova and A. V. Pchelintsev, representatives of the Religious Association “Christian Church of Glorification”, Permanent Representative of the State Duma to the Constitutional Court of the Russian Federation V. V. Lazarev, and Representatives of the Council of the Federation N. F. Vorobyev, V. G. Ulyanishchev and M. G. Shartse,

pursuant to Section 4, Article 125 of the Constitution of Russian Federation, Subsection 3, Section 1, Sections 3 and 4, Article 3, Subsection 3, Section 2, Article 22, Articles 36, 74, 86, 96, 97 and 99 of the Federal Constitutional Law “On the Constitutional Court of the Russian Federation”,

in an open hearing, examined the constitutionality of Subsections 3 (3) and (4), Article 27 of the Federal Law “On Freedom of Conscience and on Religious Associations” of 26 September 1997.

The reason for the consideration of the case is complaints of the Religious Society of Jehovah’s Witnesses in Yaroslavl and the Religious Association “Christian Church of Glorification” (Abakan, Khakasiya Republic) against violation of the citizens’ constitutional rights and freedoms by the mentioned provisions of the Federal Law “On Freedom of Conscience and on Religious Associations”. The ground for the consideration of the case is the discovered uncertainty of whether the provisions applied in the applicants’ cases are in conformity with the Constitution of the Russian Federation.

Insofar as both requests concern essentially the same subject matter and pursuant to Article 48 of the Federal Constitutional Law “On the Constitutional Court of the Russian Federation”, the Constitutional Court of the Russian Federation is permitted to consider these applications together.

Having heard the report of Judge-Rapporteur V. D. Zorkin, statements by the parties’ representatives, expert opinion of V. V. Borshchev and V. V. Ryakhovsky, interventions by A. E. Sebentsov for the Committee on Cooperation with Religious Organizations of the Government of the Russian Federation, A. I. Kudryavtsev for the Ministry of Justice of the Russian Federation, N. A. Poverinova for the Office of the Prosecutor General of the Russian Federation, and having considered written submissions and other materials, the Constitutional Court of the Russian Federation

e s t a b l i s h e d :

1. Pursuant to Subsection 3, Article 27 of the Federal Law “On Freedom of Conscience and on Religious Associations”, religious organizations that do not have a document confirming their existence within the corresponding territory for not less than 15 years shall have the right of a legal entity provided they are re-registered annually until the expiration of the mentioned 15-years’ term (paragraph three); within this period, these religious organizations shall not enjoy the rights specified under Subsection 4, Article 3, Subsections 3 and 4, Article 5, Subsection 5, Article 13, Subsection 3, Article 16, Subsections 1 and 2, Article 17, Subsection 2, Article 18 (regarding educational institutions and mass media), Article 19, Subsection 2, Article 20 (paragraph four). In particular, they are not entitled to lodge, with the President of the Russian Federation, a request to grant clergy a deferment from military service draft; to establish educational institutions; to have representations of a foreign religious organization and to invite foreign citizens for preaching and religious activities; to perform religious rites at medical institutions, orphanages, boarding houses for the elderly and disabled, at institutions enforcing criminal punishments in the form of imprisonment; to produce, acquire, export, import and distribute religious literature, printed, audio and video materials and other objects of religious purpose, and to establish mass media.

In their complaints submitted to the Constitutional Court of the Russian Federation, the Religious Association “Christian Church of Glorification” and the Religious Society of Jehovah’s Witnesses in Yaroslavl assert that the mentioned legal provisions, applied in their cases, restrict the citizens’ rights on the ground of belonging to a religious organization, which does not have a document confirming its existence within a corresponding territory for not less than 15 years, and thus they violate the provisions of the Constitution of the Russian Federation

on equality of religious organizations before the law (Section 2, Article 14), equality of everyone before the law (Section 1, Article 19), freedom of conscience (Article 28), guarantees of freedom of speech (Section 1, Article 29), right to association (Section 1, Article 30), right to education (Section 1, Article 43), prohibition to adopt laws denying or derogating rights and freedoms of man and citizen (Section 2, Article 55), recognition and guaranteeing the rights and freedoms of man and citizen according to generally recognized principles and norms of international law (Section 1, Article 17).

2. As follows from the materials of the present case, on 24 February 1998 the Prosecutor of Abakan (Khakasiya Republic) sent a request to rectify violation of the requirements of Subsection 3, Article 27 of the Federal Law "On Freedom of Conscience and on Religious Associations" to the Religious Association "Christian Church of Glorification". The request indicated that the said religious association, in the absence of a document confirming its existence within the corresponding territory for not less than 15 years, has repeatedly carried out religious meetings in the hall of the boarding house for the veterans of the Khakasiya Republic with participation of the persons residing in the boarding house, has distributed religious literature, has taught citizens in the Bible School of the association, has invited foreign citizens to participate in church services, has carried out religious meetings in a juvenile correctional facility, and has organized an international conference attended by foreign citizens.

On 20 November 1998, the Prosecutor of the Dzerzhinsky District of Yaroslavl sent a similar request to the Religious Society of Jehovah's Witnesses. This happened after the Prosecutor's Office of the Yaroslavl Region issued a warning obliging the Religious Society to observe the legislation on religious associations. The Prosecutor's Office considered it a violation of the legislation that the Society sold religious books and booklets having religious content to believers, distributed religious magazines which are published abroad, and invited a foreign citizen to preach in Yaroslavl and other towns of the Yaroslavl Region.

Therefore, the prosecutor's offices, as follows from the law-enforcement acts adopted by them, consider that since the Religious Association "Christian Church of Glorification" and the Religious Society of Jehovah's Witnesses in Yaroslavl do not have a document confirming their existence within the corresponding territory for not less than 15 years, pursuant to Subsection 3, Article 27 of the Federal Law "On Freedom of Conscience and on Religious Organizations", before the mentioned period passes they shall re-register annually and shall not carry out the mentioned activity within this period.

Moreover, in its complaint the Religious Society of Jehovah's Witnesses in Yaroslavl stated that by its decision of 18 May 1999 the Kirovsky District Court of Yaroslavl rejected the complaint of I. M. Shchurov, a member of the Society, against actions of the drafting board,

which refused to provide him with an opportunity to substitute military service with an alternative civil service. The court concluded that members of a religious organization which does not have a document confirming its existence within the corresponding territory for not less than 15 years, pursuant to Subsection 3, Article 27 of the Federal Law “On Freedom of Conscience and on Religious Organizations”, may not exercise the right enshrined by Subsection 4, Article 3 of the said Federal Law. Pursuant to this norm the citizen of the Russian Federation shall have the right for military service to be substituted with an alternative civil service if military service contradicts his convictions or beliefs. On 17 June 1999, the Judicial Section on Civil Cases of the Yaroslavl Regional Court upheld the decision of the first instance court and rejected the complaint of I. M. Shchurov. On 3 August 1999, the President of the Yaroslavl Regional Court refused to issue an objection against these judicial decisions.

3. The Religious Association “Christian Church of Glorification” was registered by the Ministry of Justice of the Khakasiya Republic in April 1992 and re-registered on 27 January 1997. At the moment of re-registration it was a legal entity and was affiliated with the Russian National Union of Evangelical Faith Christians (Pentecostals). Pursuant to the requirements of the Federal Law “On Freedom of Conscience and on Religious Associations” (Subsection 4, Article 27), the said Religious Association was re-registered on 19 March 1999. At the present time, the Religious Association, in the capacity of a local religious organization, “Church of Evangelical Faith Christians “Glorification”, affiliates with the centralized religious organization – the Evangelical Faith Christians’ Association “Church of Faith”, registered by the Ministry of Justice of the Russian Federation on 13 August 1998.

The Religious Society of Jehovah’s Witnesses in Yaroslavl, registered in February 1992, was founded by a Russian national religious association, the Administrative Centre of Jehovah’s Witnesses in Russia, and affiliates with it. As a local religious organization, the Religious Society was re-registered by the Department of Justice of the Yaroslavl Region on 1 June 1999. The Administrative Centre of Jehovah’s Witnesses in Russia as a centralized religious organization was re-registered by the Ministry of Justice of the Russian Federation on 29 April 1999.

Therefore, the provisions of Subsections 3 (3) and (4), Article 27 of the Federal Law “On Freedom of Conscience and on Religious Associations”, were applied to the applicants as to religious organizations which were founded (established) before the Federal Law “On Freedom of Conscience and on Religious Associations” entered into force and which were constituent parts of a centralized religious organizations.

Taking these circumstances into consideration and pursuant to the requirements of Section 4, Article 125 of the Constitution of the Russian Federation, and Subsection 3, Section 1,

Article 3 and Articles 96 and 97 of the Federal Constitutional Law “On the Constitutional Court of the Russian Federation”, the Constitutional Court of the Russian Federation reviews in the present case the challenged provisions only insofar as they are applicable to religious organizations which were founded before the Federal Law “On Freedom of Conscience and on Religious Associations” entered into force and (or) which are affiliated with a centralized religious organizations. The issue of constitutionality of the mentioned provisions in what concerns their application to other religious organizations shall not be reviewed by the Constitutional Court of the Russian Federation in connection with the present complaints.

4. Pursuant to Article 28 of the Constitution of the Russian Federation, everyone shall be guaranteed the freedom of conscience, the freedom of religion, including the right to profess, individually or together with others, any religion or to profess no religion at all, to freely choose, possess and disseminate religious and other convictions and act according to them. This constitutional provision corresponds with analogous norms of Article 18 § 1 of the International Covenant on Civil and Political Rights and Article 9 § 1 of the Convention for the Protection of Human Rights and Fundamental Freedoms.

Article 28 of the Constitution of the Russian Federation, taken in conjunction with Section 4, Article 13, Article 14, Sections 1 and 2, Article 19, and Section 1, Article 30, implies that freedom of religion includes the freedom to form religious associations and to carry out their activities on the basis of the principle of equality before the law. Pursuant to these provisions the federal legislator exercising powers following from Subsections (c) and (o), Article 71, Article 76 of the Constitution of the Russian Federation may regulate the civil law status of religious associations, including the conditions of recognition of a religious organization as a legal entity, and the procedure for its foundation, establishment and state registration, and determine the scope of religious associations’ rights.

With regard to the historically established multi-confessional order of Russia, the legislator must respect the provisions of Section 1, Article 17 of the Constitution of the Russian Federation, which guarantees the rights and freedoms of man and citizen in accordance with the generally recognized principles and norms of international law and the Constitution of the Russian Federation. The measures enacted by the legislator with respect to the foundation, establishment and registration of religious organizations must not distort the very essence of the freedom of religion, the right to freedom of association and freedom of activity of public associations; and any potential restrictions on these or other constitutional rights must be justified and proportionate to constitutionally significant aims.

In a pluralist democratic society, as follows from Section 3, Article 17, Section 3, Article 55 of the Constitution of the Russian Federation, and corresponding provisions of

Article 18 §§ 2 and 3 of the International Covenant on Civil and Political Rights, and from Article 9 § 2 of the Convention for the Protection of Human Rights and Fundamental Freedoms, such restrictions may be prescribed by law if this is necessary in the interests of public peace and the protection of public order, health and morals or for the protection of the rights and freedoms of others. The State has the power to impose certain barriers in order not to grant the status of a religious association automatically; not to allow legalization of sects that violate human rights and commit illegal and criminal acts; and in order to impede missionary activities (inter alia related to the issue of proselytism) if it is not compatible with respect for freedom of thought, conscience and religion of others, and other constitutional rights and freedoms, as in the case of recruiting new members of the church by promise of material or social benefits, unlawful influence on people in need or poverty, psychological pressure or threat of violence, etc. In particular, this is emphasized in the Resolution of the European Parliament “On Sects in Europe”, of 12 February 1996, and Recommendation No. 1178 (1992) of the Council of Europe, “On Sects and New Religious Movements”, and in the judgments of the European Court of Human Rights of 25 May 1993 (Series A No. 260-A) and of 26 September 1996 (Reports of Judgments and Decisions 1996-IV), which clarify the nature and scope of the State’s obligations under Article 9 of the Convention.

5. The uncertainty in understanding the provisions of Subsections 3 (3) and (4), Article 27 of the Federal Law “On Freedom of Conscience and on Religious Associations”, is related to the issue of whether the legal consequences provided for in these norms shall be applied to religious organizations which were founded before the Federal Law “On Freedom of Conscience and on Religious Associations” entered into force or which are affiliated with centralized religious organizations and at the same time do not have a document confirming their existence within the corresponding territory for not less than 15 years.

Pursuant to the literal meaning of the challenged provisions, the requirements imposed by them apply to all religious organizations which do not have a document confirming their existence within the corresponding territory for not less than 15 years (the law-enforcement decisions in the applicants’ cases were adopted in line with exactly this interpretation). Along with that, their constitutional meaning may not be established without taking into account the interconnection with other articles of the Federal Law “On Freedom of Conscience and on Religious Associations”, which, above all, regulate the foundation (establishment) of religious organizations, conditions and procedure of their state registration.

Pursuant to the Federal Law “On Freedom of Conscience and on Religious Associations”, the religious group and religious organization are types of religious associations (Subsection 2, Article 6); religious organizations (both local and centralized), unlike religious groups, have the

status of a legal entity and legal capacity, rights and obligations corresponding to this status (Articles 7 and 8). At the same time, the founders of a religious organization shall include no less than ten citizens of the Russian Federation associated as a religious group which has a document confirming its existence within the corresponding territory for not less than 15 years issued by the local self-government authorities, or a document confirming its membership in the centralized religious organization of the same belief, issued by the mentioned organization (Subsection 1, Article 9). For the purposes of state registration of a local religious organization, the founders shall submit, to the relevant justice authority, a document confirming its existence within the corresponding territory for not less than 15 years, issued by local self-government authorities, or a document confirming its membership in the centralized religious organization of the same belief, issued by its governing centre (Section 5, Article 11).

The provisions of Subsection 1, Article 9, Subsection 5, Article 11, Subsections 3 (3) and (4), Article 27 of the Federal Law “On Freedom of Conscience and on Religious Associations”, are inseparable and constitute a complex legal norm by themselves. This norm defines which religious organizations in case of their foundation, registration and, as a consequence, re-registration shall not be required to confirm their existence within the corresponding territory for not less than 15 years. This norm also defines which legal consequences shall apply in the absence of such confirmation when it is required.

It follows from Subsection 1, Article 9, Subsections 5 and 7, Article 11 of the Federal Law “On Freedom of Conscience and on Religious Associations”, taken in conjunction with its Articles 6, 7 and 8, that confirmation of the existence within the corresponding territory for not less than 15 years is not required for the foundation and state registration of a local religious organization, which affiliates with the centralized religious organization.

Pursuant to the Federal Law “On Freedom of Conscience and on Religious Associations”, for the purposes of foundation of a local religious organization a document confirming its existence within the corresponding territory for not less than 15 years shall be submitted by citizens associated in a religious group (Subsection 1, Article 9). This means that if a religious organization was founded before the said Federal Law entered into force, then such confirmation is not required since the religious group ceased existence and was reorganized into a religious organization which was registered as a legal entity and, pursuant to Subsections 1 and 3, Article 49, Subsection 2, Article 51 of the Civil Code of the Russian Federation, recognized as founded. Starting from this moment it acquires legal capacity, i.e. an opportunity to have civil rights which conform to the aims of legal activity and to have obligations related to this activity. That is why it exercises in full the rights provided for religious Organizations by the Federal Law “On Freedom of Conscience and on Religious Associations”.

Religious organizations may not be re-registered contrary to the conditions which, pursuant to Subsection 1, Article 9, Subsection 5, Article 11 of the Federal Law “On Freedom of Conscience and on Religious Associations”, are necessary and sufficient for the foundation and state registration of religious organizations. This implies that re-registration of religious organizations founded before the Federal Law entered into force and local religious organizations affiliated with a centralized religious organization does not require submission of a document confirming their existence within the corresponding territory for not less than 15 years. The requirement on annual re-registration before the expiry of this term does not apply to such religious organizations. The latter shall not be restricted in legal capacity, which is vested in religious organizations by the Federal Law, including the provisions of Subsection 3 (4), Article 27, Subsection 4, Article 3, Subsections 3 and 4, Article 5, Subsection 5, Article 13, Subsection 3, Article 16, Subsections 1 and 2, Article 17, Subsection 2, Article 18 (regarding educational institutions and mass media), Article 19, Subsection 2, Article 20 of the said Federal Law.

Any other interpretation of the challenged provisions, taking into account that they are within inseparable normative unity with Subsection 1, Article 9, Subsection 5, Article 11 of the Federal Law “On Freedom of Conscience and on Religious Associations”, would mean their transformation into a self-sufficient norm, which would be contradictory and opposed to the content of Subsection 1, Article 9 and Subsection 5, Article 11. The respective situation is impermissible from a legal logic standpoint.

6. The subject of regulation of Subsections 3 (3) and (4), Article 27 of the Federal Law “On Freedom of Conscience and on Religious Associations”, as follows from the provisions of these norms taken in conjunction with Article 1 and Articles 15–24 of the said Federal Law, is the legal status of religious organizations, their rights which specify the freedom of religion. By their nature, these are collective rights since they are exercised by a citizen together with other citizens through the foundation of a religious association. Accordingly, the challenged provisions do not apply to the rights which, although provided by the articles indicated in Subsection 3 (4), Article 27 of the Federal Law “On Freedom of Conscience and on Religious Associations”, specify the freedom of conscience within its individual aspect, i.e. which may be exercised directly by everyone and not through a religious association which has the rights of a legal entity.

Thus, among the rights provided for by Subsection 4, Article 3 of the Federal Law “On Freedom of Conscience and on Religious Associations”, the collective rights of religious organizations include an opportunity to grant clergy deferment from being drafted into military service and exemption from periodic military training in the time of peace by the decision of the President of the Russian Federation.

Another provision of Subsection 4, Article 3 of the Federal Law “On Freedom of Conscience and on Religious Associations” applied in the case of I. M. Shchurov, a member of the Religious Society of Jehovah’s Witnesses, is the *de facto* repetition of Section 3, Article 59 of the Constitution of the Russian Federation, which provides that if military service contradicts the convictions or beliefs of a citizen of the Russian Federation he shall have the right to have it substituted with alternative civil service. A federal law mentioned in this constitutional norm may define the conditions and procedure to substitute military service with alternative civil service. However, the right itself does not require specification and pursuant to Articles 18, 28 and 59 of the Constitution of the Russian Federation, shall be directly applicable. This right is an individual right, that is related to the freedom of conscience within its individual, not collective aspect, and, consequently, it shall be ensured regardless of whether a citizen is a member of any religious organization or not.

7. Pursuant to Section 2, Article 74 of the Federal Constitutional Law “On the Constitutional Court of the Russian Federation”, the Constitutional Court of the Russian Federation considers not only the literal meaning of the normative act under review, but also the meaning these norms acquire from their place within the hierarchy of legal acts and in the law-enforcement practice.

According to the Ministry of Justice of the Russian Federation, an overwhelming majority of religious associations in the Russian Federation are united within the framework of different centralized structures; moreover, as a rule, local religious organizations before re-registration affiliate with centralized religious organizations and submit the relevant confirmation to the justice authorities.

Along with that, as it follows from the materials of the present case, and considering that the provisions of Subsections 3 (3) and (4), Article 27, are in normative unity with Subsection 1, Article 9, Subsection 5, Article 11 of the Federal Law “On Freedom of Conscience and on Religious Associations”, the Ministry of Justice of the Russian Federation, exercising the powers vested in it, ordered the relevant justice authorities, which under the law are responsible for state registration of religious organizations, to apply the mentioned provisions in the following manner. Local religious organizations which have a document confirming their existence within the corresponding territory for not less than 15 years or which are affiliated with a centralized religious organization shall not be obliged to re-register annually and shall exercise in full all the rights provided for them as religious organizations by the Federal Law. This has been the order of re-registration of the applicants in the present case – the Religious Association “Christian Church of Glorification” and the Religious Society of Jehovah’s Witnesses in Yaroslavl.

8. Before the Federal Law “On Freedom of Conscience and on Religious Associations” entered into force, foundation, establishment and state registration of religious organizations was carried out in accordance with the Law of the RSFSR “On Freedom of Conscience” of 25 October 1990. As legal entities, religious associations exercised equal rights, had equal legal status and that conformed to the provisions of Section 4, Article 13, Article 14, Sections 1 and 2, Article 19, Article 28, Section 1, Article 30 of the Constitution of the Russian Federation, which enshrine legal equality, including equality of religious associations before the law.

Pursuant to Articles 10, 17, 18, 22–25 of the Law of the RSFSR “On Freedom of Conscience” (as amended by the Federal Law of 27 January 1995), all religious associations, both regional and centralized, had, on an equal basis, as legal entities, the rights that were subsequently incorporated in the Federal Law “On Freedom of Conscience and on Religious Associations”, including its Articles mentioned in Subsection 3 (4), Article 27. Under such circumstances the legislator could not deprive a certain segment of religious organizations which have been founded and have full legal capacity of the rights belonging to them solely because they do not have a document confirming that they have existed for 15 years. In relation to religious organizations created earlier, that would be incompatible with the principle of equality enshrined in Section 4, Article 13, Section 2, Article 14, Sections 1 and 2, Article 19 of the Constitution of the Russian Federation, and would be an impermissible restriction on the freedom of religion (Article 28) and the freedom of foundation and activities of public associations (Article 30).

9. Therefore, the provisions of Subsections 3 (3) and (4), Article 27, within their normative unity with the provisions of Subsection 1, Article 9, Subsection 5, Article 11 of the Federal Law “On Freedom of Conscience and on Religious Associations”, do not imply that religious organizations which were founded before this Federal Law entered into force or which are affiliated with a centralized religious organization must submit a document confirming their existence within the corresponding territory for not less than 15 years, do not require them to re-register annually and do not preclude them from exercising the relevant rights during this period. Accordingly, these provisions applied in respect of such organizations are in conformity with the Constitution of the Russian Federation.

At the same time review of lawfulness and reasonableness of the relevant law-enforcement decisions is beyond the competence of the Constitutional Court of the Russian Federation, which within the meaning of Articles 118, 125, 126 and 127, Constitution of the Russian Federation, shall not substitute the law-enforcement authority, including courts of general jurisdiction. In exercising its powers, the law-enforcement authority may not attribute to the provisions of Subsections 3 (3) and (4), Article 27 of the Federal Law “On Freedom of

Conscience and on Religious Associations”, any other interpretation, which diverge from their constitutional meaning established by the Constitutional Court of the Russian Federation in the present Judgment.

Concluding from the above and pursuant to Sections 1 and 2, Article 71, Articles 72, 75 and 100 of the Federal Constitutional Law “On the Constitutional Court of the Russian Federation”, the Constitutional Court of the Russian Federation

h e l d :

1. To recognize the provisions of Subsections 3 (3) and (4), Article 27 of the Federal Law “On Freedom of Conscience and on Religious Associations” of 26 September 1997 as conforming to the Constitution of the Russian Federation to the extent that they, within their normative unity with the provisions of Subsection 1, Article 9, Subsection 5, Article 11 of this Federal Law, as applied to religious organizations which were founded before this Federal Law entered into force and local religious organizations affiliated with a centralized religious organization, mean that such organizations shall exercise the rights of a legal entity in full without confirming their existence within the corresponding territory for not less than 15 years, without annual re-registration and without restrictions provided for by Subsection 3 (4), Article 27 of the said Federal Law.

Pursuant to the requirements, Articles 96 and 97 of the Federal Constitutional Law “On the Constitutional Court of the Russian Federation”, the constitutionality of the provisions of Subsections 3 (3) and (4), Article 27 of the Federal Law “On Freedom of Conscience and on Religious Associations” of 26 September 1997, within their normative unity with the provisions of Subsection 1, Article 9, Subsection 5, Article 11 of this Federal Law, concerning their application to other religious organizations have not been reviewed in the present case.

2. The constitutional meaning of the provisions of Subsections 3 (3) and (4), Article 27, within their normative unity with the provisions of Subsection 1, Article 9, Subsection 5, Article 11 of the Federal Law “On Freedom of Conscience and on Religious Associations” of 26 September 1997, established by the Constitutional Court of the Russian Federation in the present Judgment shall be generally binding and preclude any other interpretation in the law-enforcement practice.

3. Pursuant to Sections 1 and 2, Article 79 of the Federal Constitutional Law “On the Constitutional Court of the Russian Federation”, this Judgment shall be final and shall not be subject to appeal, it shall come into force immediately upon its pronouncement, shall be directly applicable, and shall not require confirmation by other authorities or state officials.

4. Pursuant to Article 78 of the Federal Constitutional Law “On the Constitutional Court of the Russian Federation”, this Judgment shall be published immediately in the Collection of Laws of the Russian Federation and Rossiyskaya Gazeta. The Judgment shall also be published in the Bulletin of the Constitutional Court of the Russian Federation.

Constitutional Court
of the Russian Federation

No. 16-II