

IN THE NAME OF THE RUSSIAN FEDERATION
CONSTITUTIONAL COURT
OF THE RUSSIAN FEDERATION

Judgment
of 3 March 2004 No. 5-II

in the case concerning the review of the constitutionality of the provision of Section 3, Article 5 of the Federal Law “On National and Cultural Autonomy”, in connection with complaints of A. K. Ditz and O. A. Schumacher.

Moscow, 3 March 2004

The Constitutional Court of the Russian Federation composed of President V. D. Zorkin and Judges M. V. Baglay, N. S. Bondar, G. A. Gadzhiev, Yu. M. Danilov, L. M. Zharkova, G. A. Zhilin, S. M. Kazantsev, M. I. Kleandrov, A. L. Kononov, L. O. Krasavchikova, N. V. Seleznev, A. Ya. Sliva, V. G. Strekozov, O. S. Khokhryakova, B. S. Ebzeev, V. G. Yaroslavtsev,

in the attendance of Representative of the State Duma Yu. D. Dubrovin, PhD in Law; Representative of the Council of the Federation Ye. V. Vinogradova, PhD in Law; Plenipotentiary Representative of the President of the Russian Federation at the Constitutional Court of the Russian Federation M. A. Mityukov,

pursuant to Section 4, Article 125 of the Constitution of the Russian Federation, Subsection 3, Section 1, Sections 3 and 4, Article 3; Section 1, Article 21; 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 the provision of Section 3, Article 5 of the Federal Law “On National and Cultural Autonomy”.

The reason for the consideration of the case is complaints of A. K. Ditz and O. A. Schumacher challenging the constitutionality of Section 3, Article 5 of the Federal Law “On National and Cultural Autonomy”. The ground for the consideration of the case is the discovered uncertainty of whether the provision challenged by the applicants is in conformity with the Constitution of the Russian Federation.

Having heard the report of Judge-Rapporteur B. S. Ebzeev, statements by the representatives of the parties, who adopted and signed the Federal Law “On National and

Cultural Autonomy”, 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. On 15 December 1997, two local national and cultural autonomies of Russian Germans (Barnaul City Wiedergeburt-Renaissance and Novoaltaysk City Wiedergeburt-Renaissance) submitted documents to the Altai Territory Department of Justice for state registration as a public association of the Altai Territory National and Cultural Autonomy of Russian Germans “Wiedergeburt-Renaissance”. On the same day four other local national and cultural autonomies of Russian Germans (of the city of Barnaul, Kalman District, Kosikhino District and Shipunovo District) submitted documents for state registration of an Altai Territory national and cultural autonomy of Russian Germans. Having registered, on 16 December 1997, the Altai Territory National and Cultural Autonomy of Russian Germans, the Altai Territory Department of Justice denied state registration to the Altai Territory National and Cultural Autonomy of Russian Germans “Wiedergeburt-Renaissance” by its decision of 15 January 1998, with the reasoning that it is the national and cultural autonomy of Russian Germans which has a higher number of organizations located in Altai Territory districts and towns that should qualify as a regional autonomy.

By its decision of 13 April 1998, the Central District Court of Barnaul dismissed the claims of the Altai Territory National and Cultural Autonomy of Russian Germans “Wiedergeburt – Renaissance” to recognize the mentioned decision as unlawful, reasoning that only one regional national and cultural autonomy of citizens of the German nationality may be set up in a subject of the Russian Federation. Having disagreed with this opinion, the Judicial Section on Civil Cases of the Altai Territory Court indicated in its decision of 17 March 1999 that Section 3, Article 5 of the Federal Law “On National and Cultural Autonomy” does not prohibit to establish several regional national and cultural autonomies in a subject of the Russian Federation and that the court of first instance should order the Altai Territory Department of Justice to register the Altai Territory National and Cultural Autonomy of Russian Germans “Wiedergeburt-Renaissance”. However, this decision was annulled and the ruling of the Central District Court of Barnaul was upheld by the decision of the Presidium of the Altai Territory Court of 15 June 1999.

In its decision of 10 September 1999, the Judicial Section on Civil Cases of the Supreme Court of the Russian Federation also reached the conclusion that pursuant to Section 3, Article 5 of the Federal Law “On National and Cultural Autonomy” only one regional national and cultural autonomy of citizens of a certain nationality may be established in a subject of the

Russian Federation, and it shall receive state registration as prescribed by the legislation of the Russian Federation.

The complaints of O. K. Ditz and O. A. Schumacher, members of the Barnaul City National and Cultural Autonomy of Russian Germans “Wiedergeburt-Renaissance”, submitted a complaint to the Constitutional Court of the Russian Federation, challenging the constitutionality of the provision of Section 3, Article 5 of the Federal Law “On National and Cultural Autonomy” of 17 June 1996, pursuant to which local national and cultural autonomies may create a regional national and cultural autonomy. The applicants claim that, as the law-enforcement practice shows, this provision permits the establishment of only one regional national and cultural autonomy of citizens of a certain nationality which may be registered as prescribed by the legislation of the Russian Federation. Thereby, according to the applicants, contrary to Articles 13 (Section 4) and 30 of the Constitution of the Russian Federation the principle of equality of public associations before the law is violated and the freedom of establishing a public association on a completely voluntary basis and freedom of their activity is restricted.

Section 3, Article 5 of the Federal Law “On National and Cultural Autonomy”, was amended by Federal Law “On Amendments to the Federal Law ‘On National and Cultural Autonomy’” of 10 November 2003 to read as follows: “Local national and cultural autonomies of citizens of the Russian Federation identifying themselves with a certain ethnic community may create a regional national and cultural autonomy of citizens of the Russian Federation identifying themselves with a certain ethnic community”.

Consequently, the subject matter of consideration in this case is the provision of Section 3, Article 5 of the Federal Law “On National and Cultural Autonomy” (as amended by the Federal Law “On Amendments to the Federal Law ‘On National and Cultural Autonomy’” of 10 November 2003), which, within the normative unity with the provisions of Sections 3 and 7, Article 6 of the Law, establish that local national and cultural autonomies of citizens of the Russian Federation identifying themselves with a certain ethnic community may create a regional national and cultural autonomy of citizens of the Russian Federation identifying themselves with a certain ethnic community and shall receive state registration as prescribed by the legislation of the Russian Federation.

2. Determining the federal order of the Russian Federation and proclaiming equality and self-determination of peoples in the Russian Federation as the essential fundamentals of this order, the Constitution of the Russian Federation imposes on the state (considering the division of competences between the Russian Federation and its subjects) an obligation to regulate and protect the rights of national minorities, including numerically small indigenous peoples, and predetermines the character of such regulation in establishing the legal mechanisms for ensuring

national minorities' rights. It guarantees equality of all before the law and the court regardless of the nationality and language, and prohibits all forms of restriction of citizens' rights on the grounds of national and linguistic identity; guarantees to all peoples of the Russian Federation the right to preserve their native languages, create conditions for their study and development; and guarantees everyone's right to determine and indicate his nationality, to use his native language, to freely choose his language of communication, upbringing, education and artistic expression. In this respect, propaganda or incitement of national or religious hatred and enmity as well as propaganda of racial, national and linguistic superiority are not permitted (Section 3, Article 5; Sections 1 and 2, Article 19; Sections 1 and 2, Article 26; Section 2, Article 29; Section 3, Article 68; Article 69; Subsection "c", Article 71; Subsection "b", Section 1, Article 72).

The mentioned constitutional provisions concretized in the Federal Law "On National and Cultural Autonomy" and other acts qualifying the national and cultural autonomy as one of the institutes of self-determination of peoples in the Russian Federation and one of the forms of association of citizens established by the federal legislator correspond to the international commitments of the Russian Federation. The latter include: encouraging the exercise of the right to self-determination and respect of this right (Article 1 of the International Covenant on Economic, Social and Cultural Rights; Article I of the International Covenant of Civil and Political Rights); ensuring ethnic, religious and linguistic minorities the right to enjoy their culture, profess their religion and practice religious ceremonies, and use their native language, in community with other members of the same group (Article 27 of the International Covenant on Civil and Political Rights); prohibiting discrimination of citizens, *inter alia* on the ground of their belonging to national minorities (Article 14 of the Convention for the Protection of Human Rights and Fundamental Freedoms); undertaking to guarantee any persons belonging to national minorities the right of equality before the law and of equal protection of the law; and ensuring respect of the rights of every person belonging to a national minority to freedom of peaceful assembly and freedom of association (Section 1, Article 4 and Article 7 of the Framework Convention for the Protection of National Minorities).

Accordingly, the state's obligations regarding regulation and protection of national minorities' rights stem from the Constitution of the Russian Federation and generally recognized principles and norms of international law and international treaties of the Russian Federation, which pursuant to Article 15 (Section 4) of the Constitution of the Russian Federation form an integral part of the legal system of the Russian Federation. Also they predetermine the character of this regulation, including limits on the legislator's discretion. In the context of the normative regulation in force, realization of the right to national and cultural autonomy of an ethnic

community with the status of a national minority in a given territory is related to the realization of the right of persons belonging to such communities to create and register, as prescribed by the legislation of the Russian Federation, public associations whose freedom of activity should be guaranteed.

3. Pursuant to the Constitution of the Russian Federation, its Articles 13 (Sections 4 and 5), 19 (Sections 1 and 2) and 30 taken in their systemic unity, freedom of creation and activity of public associations on the basis of their equality before the law, and everyone's right to association irrespective of his nationality, language and other circumstances are guaranteed in the Russian Federation; creating and pursuing activities of public associations whose goals and actions are, in particular, aimed at inciting national or religious discord are prohibited. Article 11 of the Convention for the Protection of Human Rights and Fundamental Freedoms also establishes that everyone shall have the right to freedom of association with others, and no restrictions shall be placed on the exercise of this right other than those prescribed by law and necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder and crime, for the protection of health or morals or for the protection of the rights and freedoms of others. Article 7 of the Framework Convention for the Protection of National Minorities oblige member states to ensure respect for the right of every person belonging to a national minority to freedom of association.

Relying on the Constitution of the Russian Federation and with due regard to the international legal commitments of the Russian Federation, the legislator may regulate conditions, a procedure for the creation and activity of public associations, and a procedure for their state registration, as well as specify the scope and content of the public association's rights. According to the Judgment of the Constitutional Court of the Russian Federation of 23 November 1999 in the proceedings on the constitutional review of the provisions of Section 3, Article 27 of the Federal Law "On Freedom of Conscience and on Religious Associations", the legislator shall be bound to observe the provision of Article 17 (Section 1) of the Constitution of the Russian Federation proclaiming that the rights and freedoms of man and citizen shall be guaranteed in the Russian Federation pursuant to the generally recognised principles and norms of international law and in conformity with the Constitution of the Russian Federation, and the regulation provided by the legislator shall not distort the essence of the right to association and freedom of activity of public associations. Possible restrictions affecting these or other constitutional rights should be reasonable and proportionate to the constitutionally significant aims.

4. In furtherance of the mentioned constitutional provisions and requirements arising out of international commitments of the Russian Federation, the Federal Law "On Public

Associations” of 19 May 1995 (with subsequent amendments and additions) stipulates that the right to association shall include the right to create public associations on a voluntary basis for the protection of common interests and realization of common goals, the right to join the existing public associations or to refrain from joining them, and the right to leave public associations without any hindrance. Consequently, public associations created by people at their will and without prior permission of bodies of state power and local self-government, i.e. without prior approval through bureaucratic procedures may be registered and acquire the rights of a legal entity or function without state registration and acquisition of the rights of a legal entity (Article 3).

By establishing a declarative (without prior approval) procedure for the creation of public associations as the general rule, the Federal Law “On Public Associations” stipulates that from the date of the decision on the creation, approval of the charter and formation of the governing and control and audit bodies at a congress (conference) or a general meeting, a public association performs its statutory activity, acquires rights, except for the rights of a legal entity, and assumes relevant duties, i.e. is considered to be established (Article 18).

Pursuant to the Federal Law “On National and Cultural Autonomy” specifying a legal framework for the national and cultural autonomy in the Russian Federation and creating necessary conditions for interaction between the state and society in order to protect the national interests of citizens of the Russian Federation in their choice of ways and forms of their national and cultural development and education, state registration, reorganization and (or) liquidation of the national and cultural autonomy shall be exercised as prescribed by this Federal Law, the Federal Law “On Public Associations” and other federal laws (Section 1, Article 6).

By enshrining peculiarities of citizens association in a national and cultural autonomy and qualifying it as a type of public associations operating in the organizational form of a public association and by establishing an organizational basis for the creation and activity of a national and cultural autonomy, the Federal Law “On National and Cultural Autonomy” links to state registration not only the acquisition of rights of a legal entity by such associations, but also the imposition, on bodies of state power and local self-government, of an obligations to provide then support in implementing tasks and goals of the national and cultural autonomy stipulated by the said Federal Law.

Pursuant to Section 2, Article 5 of the Federal Law “On National and Cultural Autonomy”, the national and cultural autonomy may be local, regional and federal. Section 3 of the same Article ensuring the right of the local national and cultural autonomies of citizens of the Russian Federation identifying themselves with a certain ethnic community to create a regional national and cultural autonomy of citizens of the Russian Federation identifying themselves with

a certain ethnic community does not include an express statement that no more than one regional national and cultural autonomy of citizens of the Russian Federation identifying themselves with a certain ethnic community may be created within a subject of the Russian Federation. Its state registration by a respective justice authority operating under the legislation of the Russian Federation has constitutive significance for establishing its legal standing. Neither does Section 3 of Article 5 include any express prohibition for the creation and state registration of more than one regional national and cultural autonomy within a subject of the Russian Federation.

Thereby, the need to ascertain the genuine will of the legislator and the constitutional meaning of the provision of Section 3, Article 5 of the Federal Law “On National and Cultural Autonomy”, is predetermined. On the one hand, it shall be duly considered that a national and cultural autonomy as a subject of constitutional legal relations and one of the forms of citizens’ association has a special status determined by the possibility of a respective ethnic community to independently resolve problems related to preserving its identity, developing language, education and national culture, established by the said Federal Law. On the other hand, such ascertainment may and must take place with due regard to the normative unity of the provision under consideration with Sections 3 and 7, Article 6 of the said Federal Law, pursuant to which delegates of local national and cultural autonomies of Russian Federation citizens identifying themselves with a certain ethnic community may create a regional national and cultural autonomy within a subject of the Russian Federation at a conference (congress). State registration of local, regional and federal national and cultural autonomies shall be conformity with the legislation of the Russian Federation.

5. Article 1 of the Federal Law “On National and Cultural Autonomy”, defines a national and cultural autonomy as a form of national and cultural self-determination which is an association of citizens of the Russian Federation (identifying themselves with a certain ethnic community with the status of a national minority in a given territory) on the basis of their voluntary self-organization for the purpose of seeking independent resolution of issues of preserving their identity, developing the language, education and national culture. By providing this definition the federal legislator proceeded from the premise that the primary mission of a national and cultural autonomy is not national-territorial, but rather national and cultural self-determination, i.e. ensuring sustainability and independence of an ethnicity having the status of a national minority in a given territory, specifically in the national and cultural sphere.

Consequently, the legal regulation in force of the national and cultural autonomy in the Russian Federation as a means and an organizational legal form of protecting national minorities’ rights permitted by the Constitution of the Russian Federation, consistent with the international legal commitments of the Russian Federation and established by the legislator shall

be designed to determine the legal framework of the national and cultural autonomy. It shall facilitate the creation of conditions for interaction between the state and society to protect the interests of citizens of the Russian Federation in their choice of ways and forms of their national and cultural development, including state support measures for independent resolution of issues related to their identity, development of the language, education, and national culture.

The rights of the national and cultural autonomy and respective duties of bodies of state power and local self-government stipulated by the Federal Law “On National and Cultural Autonomy” shall be predetermined by these goals. In particular, the Russian Federation shall ensure social, economic and legal protection of the national (native) languages throughout the territory of the Russian Federation, specify the citizens’ rights to preserve and develop their national (native) language, freely choose and use the language of communication, upbringing and education, preserve and promote the national culture; and determine collective forms of their exercise (Article 4; Sections 1 and 2 of Article 8; Articles 11 and 13). This Law determines the duties of bodies of state power of the Russian Federation and bodies of state power of subjects of the Russian Federation corresponding to these rights (Articles 9, 12, 14 and 15). Establishing the financial and economic basis of a national and cultural autonomy, the said Federal Law prescribes the duty of federal bodies of the legislative and executive branches, bodies of the legislative (representative) and executive branches of the subjects of the Russian Federation, and local self-government bodies to provide state and local self-government financial support to the national and cultural autonomies and determine conditions for this support (Articles 19 and 20).

Accordingly, a national and cultural autonomy as a means of self-determination of an ethnic community aimed at ensuring its ethnic and cultural rights and interests represents such form of self-organization through which the state shall provide support to national minorities in order to preserve their identity, develop the language, education and national culture. This approach predetermines the significance of registration of a national and cultural autonomy as prescribed by the legislation of the Russian Federation, since through this procedure a respective national and cultural autonomy acquires not only the rights of a legal entity, but also other public rights guaranteed by the Federal Law “On National and Cultural Autonomy”, and these rights are secured by the respective duties of bodies of state power and local self-government.

Thus, the provision of Section 3, Article 5 of the Federal Law “On National and Cultural Autonomy”, in its normative unity with Sections 3 and 7 of its Article 6, prescribing state registration of a regional national and cultural autonomy is a means of determining its legal status. Within the system of the normative regulation in force this approach relies on the protection of the rights and interests of national minorities and support of national and cultural autonomies by the state and local self-government in forms provided for by the said Federal

Law, i.e. on the specificity of their public law status. Consequently, it cannot be recognized as contradicting the Constitution of the Russian Federation.

6. The right to national and cultural autonomy is granted under the Constitution of the Russian Federation by the Federal Law “On National and Cultural Autonomy”. As follows from the content of this Federal Law and from the objective of the right itself, the scope of its subjects, forms and ways of exercise, the character of the rights enjoyed by the national and cultural autonomies and the respective duties of bodies of public power, this right shall be exercised jointly by citizens belonging to national minorities. The exercise of this right by creating a national and cultural autonomy for the sake of collective actions in the area of mutual interests shall ensure the respective interests of both citizens identifying themselves with a certain ethnic community and with the ethnic community as a whole.

Thereby, the right to a national and cultural autonomy jointly exercised by citizens of the Russian Federation identifying themselves with a respective ethnic community is related to the right of association within its individual aspect, which is exercised by everyone directly through a public association enjoying the rights prescribed by the legislation of the Russian Federation. Accordingly, the Federal Law “On National and Cultural Autonomy” giving due regard to the provisions of the Constitution of the Russian Federation on everyone’s right of association and freedom of activity of public associations (Section 1, Article 30) and pursuing obligations assumed by the Russian Federation under international treaties, establishes that national and cultural autonomy as a specific form of self-organization and national and cultural self-determination of an ethnic community with the status of a national minority in a given territory shall represent only one of the possible associations of citizens belonging to a respective ethnic community and having the aim to satisfy their ethnic and cultural needs.

Thus, the Federal Law “On National and Cultural Autonomy” specifies the principles underlying the national and cultural autonomy. These principles are free will of citizens in identifying themselves with a certain ethnic community; self-organization and self-government; diverse forms of internal organization; combination of public initiative with state support; respect of the language, culture, traditions and customs of citizens belonging to different ethnic communities; and legality (Article 2). Within the framework of regulation by this and other federal laws these principles preclude both discrimination of persons belonging to national minorities and united into a national and cultural autonomy and the restriction of the rights of persons who do not participate in the activities of a national and cultural autonomy. Moreover, participation or non-participation in the activities of a national and cultural autonomy may not be a ground for restricting the rights of citizens of the Russian Federation, and equally belonging to

an ethnic group may not be a ground for restricting their participation or non-participation in the activities of a national and cultural autonomy (Section 3, Article 4).

In particular, it follows from the conclusions above that nothing prevents participation of citizens identifying themselves with the German ethnic community in the Altai Territory national and cultural autonomy of Russian Germans registered as prescribed by the legislation of the Russian Federation. Equally, nothing prevents them from refusing to participate in it or to create a different association of citizens identifying themselves with the same ethnic community in order to seek independent resolution of issues related to preserving their identity, developing the language, education, national culture, *inter alia* by establishing and supporting educational, cultural and other institutions, organizations or associations that can seek and get voluntary financial and other assistance in conformity with the legislation of the Russian Federation.

Consequently, there are objective reasons for the system of the national and cultural autonomy, which is established by the Federal Law “On National and Cultural Autonomy” and which implies the possibility for local national and cultural autonomies adhering to the democratic basis of organization of such associations and without state interference to create, within a subject of the Russian Federation, no more than one regional national and cultural autonomy of citizens identifying themselves with a respective ethnic community. And the organizational basis of the national and cultural autonomy, predetermined primarily by the specificity of settlement of Russian Federation citizens identifying themselves with a certain ethnic community, is designed not to restrict, but rather to protect the rights of national minorities, *inter alia* by creating essential factual and legal conditions for their self-organization and imposing respective duties on bodies of public power.

Thereby, conditions are provided for collective and independent resolution of issues related to preserving the identity, developing the language, education, national culture, coordination of activities of the local national and cultural autonomies, their interaction with other associations of citizens identifying themselves with a given ethnic community, and representation in relations with various public bodies by the ethnic communities with the status of a national minority in a given territory, united into a regional national and cultural autonomy. These conditions are ensured, since an autonomy is created by the respective subjects at their own will and without prior approval by public authorities; it relies on voluntary participation and operates freely, adhering to democratic principles as prescribed by the legislation of the Russian Federation and stipulated by the charter of the national and cultural autonomy.

Consequently, the provision of Section 3, Article 5 of the Federal Law “On National and Cultural Autonomy”, in its normative unity with the provisions of Sections 3 and 7, Article 6, implying that within a subject of the Russian Federation no more than one regional national and

cultural autonomy of citizens of the Russian Federation identifying themselves with a certain ethnic community may be created and registered as prescribed by the legislation of the Russian Federation, does not contradict the Constitution of the Russian Federation within the meaning ascertained by the Constitutional Court of the Russian Federation.

The national and cultural autonomy as an association of citizens of the Russian Federation identifying themselves with a certain ethnic community with the status of a national minority in a given territory precludes other forms of self-organization of citizens on the basis of their belonging to the same ethnic community. Pursuant to the Constitution of the Russian Federation and legislation of the Russian Federation, other associations of citizens of the Russian Federation identifying themselves with a given ethnic community may be created and may also facilitate the preservation of the identity, development of the language, education, national culture without having the status of a national and cultural autonomy as established by the Federal Law “On National and Cultural Autonomy”.

Therefore, the provision of Section 3, Article 5 of the Federal Law “On National and Cultural Autonomy”, in its constitutional meaning and within its normative unity with the provisions of Sections 3 and 7, Article 6 of this Federal Law does not contradict the Constitution of the Russian Federation and implies that within a subject of the Russian Federation no more than one regional national and cultural autonomy of citizens of the Russian Federation identifying themselves with a certain ethnic community with the status of a national minority in a given territory may be created by the local national and cultural autonomies of citizens identifying themselves with this ethnic community and registered as prescribed by the legislation of the Russian Federation. This approach within the system of legal regulation in force gives due regard to the organizational form of a regional national and cultural autonomy as a means to identify, satisfy and ensure, including through state support, the ethnic and cultural interests of citizens and the rights of a specific ethnic community with the status of a national minority in a given territory, and to coordinate the activities of constituent local national and cultural autonomies.

As to the review of the lawfulness and reasonableness of the law-enforcement decisions, it does not fall within the competence of the Constitutional Court of the Russian Federation, which, within the meaning of Articles 118, 125, 126 and 127 of the Constitution of the Russian Federation, may not substitute law-enforcement bodies, including courts of general jurisdiction. In exercising their power, the law-enforcement bodies may not further assign, to the provision of Section 3, Article 5 of the Federal Law “On National and Cultural Autonomy” in its normative unity with the provisions of Sections 3 and 7, Article 6 of this Federal Law, any meaning

different from its 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, 79 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 as conforming to the Constitution of the Russian Federation the provision of Section 3, Article 5 of the Federal Law “On National and Cultural Autonomy”, which, in its constitutional meaning and within normative unity with the provisions of Sections 3 and 7, Article 6 of this Federal Law, implies that within a subject of the Russian Federation local national and cultural autonomies may create no more than one regional national and cultural autonomy of citizens of the Russian Federation identifying themselves with a certain ethnic community with the status of a national minority in a given territory and register it as prescribed by the legislation of the Russian Federation. These provisions are constitutional as far as they do not impair the activities of non-affiliated local national and cultural autonomies or creation and activities of other associations of citizens of the Russian Federation identifying themselves with the same ethnic community promoting preservation of the identity, development of the language and national culture.

The constitutional meaning of the said provision established by the Constitutional Court of the Russian Federation in this Judgment shall be generally binding and shall preclude any other interpretation in the law-enforcement practice.

2. This Judgment shall be final and shall not be subject to any appeal, it shall come into force immediately upon pronouncement, shall be directly applicable and shall not require confirmation by other authorities and state officials.

3. Pursuant to Article 78 of the Federal Constitutional Law “On the Constitutional Court of the Russian Federation”, this Judgment shall be published 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