

**Judgment of the Constitutional Court of the Russian Federation of 16
October 2012 No. 22-II. Resume.**

By the Judgment of 16 October 2012 No. 22-II the Constitutional Court gave appraisal of constitutionality of the provisions of Section 2 of Article 2 and Section 1 of Article 32 of the Criminal Procedure Code of the Russian Federation

In the part of the review of Section 2 of Article 2 of the Criminal Procedure Code of the Russian Federation, contested by the petitioner, the proceeding was discontinued.

The petitioner also contested normative provisions of Section 1 of Article 32 of the Criminal Procedure Code of the Russian Federation, establishing the ground for resolution of the question of territorial jurisdiction of a criminal case of private prosecution for a crime committed by a citizen of the Russian Federation in respect of a citizen of the Russian Federation beyond the bounds of the Russian Federation.

According to the decision passed by the Constitutional Court, the contested norm does not conform to the Constitution of the Russian Federation to the extent to which it does not allow to determine monosemantically territorial jurisdiction of criminal cases of private prosecution for crimes committed by citizens of the Russian Federation in respect of citizens of the Russian Federation beyond the bounds of the Russian Federation.

Until insertion by the federal legislator of the necessary amendments, criminal cases of the indicated category are subject to consideration by the Justice of the Peace whose jurisdiction extends to the territory, on which both the victim and the accused reside, and in all other cases territorial jurisdiction of a respective criminal case shall be determined by the chairman (deputy chairman) of a higher court with the use of procedural instruments of Articles 32, 35, 36, 125 and 152 of the Criminal Procedure Code of the Russian Federation, ensuring the balance of interests of the victim and the accused, fullness, objectivity and observance of procedural terms of the consideration of a criminal case.

16 October 2012