

By the Judgment of 17th June, 2014 No. 18-II/2014 the Constitutional Court gave appraisal of constitutionality of Section 4 of Article 222 of the Criminal Code of the Russian Federation and Articles 1, 3, 6, 8, 13 and 20 of the Federal Law “On Arms”.

The subject-matter of consideration were contested normative provisions, on the basis of which criminal responsibility is established for illegal turnover of the cold steel having cultural value.

The Constitutional Court recognized the contested provisions (with the exception of Article 8 of the Federal Law “On Arms”, in respect of which proceeding on the complaint was discontinued) as conforming to the Constitution of the Russian Federation to the extent to which they establish the mechanism of protection against unlawful turnover of the cold steel, possession of which potentially threatens public security, life and health of people.

At the same time, the Constitutional Court recognized the provision of Section 4 of Article 222 of the Criminal Code of the Russian Federation as not conforming to the Constitution of the Russian Federation to the extent to which – within the system of legal regulation of the turnover of the cold steel having cultural value, retaining uncertainty leading to its arbitrary interpretation and application, – this legislative provision contemplates no possibility to take into consideration specific character of use of such weapon and does not allow a person wishing to sell it as an object having cultural value to realize publicly dangerous and unlawful character of his actions, as well as foresee their criminal-law consequences.