

By the Judgment of 4th October, 2016 No. 18-II/2016 the Constitutional Court gave appraisal of constitutionality of Section 1 of Article 4 of the Federal Constitutional Law “On Admission into the Russian Federation of the Republic of Crimea and Formation in the Composition of the Russian Federation of New Subjects – the Republic of Crimea and the City of Federal Significance Sevastopol”

The contested provisions were the subject-matter of consideration as serving as a normative ground for resolution of the question of whether a citizen of Ukraine, possessing by the day of admission into the Russian Federation of the Republic of Crimea and formation in the composition of the Russian Federation of new subjects (i.e. by 18th March 2014) no registration at place of residence on the territory of the Republic of Crimea or on the territory of the City of federal significance Sevastopol, may be recognised as citizen of the Russian Federation.

The Constitutional Court has recognised the contested provisions as conforming to the Constitution of the Russian Federation, having indicated that in order to resolve the question of recognition of the said category of citizens of Ukraine as citizens of the Russian Federation:

permanent residence of a citizen of Ukraine on the territory of the Republic of Crimea or on the territory of the City of federal significance Sevastopol by 18th March 2016 shall be understood as his actual residence on this territory by the said date;

establishment of this fact of permanent residence shall be carried out on the basis of the body of evidence in the field of housing, labour, inter-personal and other relations, which testify to the fact that by the indicated date the person had chosen the territory on which he actually permanently resided as a place of his priority everyday life interests and by his actions had established or expressed manifest aspiration to establish a real connection with it;

court decision on the establishment of this fact of permanent residence having entered into legal force shall be a sufficient and unconditional ground for his recognition by a competent body in the established procedure as a citizen of the Russian Federation.