

By the Judgment of 10 November 2017 No. 27-II/2017 in the case concerning the review of constitutionality of the provisions of the Federal Law “On Amendments to Individual Legislative Acts of the Russian Federation with Regard to Perfection of the Legislation on Public Events”.

The contested provisions were the subject-matter of consideration as envisaging – within the framework of a special legal regulation of the order of holding meetings of deputies with voters in order to inform them about their activity – extending to the holding of such meetings in the form of a public event (out of premises, specially allotted places and intra-courtyard territories) requirements of the legislation of the Russian Federation on assemblies, meetings, demonstrations, processions and picketings, as well as determining the order and conditions of holding meetings of deputies with voters without connection with application of respective requirements.

The Constitutional Court has recognised the contested provisions as not contradicting the Constitution of the Russian Federation, so far as they contemplate:

the obligation of bodies of the executive power of constituent entities of the Russian Federation (bodies of local self-government) to make for holding meetings of deputies with voters in order to inform them about their activity and to express voters’ wishes to a deputy with regard to his activity and the activity of the representative body which he is a part of, including the provision of specially allotted places for holding meetings of deputies with voters and the list of premises given for holding meetings of deputies with voters, proceeding from the need to have a respective specially allotted place or premises at the least in every settlement;

the possibility to hold meetings of a deputy with voters in the form of a public event (assembly, meeting) on the basis of the observance of requirements, brought forward to holding of such meetings by the Federal Law “On Assemblies, Meetings, Demonstrations, Processions and Picketings”, provided that the chosen form conforms to the purpose of the meeting of the deputy with voters;

the absence in this case of adverse legal consequences of holding such meeting in itself for the deputy and other participants of his meeting with voters within the confines of a rural or urban settlement without the observance of a notification order envisaged by the said Federal Law, if court establishes evasion of a body of executive power of a constituent entity of the Russian Federation (body of local self-government) of determining in this rural or urban settlement of specially allotted places for holding meetings of deputies with voters and the list of premises given for holding meetings of deputies with voters in the course of reasonable term after entering of the Federal Law of 7 June of 2017 No. 107-Φ3 into force, whereas there are no intra-courtyard territories in the building of the respective settlement;

the extension of requirements of the legislation of the Russian Federation on assemblies, meetings, demonstrations, processions and picketings to holding collective meetings with voters by deputies in intra-courtyard territories, if by their character and content these meetings go beyond informing voters by a deputy about his activity and expressing wishes to the deputy with regard to his activity and the activity of the representative body which he is a part of and contemplate expression of public opinion as to topical problems of mainly socio-political nature;

the inadmissibility of refusal by a body of public authority at its own discretion to coordinate holding of a meeting of a deputy with voters in the form of a public event, on holding of which a notification is required, and the need – as an obligatory alternative to coordination – to suggest to change the place and (or) time of such meeting, provided that such suggestion must be motivated and caused by the need to preserve normal and uninterrupted functioning of vitally important objects of the communal or transport infrastructure or the need to maintain public order, secure safety of citizens, other similar reasons;

the absence of adverse legal consequences of holding unplanned meeting of a deputy with voters out of premises, specially allotted places or intra-courtyard territories, if such meeting is determined by the initiative (actual actions) of voters

themselves, provided that the deputy is obliged to immediately discontinue respective meeting, if it creates threat to the preservation of normal and uninterrupted functioning of vitally important objects of the communal and transport infrastructure, securing of citizens' safety or other similar threats.