

By the Judgement of 3 November 2020 No. 45-II the Constitutional Court of the Russian Federation appraised constitutionality of Article 5.26, Section 3 of the Code of Administrative Offences of the Russian Federation and Article 8, para. 8 of the Federal Law “On Freedom of Conscience and Religious Associations”.

The challenged provisions were the subject of consideration to the extent that they serve as the basis for resolving the issue of bringing a religious organisation to administrative liability for carrying out activities without indicating its official full name on a residential building (at the entrance to the land plot on which it is located), the address of which is mentioned in the Unified State Register of Legal Entities as the address of a religious organisation, without taking into account the fact of placing such information inside this residential building (at the entrance to the separate premises used by the religious organisation).

The challenged provisions were found not to contradict the Constitution of the Russian Federation, since they do not imply bringing a religious organisation to administrative liability for carrying out activities without indicated instructions, if the religious organisation does not carry out activities in this dwelling or uses its separate premises for carrying out activities and information about its official full name is located inside a residential building at the entrance to the said premises.

The Constitutional Court separately noted that if a religious organisation carries out, activities involving the acquisition of the characteristics of a religious premises or administrative (office) premises in the residential premises at which it is registered in the Unified State Register of Legal Entities, then it may be brought to administrative liability for violation of the rules of use of residential premises on the basis of Article 7.21 of the Code of Administrative Offences of the Russian Federation.