

By the Judgement of 19 May 2022 No. 20-II/2022 appraised constitutionality of Article 24, part 1, item 3 and Article 27, part 2 of the Criminal Procedural Code of the Russian Federation.

These legal provisions were the subject of consideration to the extent that on their basis after the cancellation of the order to terminate criminal proceedings due to the expiration of the statute of limitations for criminal prosecution issued with the consent of the suspect (the accused), the question of termination of criminal prosecution is resolving on the same ground without a new obtaining or confirmed consent from the suspect or accused earlier.

The challenged provisions were recognized as inconsistent with the Constitution of the Russian Federation insofar as they allow the investigator, without the consent (if there is an objection) of the suspect (accused), to issue an order to terminate criminal prosecution in connection with the expiration of the statute of limitations after the order to terminate criminal prosecution on this ground, which had previously been issued with the consent of the suspect or accused, has been revoked, provided that the suspect or accused himself has not initiated the cancellation of such order, or he did, but a new order to terminate criminal prosecution would actually worsen his situation in comparison with the cancelled one.