

**By the Judgement of 28 April 2023 No. 22-II the Constitutional Court assessed constitutionality of Article 235, item 2 of the Federal Law “On Customs Regulation in the Russian Federation and on Amendments to Certain Legislative Acts of the Russian Federation”**

In the case the subject of the review was the relevant legal regulation, on the basis of which the question of the right of the inspected person (his representative) to make extracts and/or use technical means for copying (photographing) them during the examination of the materials of a customs audit carried out in respect of him is decided.

The Constitutional Court found that the challenged legal regulation is inconsistent with the Constitution of the Russian Federation in that in the system of the current legal regulation it does not ensure such a right in the part where the materials of the customs audit do not contain state or other legally protected secrets, and therefore in the practice of law enforcement it is possible to deny the auditee person (or its representative) the exercise of its right.

The Constitutional Court noted that there were no conditions for reviewing a specific case involving the applicant, in which the courts had found that the vast majority of the customs inspection materials that he had insisted on seeing were in his own possession.