

By the Judgement of 25 December 2025 No.50-II, the Constitutional Court assessed constitutionality of Article 30 (item 4) of the Federal Law «On Basic Guarantees of Electoral Rights and the Right of Citizens of the Russian Federation to Participate in a Referendum».

Aforementioned legal provision was subject to review insofar as it serves as the basis for resolving the issue of a territorial election commission admitting an observer to a precinct election commission in cases where the same individual is appointed as an observer to different precinct election commissions in the lists of observers submitted to the territorial election commission by authorised entities.

The contested legal provision was found inconsistent with the Constitution because it contains a legal gap leading to its ambiguous interpretation and contradictory application when resolving the said issue.

Until the appropriate legislative changes are made, the following procedure for admitting observers to precinct election commissions is established:

a citizen wishing to observe voting shall provide written confirmation of his consent to be appointed as an observer to a specific precinct election commission, which must be kept by the entity authorised to appoint observers;

if the territorial election commission identifies instances where the same person is appointed as an observer to different precinct election commissions in the lists submitted by the authorised entity, the territorial election commission is obliged to request the relevant authorised entity to make the necessary clarifications and, after they are made, to forward the observer's information to the specific precinct election commission;

if the territorial election commission identifies instances where the same person is appointed as an observer to different precinct election commissions in lists submitted by different entities authorised to appoint observers, the territorial election commission is obliged to ascertain from the relevant entities the existence of the observer's written consent and, based on that, forward their information to the specific precinct election commission;

if more than one authorised entity confirms the existence of written consent from the same individual to serve as an observer in different precinct election commissions, the territorial election commission denies that individual the right to observe, which, if necessary, does not preclude subsequent holding of persons that obstructing a specific citizen from exercising observer powers liable as provided by law.

The Constitutional Court separately noted that the recognition of the contested legal provision as inconsistent with the Constitution does not affect election results and cannot serve as grounds for their annulment.

The applicant has the right to compensatory mechanisms the form and amount of which shall be determined by the court that heard the case in the first instance.