

By the Judgement of 26 December 2025 No.51-II, the Constitutional Court assessed constitutionality of Article 10, Article 11 (parts 1, 2, 4-6), Article 12¹ (part 4¹), Article 13¹ (item 1 of part 1) of the Federal Law “On Combating Corruption” and Article 29 (part 10) of the Federal Law «On the General Principles of the Organization of Local Self-Government in the Unified System of Public Authority» and Article 34 (part 1), Article 35, Article 40 (part 7¹) of the Federal Law “On the General Principles of the Organization of Local Self-Government in the Russian Federation”.

The indicated interconnected legal provisions were considered insofar as they serve as the basis for resolving the issue of the consequences for deputies of representative bodies at all levels failing to comply with requirements for preventing or settling conflicts of interest in the exercise of their powers, including when participating in collective decision-making, and the possibility of applying any liability measures specifically to deputies of representative bodies of municipalities in connection with non-compliance with these requirements.

The contested interconnected legal provisions were found not to contradict the Constitution, since according to their constitutional legal meaning, they do not exclude a deputy of a representative body, including exercising powers on a non-permanent basis, from the category of persons holding publicly significant positions to whom the negative consequences of non-compliance with these requirements are applied, under the following conditions:

circumstances such as exercising the powers of a deputy of a representative body on a non-permanent basis, the deputy’s lack of authority to make decisions unilaterally and/or give instructions to other deputies, the deputy’s lack of a leading position in the representative body, the initiation of the decision, the adoption of which gives rise to the conflict of interest, by another person, or the non-determinative value of a specific deputy’s vote during voting cannot, in and of themselves – contrary to existing judicial practice – be regarded as precluding the existence of a conflict of interest;

a deputy’s personal interest in the performance of official duties, which leads or may lead to a conflict of interest, should not be understood as deriving (or the possibility of deriving) income, advantages, or benefits as a result of a decision adopted by the representative body for an undefined group of persons to which the deputy himself, or a person closely related or connected by marriage to them, or persons affiliated with them (a citizen or organization with whom the deputy of the representative body and/or a person closely related or connected by marriage to them is linked by property, corporate, or other relations) belongs, except in cases where the sole or clearly predominant actual beneficiary of this decision (in terms

of obtaining a direct personal benefit) is the said deputy or one of the indicated persons, or the circle of such beneficiaries is limited by the decision being made;

a conclusion about the existence of a conflict of interest for a deputy of a representative body may be drawn based on a full and objective assessment of the entire set of factual circumstances indicating both the existence of a personal interest on their part and that this interest was realized (or could have been realized) using opportunities available to the deputy, directly or indirectly conditioned by their status and position in the representative body and/or their actual influence on other deputies (or the activity of the representative body as a whole, including the activity of municipal employees and staff ensuring its functioning);

a statement by a deputy of a representative body informing participants of an upcoming collective decision about the existence of a conflict of interest, followed by recusal from voting and any other actions related to the adoption of this decision, may be sufficient to prevent or settle the conflict of interest, except for the case specified in the following paragraph;

when assessing the existence of a conflict of interest that was not prevented or settled through filing a notification, determining and implementing measures based on it to prevent and settle the conflict of interest, actions by a deputy of a representative body aimed at supporting the adoption of the corresponding decision, including those not directly related to the voting procedure but performed using their available opportunities to exert actual influence on decisions made by the representative body, should not be excluded from consideration;

early termination of the powers of a deputy of a representative body of a municipality due to non-compliance with requirements for preventing or settling a conflict of interest is only one of the possible measures of their liability for the corresponding violation – alongside those established by Article 29 (part 4) of the Federal Law “On the General Principles of Organizing Local Self-Government in the Unified System of Public Power” – applied in cases of a substantial conflict of interest, including one discrediting the activities of public authorities, or the commission of this violation within a system of other corruption-related acts.