

By the Judgement of 20 January 2026 No. 2-II, the Constitutional Court assessed constitutionality of Article 14 (part 6) of the Federal Law «On Digital Financial Assets, Digital Currency and on the Amendments to Certain Legislative Acts of the Russian Federation»

The specified legal provision was the subject of consideration insofar as it serves as a basis for granting judicial protection to a claim related to the possession of digital currency and to performing civil law transactions (operations) with it.

The contested legal provision was recognised as not contradicting the Constitution, since the condition it imposes, regarding the notification of facts of possession of digital currency and/or the performing of civil law transactions and/or operations with it in accordance with the established procedure, does not violate the constitutional right of persons engaged in digital currency mining to judicial protection of property rights associated with the possession of digital currency obtained (acquired) through mining and used on lawful grounds.

The contested legal provision was recognised as not conforming to the Constitution to the extent that, within the system of current legal regulation, it prevents judicial protection of property claims arising from the lawful possession of digital currency and its lawful use in turnover, and filed by persons who received (acquired) digital currency through means not related to its mining.

Pending the introduction of appropriate legislative changes, the current legal regulation cannot be considered as preventing judicial protection of property claims arising from the lawful possession of digital currency and its lawful use in turnover, and filed by persons who received (acquired) the said digital currency through means not related to its mining, provided that they submit to the court information confirming that the digital currency in respect of which the claim arose was obtained and used on grounds permissible by law.