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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW

**DRAFT FEDERAL CONSTITUTIONAL
LAW OF THE RUSSIAN FEDERATION ON THE RUSSIAN
CONSTITUTIONAL COURT**

FEDERAL CONSTITUTIONAL LAW OF THE RUSSIAN FEDERATION

"ON THE RUSSIAN FEDERATION CONSTITUTIONAL COURT"

SECTION I. ORGANIZATION OF THE CONSTITUTIONAL COURT
AND THE STATUS OF JUSTICES

CHAPTER I. General Regulations

Article 1. Russian Federation Constitutional Court - the
body of judicial power

The Russian Federation Constitutional Court is an independent body of judicial power. Judicial power is vested in the Constitutional Court in the way of the constitutional judicial proceedings.

Article 2. Legislation on the Russian Federation Constitutional Court

The powers, procedure of creation and activities of the Russian Federation Constitutional Court are defined by the Russian Federation Constitution, by the present Law and other federal constitutional laws.

Article 3. Goals, Tasks and powers of the Russian Federation
Constitutional Court

I. For the purposes of protecting the backbones of the constitutional system, the main human and citizen's rights and freedoms, defined in the Russian Federation Constitution, and for the purposes of ensuring the supremacy and direct action of the Russian Federation Constitution on the entire territory of the Russian Federation, the Constitutional Court of the Russian Federation:

1) resolves the disputes on the compatibility with the Russian Federation Constitution:

a) the federal laws, acts of the Russian President, Federation Council, State Duma, Government of the Russian Federation;

b) the republican constitutions, rules, laws and other regulations of the Russian Federation subjects when they are issued on the questions, related to the state power bodies of the Russian Federation and to both bodies of the Federation and subjects of the Federation;

c) agreements between the federal state power bodies and federation subjects' state power bodies, agreements between state power bodies of the federation subjects;

d) non-effected international treaties of the Russian Federation;

- 2) resolves the disputes on competency:
 - a) between the federal state power bodies;
 - b) between the federal state power bodies and the federation subjects' state power bodies;
 - c) between the highest power bodies of the federation subjects;
- 3) per complaints on the violation of the constitutional rights and freedoms of the citizens and per courts' requests verifies the constitutionality of the law, applied or liable to application in a particular case;
- 4) interprets the Russian Federation Constitution;
- 5) gives conclusions on the legality of high treason or any other serious offence charge against the President;
- 6) is qualified to apply the right of legislative initiative in the Federal Assembly within the limits of its competency;
- 7) exercises also any other powers given by the federal constitutional laws and agreements within federation in case if those powers do not contradict to the legal nature, tasks and destination of the Court as a body for exercising judicial power in the way of constitutional judicial proceedings.

2. The entire activity of the Russian Federation Constitutional Court contributes to the consolidation of constitutional legality and legal order; to higher respect towards the Russian Federation Constitution among the functionaries and the citizens.

Article 4. Limits of the Russian Federation Constitutional Court's powers

1. The Russian Federation Constitutional Court exercises its powers in accordance with the Russian Federation Constitution.
2. The Russian Federation Constitutional Court resolves the problems of law and doesn't consider the political problems.
3. In the administration of the constitutional judicial proceedings the Russian Federation Constitutional Court refrains from finding and examining the actual circumstances of the case, when it is within the competence of other courts and bodies.

Article 5. Composition and term of office of the Russian Federation Constitutional Court

1. The Russian Federation Constitutional Court consists of 19 justices appointed by the Federation Council in accordance with the presentation of the Russian Federation President.
2. The Russian Federation Constitutional Court is eligible to administer its activity provided not less than 14 justices in the panel.

3. The powers of the Russian Federation Constitutional Court are not limited by a definite term of office, they can't be cancelled or suspended.

Article 6. The basic principles of the activity of the Russian Federation Constitutional Court

The basic principles of the activity of the Russian Federation Constitutional Court are independence, collegiateness and openness, as they are defined in the present Law.

Article 7. Obligations of decisions and requirements of the Russian Federation Constitutional Court

The Russian Federation Constitutional Court's decisions and requirements are obligatory on the entire territory of the Russian Federation.

CHAPTER II. THE STATUS OF JUSTICE IN THE RUSSIAN
FEDERATION CONSTITUTIONAL COURT

Article 8. The requirements imposed on the candidate for the position of the justice of the Russian Federation Constitutional Court

A citizen of the Russian Federation, without any other citizenship, who has already reached the age of 40 by the day of the appointment, who has a blameless reputation, higher juridical education and has worked in a juridical profession field for at least 15 years, who is a highly qualified law specialist can be appointed for the position of the justice in the Russian Federation Constitutional Court.

Article 9. The procedure of appointing of the justice of the Russian Federation Constitutional Court

1. The justice of the Russian Federation Constitutional Court is appointed by the Federation Council in accordance with the presentation of the Russian Federation President by secret ballot.

2. The candidates for the position of the justices in the Russian Federation Constitutional Court are previously discussed at the sessions of the relevant committees and commissions of the Federation Council, and then at the sessions of the Federation Council. Herewith the committees and commissions of the Federal Council are not eligible to nominate candidates for the position of the justices in the Russian Federation Constitutional Court.

3. The Federal Council considers the appointment for the position of the justices in the Russian Federation Constitutional Court wi-

thin fourteen days since the time the Council has got the presentation of the Russian Federation President.

4. Every justice is appointed on the individual basis. The person who has got the majority vote from the whole panel of the Federation Council is considered to be appointed.

5. In case of the justice's retirement from the panel of the Russian Federation Constitutional Court the Federation Council appoints another person for the same position not later than in two month' period since the day the vacancy has been opened in accordance with the procedure established by the present article.

6. The candidates for the position of the justices in the Russian Federation Constitutional Court rejected by the Federal Council can't be nominated again earlier than in a year after the voting day.

Article 10. The oath of the Russian Federation Constitutional Court's Justice

In accordance with the procedure established by the Federal Assembly the Chairman of the Federation Council brings the newly-appointed justices in the Russian Federation Constitutional Court to an oath.

2. The justice of the Russian Federation Constitutional Court takes the following oath: "I vow to carry out honestly and conscientiously the justice's obligations in the Russian Federation Constitutional Court, to make impartial and fair decisions being subject only to the Constitution of the Russian Federation and to nothing and nobody else".

Article 11. Offices and actions incompatible with the position of the justice of the Russian Federation Constitutional Court

1. The justice of the Russian Federation Constitutional Court does not have the right to be a member of the Federation Council, a deputy of the State Duma or other body of representatives, a judge, lay assessor or juror in any court, he does not have the right to occupy or keep other state or public positions, to work and get payment in any state or public organizations, at the enterprises regardless of the form of ownership, in any agencies and organizations. The justice does not have the right to engage in entrepreneurial activity, in private legal practice, in any other paid work except for teaching, scientific and other creative activity.

2. The justice of the Russian Federation Constitutional Court does not have the right to execute defence or representation except legal representation in the court, in the arbitration court or in any other law-enforcement organs. The justice does not have the right to render protection to any individuals in obtaining the rights and exempting from duties.

3. The justice of the Russian Federation Constitutional Court does not have the right to belong to the political parties and movements, to render material support to them, to participate in political actions, to carry on political propaganda, to participate in the electoral campaign, to be present at the congresses and conferences of the political parties and movements, to publish articles in party press, to engage in any other political activity. The justice does not have the right to be in the leadership of any public organizations, even if they do not pursue political goals.

4. While speaking in media or in public the justice of the Russian Federation Constitutional Court does not have the right to express his own opinion on the problem, that may be raised in the Russian Federation Constitutional Court or may be studied or brought for consideration at the Russian Federation Constitutional Court, earlier than the decision would be made on this problem.

5. No provision of the present article is considered to restrict the right of the Russian Federation Constitutional Court's justice to express his citizen's and voter's will at the elections, at the referendum and in other similar cases,

6. After the retirement of the justice of the Russian Federation Constitutional Court or after termination of the justice's powers due to other reasons the limitations and bans established by the present article are invalid.

Article 12. Terms of powers of the Russian Federation Constitutional Court's justice

1. The powers of the justice of the justice of the Russian Federation Constitutional Court are not restricted by a particular period. The age of the compulsory retirement of the justice is 70 years.

2. The justice of the Russian Federation Constitutional Court is considered to assume his office from the moment of taking the oath. His powers end on the last day of the month when he is 70 years old.

3. When the justice of the Russian Federation Constitutional Court reaches the age of retirement, he continues to fulfil his obligations up to the moment when his successor assumes the office.

Article 14. The tenure of the Russian Federation Constitutional Court's justice

The justice of the Russian Federation Constitutional Court is not removable. He is not subject to be transferred to another post without his consent and his powers can be terminated or suspended in no way but on the grounds and in the procedure, established by the present Law.

Article 15. Immunity of the Russian Federation Constitutional Court's justice

1. The person of the justice of the Russian Federation Constitutional Court is inviolable. The justice cannot be brought to criminal account, be arrested, or subjected to forcible arrest, be punished with penalty under administrative law except fines taken at the place of administrative law violations. The justice cannot be detained without the consent of the Russian Federation Constitutional Court except the cases when a person is detained locus delicti.

2. An officer, who has detained the justice of the Russian Federation Constitutional Court locus delicti, urgently informs the Russian Federation Constitutional Court. The Court is obliged to solve the problem of giving consent on justice's calling to criminal account within 24 hours.

3. The justice of the Russian Federation Constitutional Court who has been detained for suspicion of having committed a crime, detained or handed over to an organ of internal affairs by way of making cases of administrative law violations, should be released promptly upon establishing his identity.

4. A criminal case or a case on administrative law violations in regard to the justice of the Russian Federation Constitutional Court can be brought to trial only by the Russian Federation General Procurator with the consent of the Russian Federation Constitutional Court. The penetration of the housing or official work place of the justice of the Russian Federation Constitutional Court, his personal transport or transport used by him, or the performance of an investigation there, search or removal, personal inspection or personal search of the justice of the Russian Federation Constitutional Court, eavesdropping or disconnection of means of communications used by him or an inspection, removal of his property, documents and correspondence are not made except with sanction of the Russian Federation General Procurator with the consent of the Russian Federation Constitutional Court and in connection with making a criminal case in relation to this justice.

5. The justice of the Russian Federation Constitutional Court cannot be subjected to compulsory measures of a medical nature, cannot be incapacitated without the consent of the Russian Federation Constitutional Court to make this case in the court.

6. The justice of the Russian Federation Constitutional Court cannot be called to any responsibility for an opinion expressed at the Court's session, for his voting, and in connection with the decision made at the Russian Federation Constitutional Court including the time after the termination of his powers.

7. The Chairman of the Russian Federation Constitutional Court, all other persons of the Russian Federation Constitutional Court and outside the Court, does not have the right to discipline the justice of the Russian Federation Constitutional Court. The justice of the Russian Federation Constitutional Court cannot be brought to the disciplinary responsibility.

Article 16. Equality of the rights of the justices of the Russian Federation Constitutional Court

1. The justices of the Russian Federation Constitutional Court have equal rights and negotiability.

2. The justices of the Russian Federation Constitutional Court have the right of casting vote for all problems considered by the Russian Federation Constitutional Court.

3. The powers and authorities of the Chairman, Deputy Chairman and Secretary of the Russian Federation Constitutional Court are determined by the present Law.

Article 17. Suspension of the powers of the Russian Federation Constitutional Court's justice

1. The powers of the justice of the Russian Federation Constitutional Court can be suspended by the decision of the Russian Federation Constitutional Court in cases where:

a) the Russian Federation Constitutional Court has given its consent to take the justice into custody or to bring him to account for criminal liability;

b) the justice has engaged in an activity incompatible with his position;

c) the justice is unable to fulfil his obligations for a long time for health reasons and he do not object to the suspension of his powers;

d) the justice has not participated in more than three plenary sessions of the Russian Federal Constitutional Court or in the sessions of its chambers without valid reasons.

2. The suspension of the powers of the justice of the Russian Federation Constitutional Court is established by the decision of the Court. Such a decision cannot be made later than within a month since the grounds for the suspension of powers have been found.

3. The justice of the Russian Federation Constitutional Court, whose powers have been suspended, has no right to participate in the sessions of the Russian Federation Constitutional Court, to send official documents to the state and public organs, to the officials and citizens and to direct them to return the documents and other information on behalf of the Constitutional Court.

4. The Russian Federation Constitutional Court suspends the justice's powers until removal of the grounds, causing this suspension. In cases, when the facts giving grounds for the suspension of the powers cannot be removed, the Russian Federation Constitutional Court itself determines the term of suspension of the justice's powers. Restoration of the justice's powers is formalized by the decision of the Russian Federation Constitutional Court except the case provided by the item "c" of the first part of the present article.

5. The suspension of the Russian Federation Constitutional Court justice's powers does not entail the suspension of the payment or the justice's salary nor does it deprive him of the guarantees established by the present Law.

Article 18. Termination of the powers of the Russian Federation Constitutional Court's justice

1. The powers of the justice of the Russian Federation Constitutional Court are terminated in cases of:

a) serious violations in the procedure of the justice's appointment to the position of the justice of the Russian Federation Constitutional Court, established by the Russian Federation Constitution and by the present Law;

b) reaching the age of the compulsory retirement for the office;

c) loss of the Russian Federation citizenship or acquisition of other state citizenship;

d) his application for retirement;

e) a court verdict of guilty returned in relation to the justice that has taken legal effect;

f) reservation of facts giving grounds for the suspension of the justice's powers in cases when such facts could be removed;

g) recognition of his incapacity by the court decision that has taken legal effect;

h) implementation of the compulsory measures of a medical na-

ture in relation to the justice or his special disability in accordance with the court order that has taken legal effect;

i) recognition of the justice's absence with his whereabouts unknown by the court decision that has taken legal effect;

j) declaration of his death by the court decision that has taken legal effect;

k) his death.

2. The termination of the powers of the justice of the Russian Federation Constitutional Court is formalized by the decision of the Russian Federation Constitutional Court.

Article 13. Guarantees of Independence of Justice

The independence of the Russian Federation Constitutional Court justice is provided for by his irremovability from office, by immunity, by equality of justice's rights, by the right to retirement, by the procedure established for the suspension and termination of justice's powers, by obligation of the established procedure of the constitutional judicial proceedings, by prohibition of any interference with the judicial proceedings, by granting the justice the material and social security, the safety guarantees that are appropriate for his high status. Independence of the justice is also provided for by creation of necessary working conditions for the Russian Federation Constitutional Court in terms of information supply, personell and other resourses' provision.

CHAPTER III. STRUCTURE AND ORGANIZATION OF THE
WORK OF THE RUSSIAN FEDERATION CONSTITUTIONAL
COURT

Article 19. The organizing forms of the legal procedure

1. The Russian Federation Constitutional Court examines and decides on questions at the plenary sessions and the chamber sessions.

2. The Russian Federation Constitutional Court consists of two chambers, formed at the plenary session and includes, correspondingly ten and nine justices of the Russian Federation Constitutional Court.

3. All justices of the Russian Federation Constitutional Court take part in the work of the plenary sessions and the justices-members of the corresponding chamber take part in the work of the chamber sessions. If there is no quorum at the chamber, according to the decision of the Russian Federation Constitutional Court its members can be supplemented by a justice (or justices) from another chamber.

4. The Chairman and the deputy Chairman of the Russian Federation Constitutional Court are the members of the different chambers.

5. The composition of the chambers may be revised every year.

6. The first chamber session determines the proper sequence of the chairmanship of the justices - members of the chamber during the session.

Article 20. Questions examined at the plenary sessions of the
Russian Federation Constitutional Court

1. At the plenary sessions the Russian Federation Constitutional Court;

1) decides on the compatibility of the federal laws, normative acts of the President of the Russian Federation, constitutions of the republics and regulations of the subjects of the Russian Federation with the Constitution of the Russian Federation;

2) decides on the compatibility of the international agreements of the Russian Federation, that didn't come into force with the Constitution of the Russian Federation;

3) settles the disputes about the competence between the federal organs of state power;

4) gives the interpretation of the Constitution of the Russian Federation;

5) decides on the impeachment of the President of the Russian Federation;

6) confirms the message of the Russian Federation Constitutional Court;

7) settles the question about the bringing up the initiation of bill;

8) gives the interpretation of its decisions;

9) revises its decisions.

2. At the plenary sessions the Russian Federation Constitutional Court also:

1) elects the Chairman, deputy Chairman, justice-secretary of the Russian Federation Constitutional Court;

2) determines the personal membership of the chambers of the Russian Federation Constitutional Court and the distributions of the duties between them;

3) determines the proper sequence of the proceedings during the plenary sessions of the Russian Federation Constitutional Court;

4) confirms the time-limit of the Russian Federation Constitutional Court and inserts the corrections and additions;

5) makes a decision to cancel or suspend the powers of the justice of the Russian Federation Constitutional Court as well as a head of time release the Chairman, deputy Chairman and justice-secretary of the Russian Federation Constitutional Court.

3) By the suggestion of not less than three justices, the Russian Federation Constitutional Court during its plenary session may consider any other question that is within the competence of the Russian Federation Constitutional Court.

Article 21. Questions examined at the sessions of the chambers of the Russian Federation Constitutional Court

The chambers of the Russian Federation Constitutional Court resolve the disputes that are within the competence of the Russian Federation Constitutional Court and are not considered according to the present Law only at the plenary sessions.

Article 22. Electing of the Chairman, deputy Chairman and justice-secretary of the Russian Federation Constitutional Court

1. At the plenary session of the Russian Federation Constitutional Court the justices with a simple majority of the appointed justices by secret voting individually choose from their members for the 3-years term the Chairman, deputy Chairman and justice-secretary of the Russian Federation Constitutional Court.

2. After the expiration of their predecessor's term of office the Chairman, deputy Chairman and justice-secretary may be elected for the new term.

3. The Chairman, deputy Chairman and justice-secretary of the Russian Federation Constitutional Court may proclaim their determination to resign their authority. The resignation is ascertained by the resolution of the Russian Federation Constitutional Court.

4. On the initiative of not less than five justices of the Russian Federation Constitutional Court, that consider the Chairman, deputy Chairman and justice-secretary to do their work unconscientiously or abuse authority, there can be posed a question to release them a head of time. During the secret voting a majority of three fourth of the appointed justices of the Russian Federation Constitutional Court is needed for a decision to release the indicated persons.

5. In case the position of the Chairman, deputy Chairman and justice-secretary of the Russian Federation Constitutional Court turns out to be vacant the new elections should be carried out not later than two months from the beginning of the vacancy in the procedure, established by the present article.

Article 23. The Chairman of the Russian Federation Constitutional Court

I. The Chairman of the Russian Federation Constitutional Court:

1) conducts the preparations of the plenary sessions of the Russian Federation Constitutional Court, convenes them and takes the chair;

2) puts the questions, subject to be considered during the plenary sessions and the chambers sessions, forward for the discussion of the Russian Federation Constitutional Court;

3) Represents the Russian Federation Constitutional Court in the relations with the state and public organs, on the authority and on behalf of the Russian Federation Constitutional Court makes statements;

4) conducts the general management of the Russian Federation Constitutional Court's personell, presents to the Russian Federation Constitutional Court's confirmation the candidatures of the heads of the Secretariate and other subdivisions of the personell, other departments of the Russian Federation Constitutional Court, as well as Secretariate Regulations and list of staff;

5) carries out other plenary powers in conformity with the present Law.

2. The Chairman of the Russian Federation Constitutional Court issues orders and instructions. His orders and instructions can be

revised by the Russian Federation Constitutional Court.

Article 24. Temporarily acting for the Chairman of the Russian Federation Constitutional Court

1. In case when the Chairman of the Russian Federation Constitutional Court is notable to do his work, deputy Chairman temporarily acts for the Chairman.

2. In case when the deputy Chairmen of the Russian Federation Constitutional Court is not able to act for the Chairman the execution of these duties consecutively passes to the justice-secretary of the Russian Federation Constitutional Court, to the justice with the longest time of service as a justice of the Russian Federation Constitutional Court, and in case of the equal time of service to the eldest justice of the Russian Federation Constitutional Court.

Article 25. Deputy Chairman of the Russian Federation Constitutional Court

On the authority of the Chairman of the Russian Federation Constitutional Court the deputy Chairman of the Russian Federation Constitutional Court carries out some of his functions, as well as carries out duties, entrusted by the Russian Federation Constitutional Court.

Article 26. Justice-secretary of the Russian Federation Constitutional Court

Justice-secretary of the Russian Federation Constitutional Court:

- 1) conducts the general management of the work of the Russian Federation Constitutional Court's personell;
- 2) elaborates and prepares for the confirmation by the Chairman of the Russian Federation Constitutional Court the Russian Federation Constitutional Court's personell Regulations;
- 3) organizes the preparation and holding of the Russian Federation Constitutional Court's sessions;
- 4) notifies the corresponding authorities, organizations and persons about the documents, issued by the Russian Federation Constitutional Court as well as informs the Russian Federation Constitutional Court about their execution;
- 5) organizes the information support of the justices of the Russian Federation Constitutional Court;
- 6) carries out other plenary powers in conformity with the present Law.

SECTION TWO. GENERAL PROCEDURE PROVISIONS OF THE RUSSIAN
FEDERATION CONSTITUTIONAL COURT

CHAPTER IV. PRINCIPLES OF THE CONSTITUTIONAL LEGAL
PROCEDURE

Article 27. Independence of the Russian Federation Consti-
tutional Court

*. The Constitutional Court of the Russian Federation and the justices of the Russian Federation Constitutional Court are independent and during executing their duties submit to the Constitution of the Russian Federation and to the present Law.

2. The justices of the Russian Federation Constitutional Court act personally and do not represent whatever state or public authorities, political parties and movements, state, public, other enterprises, institutes and organizations, functionaries, state and territorial formations, nations, social groups.

3. The decisions and other acts of the Russian Federation Constitutional Court express the corresponding to the Constitution of the Russian Federation justices' legal position, free from political passions and reasons of practical expediency.

4. The justices of the Russian Federation Constitutional Court reach decisions in the conditions, eliminating incidental influence upon their will. They are not allowed to send an inquiry or receive instructions from any state or public authorities and organizations, functionaries concerning the questions, accepted for the preliminary examination or considered by the Russian Federation Constitutional Court.

5. The Russian Federation Constitutional Court is independent in legal, organizational, financial, informational, material and technical relations from any other authorities and acts, adopted by them. Every year the Russian Federation Federal budget allocates separate item necessary to ensure the complete and independent exercise of the Russian Federation Constitutional Court's powers, including hard currency item that cannot be decreased and that can be used by the Russian Federation Constitutional Court independently.

6. The property, operatively managed by the Russian Federation Constitutional Court is the federal ownership. In order to participate in the property relations the Russian Federation Con-

stitutional Court may provide the right of operative management to the structural subdivisions, that are the part of its personell.

7. The ensuring of the security of the Russian Federation Constitutional Court's justices, as well as required, members of their families, their living quarters and property, the protection of the buildings, houses and other installations of the Russian Federation Constitutional Court is carried out by the federal agency, ensuring the security of the highest bodies of judicial power in the procedure established by the federal law.

8. Whatever interference in the Russian Federation Constitutional Court's activity, as well as the limitation of the legal, organizational, financial, informational, material and technical conditions of activity or justice's status, established by the present Law, is prohibited and involves the responsibility, defined by the law.

Article 28. Collegiality

1. The Russian Federation Constitutional Court examines and decides on questions, pronounces judgements collectively.

2. During the plenary sessions the Russian Federation Constitutional Court has a quorum if at least two thirds of the appointed justices are present, during the chamber session - if at least three fourth of the members are present.

3. While determining the quorum the justices, that are debarred from the exercise of their functions or whose powers are suspended, are not taken into account.

Article 29. Publicity

During the sessions the Russian Federation Constitutional Court examines the questions openly. The closed sessions may be conducted only in cases, defined by the present Law.

Article 30. Oral pleadings

1. The Russian Federation Constitutional Court hears the explanations of the sides, the evidences of the experts and witnesses, announces available documents.

2. The Russian Federation Constitutional Court may refuse to announce the documents, that were presented to the justices and sides for the examination or if the subject of these documents was stated durind the court session.

Article 31. Language of the constitutional legal procedure

1. The Russian Federation Constitutional Court's legal procedure is carried out using the russian language.

2. If the participants of the proceedings are not able to use russian language they speak and give the explanations, using their

native language and make use of the interpreter.

Article 32. Continuity of the court session

1. The session of the Russian Federation Constitutional Court examines every case continuously except the time needed for the rest and for the preparation of the participants of the proceeding: for the further hearing, as well to eliminate the circumstances, preventing the normal process of the session.

2. Until the Russian Federation Constitutional Court decides on the case, examined at the plenary session, it cannot examine the other cases during the plenary session.

3. Until the chamber of the Russian Federation Constitutional Court decides on the proceedings, it cannot examine the other cases, that are stated by the present Law under the competence of the chamber.

4. Before the acceptance of the decision on the case, examined during the plenary session of the Russian Federation Constitutional Court, the other cases can be examined during the chamber sessions. Before making a decision on the case, examined during the chamber session, there can be examined the other cases at the plenary session.

5. The proceeding may be stayed if the Russian Federation Constitutional Court finds out that the question is not sufficiently prepared or needs further examination, that cannot be carried out due to the absence of the sides, a witness or an expert, whose presence was obligatory, as well as due to the fact, that the materials were not presented to the court. In this case the Russian Federation Constitutional Court determines a period for what the session will be postponed. The session on the case, that was postponed, starts from the beginning or from the moment, when it was postponed.

6. If the Russian Federation Constitutional Court stayed the proceeding it doesn't prevent from examining by the same panel the other questions till the renewal of the proceeding on the postponed case.

Article 33. Equality of rights of the sides

At the sessions of the Russian Federation Constitutional Court the sides obtain equal rights and possibilities while asserting their positions.

CHAPTER V. APPEAL TO THE RUSSIAN FEDERATION CONSTITUTIONAL COURT

Chapter 34. The reasons for the beginning of the proceedings in the Russian Federation Constitutional Court

The reason for the beginning of the proceedings in the Russian Federation Constitutional Court is an appeal to the Russian Federation Constitutional Court, that can be made in the form of inquiry, application or complaint and meets the requirements of the present Law.

Chapter 35. General requirements to the appeal

1. The appeals are directed to the Russian Federation Constitutional Court in written form) and are signed by the authorised person.
2. In the appeal should be pointed out:
 - 1) the Russian Federation Constitutional Court as an organ, where the appeal is directed;
 - 2) the appellation (in the complaint of the natural person should be written - surname, name, patronymic), address and other information about the person, that submitted the application.
 - 3) the needed information about the representative of the applicant, except the case when the representation is carried out in conformity with the post;
 - 4) the name and the address of the state organ that issued an act, that should be examined, or took part in the dispute about the competence;
 - 5) the rules of the Constitution of the Russian Federation and of the present Law, that give the right for the appeal to the Russian Federation Constitutional Court;
 - 6) the exact name, number, the date of issuing, the source of publication and other information about the act or its part, that should be examined, or about the regulations of the Constitution of the Russian Federation, that should be interpreted;
 - 7) specific, determined by the present Law reasons for the examination of the appeal to the Russian Federation Constitutional Court;
 - 8) the position of the applicant over the question, stated by him, and its legal substantiations with the reference to the corresponding regulations of the Constitution of the Russian Federation;
 - 9) the demand, directed in connection with the inquiry, application, complaint to the Russian Federation Constitutional Court;

10) list of the documents enclosed with the appeal.

Article 36. Documents enclosed with the appeal

1. With the applications, directed to the Russian Federation Constitutional Court, should be enclosed:

1) text of the act that should be examined, regulations of the Constitution of the Russian Federation, that should be interpreted;

2) letter of attorney or other document, confirming the powers of the representative, except the cases when the representation is carried out in conformity with the post, and the copies of the documents, that confirm the right of the person to act in the Russian Federation Constitutional Court as a representative;

3) document confirming the payment of the state expenses;

4) translation into Russian language of all the documents and other materials, stated in other language.

3. The appeal and enclosed in conformity with the part one of the present article the documents should be directed to the Russian Federation Constitutional Court with copies in the quantity of 30 copies. If it is needed the Court can charge the applicant to present the copies of the other documents and materials, enclosed to the appeal.

Article 37. State expenses

1. The appeal to the Russian Federation Constitutional Court shall be reimbursed the state expenses:

inquiry and application - in the quantity of 15 minimum month's salaries;

complaint of a person - in the quantity of 5 minimum month's salaries;

complaint of a citizen - in the quantity of one minimum month's salary.

The Constitutional Court of the Russian Federation with its decision, taking into consideration a citizen's material standing, can free the citizen from paying or decrease his expenses.

3. The court's inquiry, the inquiry of the interpretation of the Constitution of the Russian Federation, the applications of the President concerning the disputes about the competence, the inquiry on the expert opinion on the preservation of the established order of accuse of the President of the Russian Federation in high treason or of committing of other grave crime are free of charge.

4. State expenses are returned in cases the application is not admissible because it is not pursuant to the requirements of the present Law, not comes from an organ or a person entitled to the

Russian Federation Constitutional Court. The cost of postage connected with the transportation fees is deducted from the returned state expenses.

CHAPTER VI. PRE-TRIAL EXAMINATION OF APPEAL

Article 38. Examination of appeals by the Russian Federation Constitutional Court Secretariat

1. The appeals, coming to the Russian Federation Constitutional Court, are subject to obligatory registration according to the procedure established by the Russian Federation Constitutional Court.

2. Within a month since the day of registration the Russian Federation Constitutional Court Secretariat has a preview of the appeal and makes a reference paper on availability of grounds to take appeal for trial. This reference paper is given to the Chairman of the Russian Federation Constitutional Court.

3. The Secretariat of the Russian Federation Constitutional Court has the right to solve the problem of dismissal of the appeal independently in case, if the appeal:

1) is evidently not within the jurisdiction of the Russian Federation Constitutional Court;

2) does not meet the requirements of the present Law by its form;

3) comes from a body or a person which are not entitled to apply the Court;

4) is filed without using or to the completion of obligatory conciliation procedures established by the federal law;

5) has not been reimbursed the necessary state expenses, if another procedure is not specified by the present Law.

3. The appeal may be sent to the Russian Federation Constitutional Court for the second time after elimination of the drawbacks mentioned in items 2, 4 and 5 of the second part of the present article.

4. If the appeal is evidently not within the jurisdiction of the Russian Federation Constitutional Court, the Secretariat may send it to the state organs or organizations which are competent to solve the problems raised in the appeal.

Article 39. Preview of appeal by justices of the Russian Federation Constitutional Court

1. On receiving the Secretariat's reference paper on availability of grounds for taking the appeal for trial the Chairman of the

Russian Federation Constitutional Court charges one or several justices the preview of the appeal, that should be completed within a month according to the procedure established by the Russian Federation Constitutional Court. The preview of the appeal done by a justice (justices) is an obligatory stage of proceedings in the Russian Federation Constitutional Court.

2. The finding of a justice (justices) of the Russian Federation Constitutional Court on the results of the appeal's preview is reported at the plenary session of the Court.

Article 40. Taking appeal to trial

1. The decision on the question of taking the appeal to trial is made by the Russian Federation Constitutional Court at the plenary session within a month since /since the day of the completion of preview of the appeal by a justice (justices).

2. The parties concerned are notified about the decision made by the Russian Federation Constitutional Court.

3. In case when the appeal has been taken to trial the Russian Federation Constitutional Court may demand the suspension of action of the disputed act, of the process of entry of the disputed international treaty of the Russian Federation into force until the completion of the case trial by the Russian Federation Constitutional Court. The Court's demand is subject to obligatory fulfilment by the organs and officials to whom it is sent.

Article 41. Dismissal of appeal

1. The Russian Federation Constitutional Court at the session makes the decision on dismissal of the appeal in cases, when:

1) resolution of the problem raised in the appeal is not within the jurisdiction of the Russian Federation Constitutional Court;

2) in accordance with the requirements of the present Law the appeal is inadmissible;

3) the constitutionality of the act has already been determined by the Russian Federation Constitutional Court, and finally the judgement was passed and this judgement is of legal force at the moment;

4) the question solved by the law or by another law-making instrument, treaty between the state power bodies, international treaty of the Russian Federation (and if the constitutionality of these documents is proposed to determine) has not been solved in the Constitution of the Russian Federation, because the way to solve it properly cannot be extrapolated from general provisions and contents of the Constitution of the Russian Federation, and by

its nature and significance this question is not referred to constitutional questions.

2. If the grounds for dismissal of the appeal are found after the beginning of the case trial at the session of the Russian Federation Constitutional Court, the decision to dismiss the case is passed.

3. If the act, whose constitutionality is being disputed, was abolished or lost its legal force by the beginning or during the case trial, the procedure started by the Russian Federation Constitutional Court may be cancelled, except for the cases when constitutional rights and freedoms of citizens were violated by the action of that law-making instrument.

Article 42. Recall of appeals

The appeal to the Russian Federation Constitutional Court may be recalled by the applicant prior to the beginning of the case trial at the session of the Russian Federation Constitutional Court.

Chapter VII. Procedural Provisions of deliberating cases in the Russian Federation Constitutional Court

Article 43. Calling sessions

Plenary sessions of the Russian Federation Constitutional Court are called by the Chairman of the Russian Federation Constitutional Court, and the sessions of chambers by the presiding Justice.

Article 44. Provisions of deliberating questions in plenary sessions and in chamber sessions

General procedural provisions are practised for deliberating questions both in plenary sessions and in chamber sessions of the Russian Federation Constitutional Court, if the different order is not established by the present law or fixed by the Regulations of the Russian Federation Constitutional Court.

Article 45. Assigning cases for hearings

Decision of assigning cases for hearings in plenary session of the Russian Federation Constitutional Court or in chamber sessions is taken by the Court in a plenary session not later than one month since the application was accepted for consideration. Order of priority of hearing cases is stated in the decision.

Article 46. Linking of cases

Deliberation of each case shall be the subject of a special session. The Russian Federation Constitutional Court may link in one process applications if they are concerned with one and the same subject.

Article 47. Preparing cases for hearing

1. The Russian Federation Constitutional Court appoints one or several reporting Justices for preparing the case for hearing, for drawing up a draft judgement of the Russian Federation Constitutional Court and also for relating the materials in the session.

2. When the reporting, a Justice researches the applications and prepares the case for hearing, in accordance with the powers of the Russian Federation Constitutional Court, in agreement with the Chairman the Justice-Secretary of the Russian Federation Constitutional Court or the Justice presiding in the chamber, demands the necessary documents and other materials, charges missions of verifications, explorations, consults specialists, submits inquiries. The reporting Justice and presiding Justice in session define the persons subject to invitation and calling to the session, order to notify them of the place and the time of the session and to send the participants of the process the necessary documents.

Article 48. Assignments and Demands of the Russian Federation Constitutional Court

1. Demands of the Russian Federation Constitutional Court that the normative and other legal acts, documents and their copies, cases, information and other materials should be put at its disposal; documents and texts of normative acts be certified, verifications, researches, examinations be carried out, certain circumstances be clarified; explanations and consultations be given; professional opinions on the cases under deliberation be related, shall be obligatory for all the bodies, officials and persons to whom they are addressed. The requests of the Russian Federation Constitutional Court shall be considered and the answer resultant from the consideration shall be sent back to the Russian Federation Constitutional Court within one month since the day the request was got if a different term is not stated by the Russian Federation Constitutional Court.

2. Expenses related to the execution of missions and requests of the Russian Federation Constitutional Court are paid by the bodies and organizations, which were charged with the execution.

3. Refusal or deviation from considering or execution, violation of terms of considering or execution, non-fulfilment or not proper fulfilment of request of the Russian Federation Constitutional Court and also intentional misleading of the Court shall entail the responsibility established by law.

Article 49. Posting materials. Notifying of sessions

1. Notification of the sessions of the Russian Federation Constitutional Court, copies of applications and the received opinions on the applications, copies of the received acts and, if it is necessary, other documents are directed to the justices and the participants of the process not later than 10 days before the beginning of the session. Opinions on the applications are directed within this term only if they were received not later than 2 weeks before the session.

2. The Russian Federation Constitutional Court notifies of the sessions through announcements in specially set, accessible for people places of its premises and also through mass media.

Article 50. Participants of the process

1. The participants of the process in the Russian Federation Constitutional Court shall be the sides, their representatives, witnesses, experts, interpreters.

2. The President of the Russian Federation, the Chairman of the Federal Assembly and the State Duma, the Chairman of the Government of the Russian Federation, the Chairman of the Supreme Court of the Russian Federation, the Chairman of the High Arbitrary Court of the Russian Federation, the Commissioner on the Civil Rights, the Prosecutor-General of the Russian Federation, the Minister of Justice of the Russian Federation who are present at the session are able at the suggestion of the Russian Federation Constitutional Court to relate their points of view on the deliberated case.

Article 51. Sides and their representatives

1. The sides at the session of the Russian Federation Constitutional Court shall be:

- 1) the applicants - organs or persons who have submitted the application to the Russian Federation Constitutional Court;
- 2) the organs and officials, who have issued or signed the Act, the constitutionality of which shall be reviewed;
- 3) the state bodies, competence of which is disputed.

2. The authorised representatives of the sides may be: the chief of the body, who has signed the application to the Russian Federation Constitutional Court, the chief of the body, which

has issued the act under dispute or participating in the dispute on competence, the official, who has signed the Act under dispute. The lawyers or persons having a scientific degree in Law, whose authority are certified with the corresponding document may be the representatives of sides.

3) The sides shall have equal rights in the process. The sides or their representatives must arrive at the session on the call of the Russian Federation Constitutional Court, must relate their point of view on the case, address the questions to the other participants of the process, submit inquiries. The sides may submit written opinion on the application due to be added to the materials of the case, may get familiar with the opinion of the other side.

4. The fact that the side or its representative has not arrived at the session of the Russian Federation Constitutional Court shall not prevent the Court from deliberating the case.

Article 52. Public Session

1. The sessions of the Russian Federation Constitutional Court are held in the hall where public and mass media are admitted except the cases specified by the present Law. The people present have a right to record the course of the session from their places in the hall. Filming and taking pictures, video taping, live broadcasting and direct telecast are allowed by the Russian Federation Constitutional Court's authority.

2. The security purposes the Chairman of the Russian Federation Constitutional Court may give orders to take measures towards the persons willing to attend the court's sessions including verification of identification documents, search of property brought to the courtroom, personal search with the Court's consent. With the Court's consent the Chairman of the Russian Federation Constitutional Court may give orders to let the public in the session with the passes. The passes can be distributed by the Chairman or by the Judge-secretary of the Russian Federation Constitutional Court assigned by the Chairman.

3. The sessions of the Russian Federation Constitutional Court are held in a ceremonial atmosphere with the observance of judicial etiquette's provisions. The persons in the session hall are obliged to respect the Russian Federation Constitutional Court and its rules and procedures, to obey the orders on observance of the session routine issued by the Chairman.

4. Maintenance of order at the session of the Russian Federation Constitutional Court is imposed upon the court bailiffs, their orders are obligatory for all people present.

5. With the consent of the Russian Federation Constitutional Court the Chairman may remove the public after warning in case there was break of order violating the normal procedure of the session.

6. Individuals breaking the order or not obeying the lawful orders of the Chairman may be removed from the session hall after the second warning.

7. The Russian Federation Constitutional Court may impose a fine upon the persons breaking the order and not obeying the orders of the Chairman. The fine may amount to ten minimum wages.

Article 53. Session in Camera.

1. Judges of the Constitutional Court of Russian Federation, the parties and their representatives are present at the session in camera.

The problem of presence for other participants of the trial and for workers of the Russian Federation Constitutional Court Sekretariat charged with the organization of normal session procedure is determined by the Chairman on agreement with the judges.

2. The cases in session in camera are tried according to the general rules of the constitutional judicial proceedings.

Article 54. Judge's Disqualification.

1. A Judge of the Russian Federation Constitutional Court is disqualified for cause when:

1) earlier the judge in conformity with his position was involved in passing the act which is under trial;

2) impartiality of judge in deciding the case may be questioned because the judge is related by blood or by marriage to the representatives of parties.

2. A judge of the Russian Federation Constitutional Court is required to disqualify himself before the case hearing if there are circumstances mentioned in the first part of the present article.

3. The grounds for the disqualification of the Russian Federation Constitutional Court judge from the participation in the case are stated by the motivated decision of the Russian Federation Constitutional Court. This decision is made by all judges present by the majority vote after hearing the judge whose disqualification problem should be solved.

4. If a judge expresses his expert opinion on the draft act which is under consideration in the Russian Federation Constitutional Court has become there, this view can not make a ground for the disqualification of the judge for cause in the case.

Article 55. Session Order.

1. At the appointed time the presiding judge opens the session of the Russian Federation Constitutional Court, checks up the quorum and the recording personnel and informs about the case to be considered.

2. The presiding judge checks up the appearance of trial participants, the powers of the parties' representatives. In case when some representatives did not appear or they were not properly authorized for the trial the presiding judge raises the question

whether the case can be considered. If the Russian Federation Constitutional Court recognizes that the case cannot be considered, it is adjourned.

3. The presiding judge explains the rights and the obligations to the parties and their representatives. The judge explains the rights, obligations and responsibility to other participants of the trial.

Article 56. Presiding Judge at Session.

1. The presiding judge at the session of the Russian Federation Constitutional Court

- provides leadership for the session and takes necessary measures to secure the established order of proceedings provided it should be complete comprehensive, and should be recorded thoroughly (the results of the proceedings including);
- removes from the proceedings everything that is irrelevant to the case under consideration;
- gives the floor to the judges and participants of the trial;
- interrupts the speeches of the trial participants if they concern the questions irrelevant to the proceedings, deprives of the right to speak when the order of speeches has been broken unwarrantedly, when the instructions of the presiding judge have not been executed twice, rude or insulting words have been pronounced, when statements and aptals persecuted by law have been made.

2. On his own initiative or on the proposal of not less than three judges of the Russian Federation Constitutional Court the presiding judge declares a break in session for rest, when working hours are over, when the circumstances arise that create obstacles to the ordinary session procedure, and for other valid reasons.

3. Objections to the instructions and actions of the presiding judge made by some participants of the trial are put into the session records. The instructions and actions of the presiding judge may be reconsidered by the Russian Federation Constitutional Court during the same session on the proposal of the party or any judge.

Article 57. Recording.

1. The session of the Russian Federation Constitutional Court is recorded.

2. The record of proceedings contains:

1) place and date of session with the time when it started and ended;

2) enumeration of the judges present and absent from the session

with the reasons for absence for every judge or with the note that the reasons are unknown to the Court;

- 3) name and position of the presiding judge;
- 4) formulations of the questions under consideration;
- 5) data on the session participants;
- 6) information about the consecutive operations of the Russian Federation Constitutional Court and about their results;
- 7) decisions made by the Russian Federation Constitutional Court, when there is no need to expose those decisions in a separate document;
- 8) pleadings and speeches of the parties and their representatives
- 9) note on bringing the experts and witnesses to oath and on warning them of their responsibility;
- 10) experts and witness's testimony;
- 11) questions put to the parties, their representatives, to experts, witnesses and respective answers;
- 12) speeches of the session participants;
- 13) indications to the facts that the session participants asked to attest in the record;
- 14) records of violations of order that took place, of other cases of contempt to the Russian Federation Constitutional Court, of other warnings and imposed fines, of other measures, of procedural responsibility that have been taken by the Court;
- 15) questions put to vote by the judge during the session, and the results of the vote.

3. Verbatim record of the session may be made to provide complete and exact record.

4. The record of the plenary session is signed by the presiding judge and by the judge-secretary of the Russian Federation Constitutional Court, the record of the chamber's session - by the presiding judge at the chamber's session.

5. Trial participants are allowed to read the records and verbatim records with the permission of the Russian Federation Constitutional Court.

Article 58. Procedure of Facts Discovery.

I. Examination of merits of the case under consideration at the session of the Russian Federation Constitutional Court begins with the statement made by the judge-reporter on the grounds for

the case hearing, on substance of the problem, on the contents of the materials the Court has and on the measures taken to prepare the case for hearing. Other judges of the Russian Federation Constitutional Court may ask questions to the judge-reporter.

2. After the statement of the judge-reporter the Russian Federation Constitutional Court hears the motions of the parties and makes a decision on the procedure of facts discovery.

3. The procedure established by the decision of the Russian Federation Constitutional Court may be changed only by the Court. The motions on the procedure of facts discovery moved in case hearing by the judges of the Russian Federation Constitutional Court are considered by the Court without delay.

Article 59. Pleadings in Court.

1. In conformity with the procedure established by the decision of the Russian Federation Constitutional Court the presiding judge proposes to the parties to give explanations on the merits of the problem under consideration and to give legal arguments to prove their standpoint. In case when the party's standpoint is upheld by several representatives the sequence and volume of speeches are defined by the party concerned.

2. Parties and their representatives do not have the right to use their statements in the Russian Federation Constitutional Court for political declarations and they ought not to make insulting statements, comments and remarks addressed to the state bodies, public organisations, trial participants, officials and citizens.

3. Pleadings in the Court are entirely heard by the Russian Federation Constitutional Court and can't be interrupted by the questions or remarks.

4. The judges of the Russian Federation Constitutional Court and the opposite party may ask questions after hearing the pleadings of the party. The experts may also ask questions with the permission of the Court.

Article 60. Expert Evidence.

1. Persons with special knowledge on the case under consideration may be summoned to the session of the Russian Federation Constitutional Court as expert witnesses. The questions for expert evidence are determined by the judge-reporter or by the Russian Federation Constitutional Court.

2. Prior to the evidence the expert is sworn in and warned about the responsibility for perjury.

3. With the permission of the Russian Federation Constitutional Court an expert has a right to see the case files, ask questions to the parties and witnesses, and also make applications on additional materials to be given.

4. After giving evidence the expert is obliged to answer additional questions put forward by the judges of the Russian Federation Constitutional Court and by the parties.

Article 61. Witnesses' Testimony.

1. When there is a need to examine factual circumstances (in case when such examination is referred to the competence of the Russian Federation Constitutional Court), persons with the relevant information and materials may be summoned as witnesses.

2. Prior to testimony a witness is sworn in and warned about the responsibility for perjury.

3. A witness is obliged to inform the Russian Federation Constitutional Court about the circumstances concerning the merits of the case under consideration which are known to him personally, and to answer additional questions from the judges of the Russian Federation Constitutional Court and from the parties. If necessary he may make use of his written notes, and documents and other materials as well.

Article 62. Documents' Discovery

1. Documents may be read at the session of the Russian Federation Constitutional Court on the judges' initiative or on the motion of the parties'. The documents with doubted authenticity are not subject to reading.

2. On Court's decision the documents discovered by the Russian Federation Constitutional Court are subject to attaching to the case in original or authenticated copies.

Article 63. Closing Arguments of Parties.

1. Closing arguments of the parties are heard after the end of the judicial discovery. The Russian Federation Constitutional Court may grant time to the parties to prepare for the closing arguments at their request.

2. In their closing arguments the parties do not have the right to refer to the documents and facts of the case that have not been discovered by the Russian Federation Constitutional Court.

Article 64. Resumption of Discovery.

1. If after the closing arguments of the parties the Russian Federation Constitutional Court acknowledges the necessity of discovering additional facts substantial for the case resolution or discovering new evidence, it rules out the resumption of discovery.

2. After the end of additional discovery the parties are again entitled to closing arguments but only in connection with new facts and evidence.

Article 65. Completion of Case Hearing.

When the Russian Federation Constitutional Court acknowledges the facts discovery finished the presiding judge declares the completion of case hearing in Court's session.

Article 66. Judges' Meeting in Camera.

1. Final judgement of the case is passed by the Russian Federation Constitutional Court by meeting in camera.

2. Only the judges of the Russian Federation Constitutional Court hearing the case participate in the meeting in camera. In deliberations room the staff workers of the Russian Federation Constitutional Court providing recording and normal procedure of meeting may be present.

3. During the meeting in camera a judge of the Russian Federation Constitutional Court has the right to freely express his view on the question under discussion and to ask other judges to clarify their views. The number and duration of speeches at the meeting in camera can't be limited.

4. The record of the meeting in camera is signed by all judges present and is not subject to reading.

5. The judges and other persons present at the meeting in camera do not have the right to divulge the contents of the discussion and the results of voting.

CHAPTER YIII. RUSSIAN FEDERATION CONSTITUTIONAL COURT JUDGEMENTS

Article 67. Types of Judgements.

1. The judgement passed at the plenary session and at the chamber's session of the Russian Federation Constitutional Court as well as the judgement of the Russian Federation Constitutional Court.

2. The final judgement of the Russian Federation Constitutional Court concerning the questions enumerated in items I, 2, 3, 4, part I, article 3 of the present Law is called "ruling". The rulings

are made on behalf of Russian Federation.

3. The final judgement of the Russian Federation Constitutional Court on the merits of interpellation on the observance of the legal procedure of the Russian Federation President indictment in high treason or in committing any other grave crime is called "finding".

4. All other judgements of the Russian Federation Constitutional Court passed during constitutional judicial proceedings are called "definitions".

5. At the sessions of the Russian Federation Constitutional Court judgements on the organisational problems of its activity are also passed.

Article 58. Acceptance of Judgement.

1. Judgement of the Russian Federation Constitutional Court is accepted by open ballot in asking judges by name. The presiding judge is always the last to vote. On the request of not less than five judges at the plenary session and of not less than three judges at the chamber's session the judgement of the Russian Federation Constitutional Court is accepted by secret ballot.

2. To be accepted, a judgement should require the majority vote of the participating judges provided there was quorum.

3. A judge does not have the right to abstain from voting.

Article 69. Requirements for Judgements.

1. Judgements of the Russian Federation Constitutional Court should be based upon the Russian Federation Constitution and materials discovered by the Russian Federation Constitutional Court and attached to the case.

2. The Russian Federation Constitutional Court makes judgement of the case taking into consideration literal sense of the act and literal interpretation given by official and other acts or by existing law-enforcing practice as well. It also takes into account its place within the system of legal acts.

3. The Russian Federation Constitutional Court makes judgement and findings concerning exactly the matter in address and only in relation to that part of the act or competence of the body whose constitutionality is complained in the address. In making judgement the Russian Federation Constitutional Court is not bound by the grounds and arguments stated in the address.

4. The rulings and findings of the Russian Federation Constitutional Court are subject to statement in the form of separate documents when motives for their acceptance are obligatory given.

5. Definitions of the Russian Federation Constitutional Court are read at the Court's session and recorded, if the opposite is not specified by the present Law or by the decision of the Russian Federation Constitutional Court.

Article 70. Statement of Judgement.

I. According to the question of issue the judgement of the Russian Federation Constitutional Court stated in a separate document contains the following information:

- 1) denomination of judgement, date and place of acceptance;
- 2) panel of the Russian Federation Constitutional Court that made the judgement;
- 3) the parties to the case;
- 4) formulation of the question under trial, grounds for the trial;
- 5) rules of the Russian Federation Constitution and the present Law in pursuant with which the Russian Federation Constitutional Court is entitled to consider the question;
- 6) claims contained in the address;
- 7) facts and other circumstances found by the Russian Federation Constitutional Court;
- 8) arguments supporting the judgement made by the Russian Federation Constitutional Court and in urgent cases also arguments refuting the assertions of the parties;
- 9) rules of the Russian Federation Constitution and the present Law, in pursuant with which the Russian Federation Constitutional Court made the judgement;
- 10) formulation of the judgement;
- 11) statement on finality and binding force of the judgement;
- 12) procedure of judgement's entry into force the terms and specific features for execution and publication of the judgement;

2. The judgement of the Russian Federation Constitutional Court is signed by all judges participating in the voting.

Article 71. Dissenting Opinion.

I. Dissenting judge of the Russian Federation Constitutional Court has the right to express his dissenting opinion..Dissenting opinion is attached to the files of the case and is subject to

publication together with the judgement of the Russian Federation Constitutional Court.

2. A judge of the Russian Federation Constitutional Court, who voted for the judgement or the finding on the merits of the problem under the Russian Federation Constitutional Court trial but was outvoted in voting on another problem or on the motivation of the judgement, has the right to write his dissenting opinion different from the opinion of most of the judges. In this case written dissenting opinion is also attached to the files of the case and is subject to the publication in "Russian Federation Constitutional Court Newsletter".

• Article 72. Judgement Announcement.

1. The judgement of the Russian Federation Constitutional Court is announced in full scope at public session of the Russian Federation Constitutional Court just after its signature.

2. Judgements and findings of the Russian Federation Constitutional Court are sent within two weeks since the day of their signature to:

- the judges of the Russian Federation Constitutional Court;
- the parties;
- the Russian Federation President, Federation Council, State Duma, Russian Federation Government, Human Rights Commissioner;

-Russian Federation Supreme Court, Russian Federation High Arbitration Court, Procurator-General of the Russian Federation; Justice Minister of the Russian Federation;

3. The judgements of the Russian Federation Constitutional Court can be also sent to other state and public organs, official and citizens.

Article 73. Judgement Publication

The judgements and findings of the Russian Federation Constitutional Court are subject to a prompt publication in official publications of the Russian Federation State power organs, official publications of the Russian Federation subject concerned with the particular judgement. The judgements of the Russian Federation Constitutional Court are also published in "Russian Federation Constitutional Court Newsletter" and in other publications if necessary.

Article 74. Legal Force of Judgements

1. The judgements of the Russian Federation Constitutional Court are final, they are not subject to appeal in the Russian Federation and are brought force immediately after announcement.

2. The judgements of the Russian Federation Constitutional Court are of direct action, they should not be confirmed by other bodies and officials. If a law-making instrument was found to be unconstitutional and thus a gap in the legal adjustment was created, then the Russian Federation Constitutional Court are directly applied. Legal position expressed by the Russian Federation Constitutional Court in the case judgement is legally binding for other courts and bodies.

3. Acts or their separate provisions found to be unconstitutional are not valid, international treaties of the Russian Federation which are not appropriate to the Russian Federation Constitution, are not subject to introduction and implementation. Decisions of the Courts and other bodies based on unconstitutional acts are not subject to execution and they should be reviewed in accordance with the procedure defined by the law.

4. Legal force of the Russian Federation Constitutional Court judgement ^{of} the act found to be unconstitutional cannot be surmounted by the second passing of the same act.

Article 75. Terms of Judgement's Execution

Judgement of the Russian Federation Constitutional Court is subject to a prompt execution after its publication or delivery of

its official text if other terms have not been preconditioned specially.

Article 76. Consequences of Non-performance of Judgement

Non-performance, bad performance or prevention of execution of the Russian Federation Constitutional Court entails the legal responsibility.

Article 77. Inaccuracy Correction in Judgement

After the announcement of the judgement the Russian Federation Constitutional Court may correct inaccuracies admitted in denominations, in designations, slips of the pen and apparent editorial errors. Special definition is made about such corrections.

Article 78. Interpretation of Judgement

1. The judgement of the Russian Federation Constitutional Court may be officially interpreted only by the Russian Federation Constitutional Court itself at the plenary session or at the chamber's session that made the judgement, when the bodies and persons entitled to petition the Russian Federation Constitutional Court, pleaded or other bodies and persons who got the judgement sent by the Court pleaded, or on the initiative of the Russian Federation Constitutional Court.

2. A definition on the interpretation of the Russian Federation Constitutional Court judgement is made in a separate document subject to publication in the editions where the judgement has been published.

3. The Russian Federation Constitutional Court is obliged to interpret its judgement in conformity with its genuine contents and it cannot interpret it the way could no be meant at the moment the judgement was made.

Article 79. Judgement Revision

1. The Russian Federation Constitutional Court judgement may be revised if there is one of the following circumstances:

1) if the Russian Federation Constitutional Court acknowledges that the judgement has been made with severe violation of proceedings defined by the present law;

2) if new significant facts were discovered that were unknown to the Russian Federation Constitutional Court at the moment when the judgement was passed;

3) if the judgement made at the chamber's session is contrary to the legal position expressed in the judgement made earlier at the plenary session or at the chamber's sessions.

2. The Russian Federation Constitutional Court decision on the interpretation of its own judgement may be also revised in case when the judgement was interpreted against its genuine contents.

3. The question about the revision of the Russian Federation Constitutional Court judgement is put for discussion on the initiative of not less than three judges at the chamber's session or five judges at the plenary session of the Russian Federation Constitutional Court.

Section III. Russian Federation Constitutional Court consideration of certain Categories of Cases

Chapter IX. Consideration of Cases on constitutionality of Law-Making Instruments issued by Organs of State Power and Treaties between them.

Article 80. Right to adress the Russian Federation Constitutional Court

The Russian Federation President, Federation Council, State Duma, one fifth of Federation Council or State Duma membership, Russian Federation Government, Russian Federation High Arbitration Court, organs of executive and legislative power under the Russian Federation subjects are entitled to petition adress the Russian Federation Constitutional Court on constitutionality of the enforced law-making instruments and treaties between the organs of state power enumerated in the Russian Federation Constitution article 125, part 2).

Article 81. Ground for Case Consideration

The ground for case consideration is an iuncertainty discovered in the question, in applicant's opinion, whether the law-making instrument or treaty between the state power bodies is appropriate to the Russian Federation Constitution.

Article 82. Admissibility of Petition

1. An petition to the Russian Federation Constitutional Court to determine of constitutionality of the law-making instrument or the treaty between the state power bodies is admissible in case, when in petitioner's opinion the law-making instrument or the treaty should be enforced because of its unconstitutionality or is subject to enforcement despite the official decision with the refusal apply the law-making instrument or the treaty because it is not appropriate to the Russian Federation Constitution. Such a decision is adopted by the federal state power bodies, by supreme state bodies of the Russian Federation subjects or by their official

2. The petition to determine the constitutionality of the law-making instrument issued by the Russian Federation subject is admissible, if this law-making instrument is published on the issue under jurisdiction of the Russian Federation state power bodies or under joint jurisdiction of the Russian Federation state power bodies and the Russian Federation subjects' state power bodies.

Article 83. Determination Criteria

1. The Russian Federation Constitutional Court determines the appropriateness of the law-making instruments and treaties between the state power bodies to the Russian Federation Constitution from the standpoint of:

1. the contents of the rules,
2. the form of the law-making instrument,
3. the procedure of signature, conclusion, adoption, publication or enforcement,
4. separation of legislative, executive and judicial powers defined by the Russian Federation Constitution,
5. delineation of competence between the federal state power bodies defined by the Russian Federation Constitution,
6. delineation of the terms of reference and authority between the state power bodies of the Russian Federation subjects defined by the Russian Federation Constitution, by federal and other treaties on delineation of the terms of reference and authority.

2. Determination of constitutionality of the law-making instruments and treaties between the state power bodies brought into force before the acceptance of the present Russian Federation Constitution is made by the Russian Federation Constitutional Court from the standpoint of the contents of the rules.

Article 84. Final Judgement of Case

1. Finally after determination of the constitutionality of the law-making instrument or treaty the Russian Federation Constitutional Court passes one of following judgements:

- a) on acknowledgement of the law-making instrument or treaty, or their separate provisions as appropriate to the Russian Federation Constitution;
- b) on acknowledgement of the law-making instrument or treaty, or their separate provisions as non-appropriate to the Russian Federation Constitution.

2. After determination of constitutionality of the law-making

instrument or the treaty the Russian Federation Constitutional Court may simultaneously pass a judgement on other law-making instrument in its competence containing the same provisions, though these law-making instruments have not been mentioned in the petition.

Chapter X. Consideration of Cases on constitutionality of international Agreements of Russian Federation and Acts regulating entry of Treaty into force

Article 85. Right to Petition the Russian Federation Constitutional Court

The Russian Federation President, Federation Council, State Duma, one fifth of Federation Council or State Duma membership, Russian Federation Government, Russian Federation Supreme Court, Russian Federation High Arbitration Court, organs of legislative and executive power under the Russian Federation subjects are intitled to petition on reviwie of the constitutionality of non-enforced International treaty of the Russian Federation and also of the act of the federal state power body regulating the introduction of this treaty.

Article 86. Ground for Case Consideration

1. The ground for case consideration on constitutionality of non-enforced international treaty of the Russian Federation or of the act of the federal state power body regulating the entry of the treaty into force is an uncertainty discovered in the question (in applicant's opinion) whether the treaty or the entire act, or their separate provisions are appropriate to the Russian Federation Constitution.

Article 87. Admissibility of Application.

The application to review the constitutionality of an international treaty of the Russian Federation which has not come into force or of an act of a federal body of state power stipulating the entry into force of an international treaty of the Russian Federation shall be admissible, if:

1) in accordance with the Constitution and the Federal law of the Russian Federation the international treaty of the Russian Federation under application is subject to ratification in the State Duma or to confirmation by the Government of the Russian Federation;

2) the applicant considers the international treaty of the Russian Federation null on account of its incompatibility with the Constitution of the Russian Federation.

Article 88. Bounds of Reviewing

Bounds of reviewing by the Russian Federation Constitutional Court the compatibility of an international treaty of the Russian Federation or of an act stipulating the entry of an international treaty into force are pursuant to the provisions of article 83 above.

Article 89. Judgement on the Case.

1. One of the following decisions is taken by the Russian Federation Constitutional Court after its deliberations:

1) the international treaty which has not come into force or the act of a federal body of the state power providing the coming of the treaty into force or separate provisions of the treaty are recognized compatible with the Constitution of the Russian Federation;

2) the international treaty which has not come into force or the

act of a federal body of state power providing the coming of the treaty into force or separate provisions of the treaty are recognized incompatible with the Constitution of the Russian Federation.

2. Since the moment of the declaration of the judgement of the Russian Federation Constitutional Court of on the recognition of the international treaty of the Russian Federation which has not come into force or of its separate part incompatible with the Constitution of the Russian Federation the treaty shall not be ratified, confirmed or shall not become valid in the Russian Federation by any other way.

3. The judgement of the Russian Federation Constitutional Court on the recognition of the international treaty of the Russian Federation or of the act of the federal organ of state power providing the entry of the international treaty into force incompatible with the Constitution of the Russian Federation adopted by the Court after the treaty has become valid in the Russian Federation charges the corresponding federal organ of the state power to eliminate the stated by the Russian Federation Constitutional Court incompatibility of the international treaty with the Constitution of the Russian Federation by the means specified in the Constitution, laws and international commitments of the Russian Federation.

Chapter XI. Deliberations of Disputes of Competency

Article 90. The Right to Apply to the Constitutional Court of the Russian Federation.

Any disputing organ of the state power mentioned in Part 3 of Article 125 of the Constitution of the Russian Federation and the President of the Russian Federation also in the case pursuant to Part I of Article 85 of the Constitution of the Russian Federation have the right to apply to the Russian Federation Constitutional Court to settle the

dispute on the competency.

Article 91. Legal Grounds for Deliberating the Dispute.

Differences of positions of sides on which side should be vested with certain powers are considered to be grounds for deliberating the dispute in the Constitutional Court of the Russian Federation.

Applications for the institution of proceedings for deliberating the dispute shall be submitted in writing by one or several organs of state power, mentioned in Part III of Article 125 of the Constitution of the Russian Federation, to another or the other mentioned in it organs of state power. Violation of the defined by the Constitution of the Russian Federation competency of the applicant or applicants and suggestion of cancellation of the act, adopted in the opinion of the provisions of the Constitution of the Russian Federation of the delimitation of competency of organs of the state power must be stated.

Article 92. Admissibility of Application

1. Application of the organ or organs of the state power is admissible if:

1) the disputed competency is defined by the Constitution of the Russian Federation;

2) the dispute is not pursuant to the general jurisdiction or cognizance;

3) the dispute has not been settled or can not be settled by any other way;

4) the matter in dispute is the act issued by the organ of state power which is a party to the dispute;

5) the applicant considers the legislation of the act to be violating his competency;

6) the disputed act has not been cancelled by the organ of the state power which has issued the act within one month since the day it got in writing the application of the other party with the request that this act be cancelled; at that the copy of the application being simultaneously sent to the President of the Russian Federation;

7) the President of the Russian Federation within one month since the day he got the application pursuant to point 6 above has not initiated the conciliation procedures pursuant to Part I of Article 85 of the Constitution of the Russian Federation or if the procedures which have been initiated has not led, in the President's opinion, to the conciliation agreement.

2. The application of the President of the Russian Federation made for purposes of using Part I of Article 85 of the Constitution of the Russian Federation is admissible, if:

1) the President of the Russian Federation has used conciliation procedures to settle the disputes between organs of the state power;

2) disagreements between organs of the state power come within the jurisdiction of the Constitutional Court of the Russian Federation in the sphere of disputes on competency.

Article 93. Bounds of Deliberating Disputes on Competency

1. The Russian Federation Constitutional Court deliberates disputes on competency solely basing on the stated in the Constitution of the Russian Federation delimitation of legislative, executive and judicial power and on the delimitation of competency between the federal organs of the state power and also from the point of view of the delimitation

of the subjects under jurisdiction and powers between the organs of the state power of the Russian Federation and the organs of the state power of the subjects of the Russian Federation between the highest state bodies of the subjects of the Russian Federation legislated in the Constitution of the Russian Federation, Federation Federative and other treaties on the delimitation of subjects under jurisdiction and powers.

2. Deliberation of the case of compatibility of a normative act, subject to the jurisdiction of disputes of competency, with the Constitution of the Russian Federation in its form, contents of norms, order of its signing, conclusion, adopting, publishing or introducing shall only be possible if a specified application has been made and in accordance with the order of deliberating cases of constitutionality of normative acts.

Article 94. Judgement on the Dispute of Competency

1. In the judgement adopted after the deliberations of the dispute of competency the Russian Federation Constitutional Court shall declare either:

- 1) that the corresponding body of the state power has been competent to legislate the act which has caused the dispute of competency;
- 2) that the corresponding body of the state power has not been competent to legislate the act which has caused the dispute of competency

2. If the Russian Federation Constitutional Court declares that the act has not been the competency of the body of the state power which has issued it, the act becomes null and void since the time specified in the judgement.

3. The Russian Federation Constitutional Court during its session may spread the application of the earlier adopted decisions on the

dispute of competency to the other disputes.

Chapter XII. Deliberating Complaints of Unconstitutionality

Article 95. The Right to Apply to the Russian Federation
Constitutional Court

1. Any citizen or a commune, including a juristic person who claim that their basic rights and freedoms have been violated by the law applied or subject to application in the specific case shall be able to lodge an individual or a collective complaint of unconstitutionality of the law with the Constitutional Court of the Russian Federation.

2. Other persons or organs who claim that their basic rights and freedoms have been violated by the law applied or subject to application in the specific case may lodge their complaint of unconstitutionality of the law with the Constitutional Court of the Russian Federation in cases and in order stated by the Federal Law.

Article 96. Legal Grounds for Deliberating the Case.

The disclosed ambiguity in the question whether the law under complaint is compatible with the Constitution of the Russian Federation is considered the ground for deliberating the case of unconstitutionality of the law, which in the complainant's opinion, infringes rights and freedoms of citizens.

Article 97. Admissibility of the Complaint.

The complaint of unconstitutionality of a law is admissible if
1) the law violates basic rights and freedoms of citizens;

2) the law has been applied or is subject to application in the specific case, deliberations of which has begun in court or in any other body applying law.

Article 98. Bounds of Reviewing and Kinds of Judgement

The provisions of Articles 83' and 84 above shall apply mutatis mutandis to define the bounds of reviewing by the Russian Federation Constitutional Court of the of compatibility of the law in complaint with the Constitution of the Russian Federation and kinds of judgements on the maffer.

Chapter XIII. Reviewing Constitutionality of Laws at the Request
of Courts

Article 99. The Right to Apply to the Constitutional Court of
the Russian Federation.

The court trying a specific case shall apply to the Constitutional Court of the Russian Federation to review the constitutionality of the law which either has been applied or is subject to application in this case.

Article 100. Order and Consequences of submitting an Application

The decision to submit an application to the Constitutional Court of the Russian Federation is taken on the initiative of a court independently of the opinions of the participants of the legal proceedings. The proceedings on the case or the execution of the judgement pronoun-

ced by the court are suspended since the moment the decision to submit an application to the Russian Federation Constitutional Court was adopted up to the moment when the Constitutional Court pronounces its statement.

Article 101. Grounds for Deliberating the Case

The ground for deliberating the case of reviewing the constitutionality of a law at the request of a court shall be the disclosed ambiguity in the question whether the law which has been applied or is subject to application in a specific case deliberated by the court is compatible with the Constitution of the Russian Federation.

Article 102. Admissibility of Application

Application of a court is admissible if the law has been used or is subject to usage in a specific case with which this court deals.

Article 103. Bounds of Reviewing and Kinds of Judgements

The provisions of Articles 83 and 84 above shall apply mutatis mutandis to define the bounds of reviewing by the Russian Federation Constitutional Court of compatibility of the law which is the subject of the dispute with the Constitution of the Russian Federation and kinds of judgements on the case.

Chapter XIV. Deliberating Cases on the Interpretation of the
Constitution of the Russian Federation.

Article 104. The Right to Apply to the Russian Federation
Constitutional Court

The application to the Russian Federation Constitutional Court to interpret the Constitution of the Russian Federation shall be admissible from the President of the Russian Federation, the Federation Council, the State Duma, the Government of the Russian Federation, organs of legislative power of the subjects of the Russian Federation.

Article 105. Grounds for Deliberating the Case

Ambiguity of interpretation of provisions of the Constitution of the Russian Federation shall be the ground for reviewing the interpretation of the Constitution of the Russian Federation.

Article 106. By-Law Interpretation of the Constitution of the
Russian Federation

1. Interpretation of the Constitution of the Russian Federation legislated by the Russian Federation Constitutional Court is considered official and obligatory for all bodies of the state power, bodies of local self-government, officials, citizens and communes.

2. At the request of applicants pursuant to Part 5 of Article 125 of the Constitution of the Russian Federation, the Russian Federation Constitutional Court shall complement the interpretation of the Constitution of the Russian Federation given under proceedings.

Chapter XV. Deliberating the Case of Living the Conclusion on
the Adherence to the Procedural Provisions of
Charging the President of the Russian Federation.

Article 107. Applying to the Russian Federation Constitutional
Court

The Council of the Federation (the Federal Assembly) shall submit an inquiry to the Russian Federation Constitutional Court to get the conclusion on the adherence to the procedural provisions of charging the President of the Russian Federation with high treason or any other grave crime.

Article 108. Grounds for Deliberating the Case

Availability of charges shall be the ground for deliberating the case of adherence to the procedural provisions of charging the President of the Russian Federation.

Article 109. Admissibility of the Inquiry

The inquiry to the Russian Federation Constitutional Court to give the conclusion on the adherence of the Procedural Provisions of charging the President of the Russian Federation shall be admissible if the charge has been brought up by the State Duma and if there is a conclusion of the Supreme Court of the Russian Federation on the availability of signs of the high treason or any other grave crime in the activities of the President.

Article 110. Order of Submitting the Application and Living
the Conclusion.

1. The inquiry to get the conclusion on the adherence to the Procedural Proceedings of charging the President shall be forwarded to the Russian Federation Constitutional Court within one month since the State Duma has adopted the decision to charge the President. The inquiry is lodged appended with the decision of the State Duma to charge the President, verbatim record of the discussion of this problem in the State Duma and all the documents dealing with this discussion and the Conclusion of the Supreme Court of the Russian Federation. The inquiry is duty-free.

2. The conclusion must be given by the Russian Federation Constitutional Court within 10 days since the inquiry has been registered with the necessary shortening of procedural terms pursuant to the present Law.

Article 111. Judgement on the Adherence to the Procedural Provisions
of Charging the President of the Russian Federation.

1. On deliberating the case the Russian Federation Constitutional Court gives one of the following conclusions:

- 1) the procedural provisions of charging have been adhered to;
- 2) the procedural provisions of charging have not been adhered to.

2. In case the Russian Federation Constitutional Court concludes that the Procedural provisions of charging the President of the Russian Federation have not been adhered to the process of deliberating the case of charging the President pursuant to the Constitution of the Russian Federation cancels. In case the State Duma draws up the re-

peated decision to charge the President of the Russian Federation the three-month term pursuant to Part 3 of Article 93 of the Constitution of the Russian Federation commences since the State Duma has adopted the renewed decision.

Section IV. Material and Social Security of Judges of the
Constitutional Court of the Russian Federation.

Article 112. Salary

1. The salary of the justice of the Russian Federation Constitutional Court consists of wages, additional charge for the highest qualification class/degree and for the length of service, and also of stimulatory quarterly and yearly payments resultant from work.

2. The wages, additional charges for the highest qualification rank and for the length of service and stimulatory quarterly and yearly payments resultant from work are confirmed by the Federal Assembly. The salary of the President of the Russian Federation Constitutional Court shall not be lower than that of the President of the Russian Federation. The wages of the deputy President, the Justice Secretary and the Justices of the Russian Federation Constitutional Court shall not be lower, correspondingly, than 95, 90 and 85 % of the wage of the President of the Russian Federation Constitutional Court.

3. The Justices of the Russian Federation Constitutional Court having a scientific degree of the Master or of the Doctor in law get a 50 % rise in wages of a Justice of the Russian Federation Constitutional Court.

Article 113. Annual Leave

The Justice of the Russian Federation Constitutional Court is guaranteed an annual 48-day long leave with pay during vacation periods (June-September); at that the journey to the place of rest and back is subsidised.

Article 114. Social Security

1. The Justice of the Russian Federation Constitutional Court retiring upon reaching the retirement age, upon his request of retirement, and also in the event of his permanent unfitness for service is granted a discharge pay equal to his yearly salary.

2. Provisions of granting pensions to the Justices of the Russian Federation Constitutional Court including pensions for the length of service granted for the time of service in the sphere of law are established by the Federal Law.

3. The retired Justice of the Russian Federation Constitutional Court, who has served for not less than 15 years is paid, at his choice, either the pension or the non-taxable monthly life-long allowance equal to 80 % of the salary of the acting Justice, holding the corresponding post. The length of service, giving the Justice of the Russian Federation Constitutional Court the right for life-long allowance and other kinds of security includes both the length of his service in the capacity of a Justice and his previous service in the sphere of law. The monthly life-long allowance is paid at the expense of the federal budget.

Article 115. Living Conditions

Every Justice of the Russian Federation Constitutional Court

having no comfortable separate flat or house in Moscow for himself and members of his family shall be granted a comfortable dwelling (a flat or a house) in Moscow, which can be privatised, within 3 months after he was appointed the Justice.

Article 116. Social Service

The Justices of the Russian Federation Constitutional Court shall have the volume and the quantity of the social, transportation and medical service, sanatorium and resort treatment, hotel service, provisions of stationary and mobile communication and of bodyguard for Justices and members of their families equal to those of the Deputy Chairman of the Government of the Russian Federation.

Article 117. Social Protection of Justices and members of their families

1. Life and health of a Justice of the Russian Federation Constitutional Court shall be insured by the State at the expense of the federal budget for the sum equal to the 15-year total salary of the Justice.

2. State insurance organs pay insurance sums in the event:

a) of destruction (death) of the Justice of the Russian Federation Constitutional Court during the period of his service or when his service has either been suspended or cancelled and also when he has retired, if his death has been caused either by the injury or by a different damage - to his heirs in the sum of the 15-year total salary of the Justice;

b) of the injury or a different damage inflicted on the Justice, if it has ruled out any further possibility for him to serve - in the sum of the 3-year total salary of the Justice;

c) of the injury or of a different damage inflicted on the Justice if it has not caused his permanent unfitness for service - in the sum of the yearly salary of the Justice.

3. In the event the injury or a different damage has been inflicted on the Justice of the Russian Federation Constitutional Court in connection with his service and if this event has caused his permanent unfitness for further service he shall be paid a monthly compensation at the amount of the difference between his salary and either the granted pension or his life-long monthly allowance; at that the sum of payments got by him from the state insurance fund does not count.

4. In the event of the destruction (death) of the Justice of the Russian Federation Constitutional Court during his service or when

his service has been either suspended or cancelled and also during his retirement, members of his family unable to work or dependent on him are paid a monthly compensation at the amount of the difference between the part of the salary of the late Justice which his family was due to get and the granted to them in the event of the loss of the Bread-winner pension; at that the sum of payments got by them from the state insurance fund does not count;

5. The losses incurred by the ruin or destruction of the proper belonging to the Justice of the Russian Federation Constitutional Court or to the members of his family in connection with his service shall be compensated for to him or to the members of his family in full volume.

6. Payments to compensate the Justice or the members of his family for losses incurred pursuant to points 3, 4 and 5 above, are done at the expense of the federal budget.

Section V. The Personnel of the Russian Federation Constitutional Court

Article 118. Provisions on the Organisation and Administration of the Russian Federation Constitutional Court

1. The work of the Russian Federation Constitutional Court is provided by the personnel consisting of the Secretariat and other departments.

2. The Secretariat of the Russian Federation Constitutional Court arranges organisational, scientific-analytical, informational, referential and other kinds of activities of the Russian Federation Constitutional Court. It receives visitors, deliberates applications to the Russian Federation Constitutional Court as a preliminary and in cases which do not need the research of the Justices, assists the Justices in preparation of cases and other questions for deliberation at sessions and conferences, studies and sums up the activity of state bodies providing the execution of the judgements of the Russian Federation Constitutional Court. Further departments of the Court provide material and technical conditions, social security and other fields of activity of the Russian Federation Constitutional Court.

3. The size, the structure and the list of staff of the personnel are established by the Russian Federation Constitutional Court.

4. Provisions on the personnel, its departments are confirmed by the Russian Federation Constitutional Court.

Article 119. The Salary

1. The salary of the staff members of the Russian Federation Constitutional Court consists of wages, additional charge for the class rank, for the length of service, complexity, intensity and specific conditions of work and of quarterly and yearly payments resultant from work.

2. The wages of the staff members of the Russian Federation Constitutional Court are equalled to the wages of the corresponding categories of the personnel of the Government of the Russian Federation.

3. The staff members of the Russian Federation Constitutional Court having a scientific degree of the Master or of the Doctor in Law get a 50 % rise in wages.

4. The staff members of the Russian Federation Constitutional Court get a 30 % rise in wages for the knowledge of foreign languages and using them in work.

Article 120. Annual Leave

The staff members of the Russian Federation Constitutional Court are guaranteed an annual 30 calendar day leave with pay and the additional leave up to 15 days long depending on the length of civil service; at that the journey to the place of rest and back is subsidised.

Article 121. Social service and social security

1. Social service and social security of the staff members of the Russian Federation Constitutional Court is equalled to provisions and norms defined for the corresponding categories of the personnel of the Government of the Russian Federation.

2. The staff members of the Russian Federation Constitutional Court who have been conferred with the class rank, have the right to retire under the conditions and in order stated by the legislature of the Russian Federation. The retired members shall, at their choice, get either the old age pension (for the length of service) or a non-taxable monthly life-long allowance equal to 80 % of the salary of the personnel having the corresponding post.

3. The staff members of the Russian Federation Constitutional Court having class ranks are provided with the free of charge uniform in accordance with the norms stated by the Government of the Russian Federation.

4. Life and health of the staff members of the Russian Federation Constitutional Court must be insured by the State at the expense of the federal budget for the sum equal to the 10-year total salary. In the event of the injury or disablement got in connection with

the service the personnel members of the Russian Federation Constitutional Court gets a monthly compensation equal to the difference between the guaranteed pension and the salary at the latest place of work and the single-payment grant equal to the sum varying from the 2-year total salary to the 5-year total salary which depends on the degree of his unfitness for service. In the event of destruction (death) of the staff member of the Russian Federation Constitutional Court which happened in connection with his service, the family of the late staff member shall get the single-payment grant equal to the 10-year total salary.

5. In the event of destruction (death) of the member of the personnel of the Russian Federation Constitutional Court or his incapacity to serve which happened in connection with his service his family heirs the right to get a comfortable dwelling under the conditions and on the grounds which the staff member had before his death or before he got incapacitated for further service.

Section VI. Final Provisions

Article 122. The seat of the Russian Federation Constitutional Court

1. The permanent seat of the Russian Federation Constitutional Court shall be the capital of the Russian Federation, the city of Moscow.

2. Sessions of the Russian Federation Constitutional Court shall be held at the place of its permanent seat. The Russian Federation Constitutional Court shall be able to hold sessions in any other place if the Court considers it necessary.

Article 123. The seal of the Russian Federation Constitutional Court

The Russian Federation Constitutional Court has a seal with the picture of the State Coat of Arms (insignia) of the Russian Federation and its name.

Article 124. Official Publication of the Russian Federation Constitutional Court

"Bulletin of the Russian Federation Constitutional Court" shall be the official publication of the Russian Federation Constitutional Court.

Section VII. Transitional Provisions

1. Applications got by the Russian Federation Constitutional Court before the Constitution of the Russian Federation of 1993 has come into force are deliberated and settled by the Court within

the powers pursuant to article 125 of the Constitution of the Russian Federation.

2. As soon as the present law becomes valid the Russian Federation Constitutional Court elects the President, the Vice-President, the Justice-Secretary and forms the Chambers of the Court.