

FEDERAL LAW
№ 59-FZ of May 2, 2006
ON THE PROCEDURE FOR CONSIDERATION OF APPEALS
BY CITIZENS OF THE RUSSIAN FEDERATION

Adopted by the State Duma
on 21 April, 2006

Approved by
The Federation Council
on 26 April 2006

Article 1. Sphere of application of the present Federal Law

1. The present Federal Law regulates legal relations involved in the realization by the citizen of the Russian Federation (hereinafter referred to as "the citizen") of their right granted by the Constitution of the Russian Federation to approach state and local authorities; it also establishes the procedure whereby the citizen's appeals and complaints are considered by state and local authorities, as well as by officials thereof.

2. The procedure for considering citizens' appeals as stipulated by this Law covers all kinds of appeals by citizens, excepting those that are subject to consideration in accordance with procedures established by Federal Constitutional Laws and other Federal Laws.

3. The procedures provided for by the present Federal Law also apply to legal relations arising from appeals by foreigners and persons without citizenship, except for cases stipulated by the Federal Law or international treaties concluded by the Russian Federation

Article 2. Citizens' right to make appeals

1. Citizens have the right to make personal or collective appeals to state authorities, local authorities and officials.

2. Citizens implement their right for appeal freely and voluntarily. They avail themselves of their right for appeal provided they do not impinge on the rights and liberties of other persons.

3. Consideration of citizens' appeals is performed free of cost.

Article 3. Legal regulation of relations involving citizens' appeals

1. Legal relations involved in the consideration of citizens' appeals are governed by the Constitution of the Russian Federation, international treaties of the Russian Federation, Federal Constitutional Laws, the present Federal Law and other Federal legislation.

2. Laws and other legal normative acts of the Russian Federation may declare regulations aimed to defend the citizens' right for appeals, including safeguards for citizens' right for appeals supplementing the safeguards stipulated by the present Federal Law.

Article 4. Basic terms used in the present Law

The following terms have been used in formulating the present Federal Law:

1) A citizen's representation (hereinafter referred to as "representation") means a written communication addressed to a state body or agency, a local authority -- containing a proposal, appeal or complaint, as well as a citizen's oral contact with a state body or local authority;

2) A proposal is a citizen's recommendation aimed at improving laws or other legislative acts, improving the work of state agencies or local authorities, at developing social relations or improving the social economic sphere or other spheres of the activity of the state and society;

3) An application is a request on the part of the citizen for help in the realization of their own or other persons' constitutional rights and freedoms -- as well as a report on violations of laws or other normative legislative acts or on deficiencies in the functioning of state or local authorities or officials or critique of the work of the mentioned bodies or officials;

4) A complaint is a request by a citizen to restore or defend his rights and freedoms or the rights, freedoms and legal interests of other individuals;

5) An official is a person who performs, permanently, temporarily or by special authority, the functions of a government representative or carries out managerial and administrative functions in a state body or a local authority.

Article 5. The citizen's rights when their appeals are considered

In the course of making an appeal to state and local authorities or officials thereof the citizen has the right:

- 1) to provide supplementary documents and materials or request the authorities to obtain them;
- 2) to get familiarized with documents and materials in the consideration of the appeal unless this impinges on the rights, freedoms and legal interests of other persons concerned or unless the mentioned documents and materials contain classified information protected by federal law;
- 3) to get a pointed written reply concerning the issues raised in the appeal, except for those cases that are referred to in Article 11 of this Federal Law, as well as to get a notification about the referral of the appeal to a state or local authority or an official directly responsible for dealing with the issues raised in the appeal;
- 4) to lodge a complaint about decision taken in consequence of the appeal or about any action (or inaction) in connection with the consideration of the appeal in administrative and/or judicial manner in conformity with the legislation of the Russian Federation;
- 5) to ask for stopping the consideration of the appeal.

Article 6. Guarantees for the citizen's security in connection with the appeal

1. It is forbidden to persecute any citizen in connection with his/her appeal to a state or local authority or an official, in which the citizen criticized the work of the mentioned authorities or official in order to restore or defend his/her own or other persons' rights, freedoms and legal interests.

2. When considering the appeal, no information contained therein and no information concerning the citizen's private life may be disclosed without the citizen's consent. Forwarding the information contained in the appeal to state agencies or local authorities concerned does not constitute a disclosure of information.

Article 7. Requirements to be met by written appeals

1. The citizen sending an appeal must state either the name of the state or local authority addressed or the last, first and middle name of the official concerned, or the position of the official concerned; the citizen must also clearly state his/her own last, first and middle name (the latter if applicable), as well as the postal address to send a reply to, a notification of the appeal being re-addressed; the writer must give the essence of his/her proposal, application or complaint, sign the appeal and date it.

2. If necessary, the citizen may enclose documents and materials, or copies thereof, to support his/her arguments.

3. An appeal received by a state or local authority or an official through the general public use information systems shall be treated in accordance with the procedures stipulated by this Federal Law.

Article 8. Sending and registering a written appeal

1. The citizen sends his/her appeal to the state or local authority or official directly responsible for dealing with the issues raised in the appeal.

2. Any written appeal must be registered within three days since its delivery to the state or local authority or official concerned.

3. Any written appeal that contains matters outside the competence of the mentioned state or local authority or official, is to be forwarded within seven days since its registration to an appropriate body or official in whose competence dealing with the issues raised is vested, with a notification sent to the citizen to inform him/her, except for cases referred to in part 4 of Article 11 of this Federal Law, about re-addressing the appeal.

4. Where the solving of the issues raised in the appeal involves the responsibility of several state or local government bodies, copies of the appeal are to be forwarded to appropriate state and local government bodies and agencies or appropriate official within seven days since registration.

5. The state or local government authority or official that readdresses a written appeal to another state or local government office or official is allowed to contact those, when necessary, in order to obtain from them documents and materials regarding the results of the consideration of the written appeal.

6. It is forbidden to send complaints for consideration to those state or local government bodies or officials, whose decision, action (or inaction) has been complained against.

7. Where it is impossible, in accordance with the ban stipulated by paragraph 6 of this article, to send the complaint to the state or local government body or official in whose competence dealing with the issues raised in the appeal rests, the complaint is returned to the citizen with an explanation that the citizen has the right of litigating the mentioned decision or action (inaction) through the normal legal procedure

Article 9. Obligatory consideration of appeals

1. It is mandatory that any appeal received by state or local authority body or official within their competence be appropriately considered.

2. Where necessary, the appropriate state or local authority or official may carry out a consideration *in situ*.

Article 10. Consideration of appeals

1. A state or local authority body is:

1) to provide an impartial, all-round and prompt consideration of an appeal – where necessary, together with the citizen who sent it;

2) to inquire and request from other state and local authority bodies and officials, except courts, crime detection and investigation agencies, any appropriate documents and materials;

3) to take action aimed at the restoration or defence of the citizen's impinged rights, freedoms and legal interests;

4) to send a pointed written reply regarding the issues raised in the appeal, except cases referred to in article 11 of this Federal Law;

5) to notify the citizen about forwarding his/her appeal to another state or local authority body or official in accordance with their sphere of competence.

2. Any state or local authority body or official is obliged to forward in accordance with the established procedural manner for requests, within 15 days, any documents and materials required for the consideration of the appeal -- to the appropriate state or local authority body requesting them, except for documents and materials containing information that constitutes state secrets or other secrets protected by Federal Law, for obtaining which a special official procedure is to be followed.

3. All replies to appeals are to be signed by the head of the state or local authority body, the official concerned or a specially authorized person.

4. Replies to appeals received by state or local authority bodies or officials are to be sent via public use information systems to the postal address given in the appeal.

Article 11. The Procedure for consideration of individual addresses

1. In case a written appeal does not indicate the surname or mailing address of a citizen who has sent it, the reply to the appeal shall not be given. Provided the given appeal contains information about a wrongful act which is being prepared, being committed or has been committed, or about a person who is preparing, committing or has committed it, the written appeal is subject to be sent to a state authority in accordance with its jurisdiction.

2. An appeal to a judicial decision shall be returned to the citizen who has written it with the explanation of the formal procedure for appealing the given judicial decision.

3. Upon the receipt of a written appeal which contains indecent or abusive expressions, threats to the life, health or property of an official or members of his family, a state authority, local authority or official have the right to leave the appeal without replies to the questions posed in it and inform the citizen who has sent the appeal about the inadmissibility of abusing the right.

4. In case the text of a written appeal is illegible, the reply to the appeal shall not be given and sent for consideration by a state authority, local authority or official in accordance with their competence of which the citizen who has sent an appeal shall be informed provided his surname and mailing address are legible.

5. In case the written appeal of a citizen contains a question to which he has repeatedly been given substantial written replies with reference to his previously sent appeals and considering that no new reasons or circumstances have been provided in them, the head of a state authority, local authority, official or authorized person have the right to take the decision about the groundlessness of yet another appeal and to terminate the correspondence with the given person on the given issue on condition the appeal under consideration and previously sent appeals were directed to the same state

authority, local authority or official. A citizen who has sent an appeal shall be informed about this decision.

6. In case the reply to a pertinent question raised in the appeal cannot be given without divulging the information considered to be a State secret or another kind of a secret protected by federal law, the citizen who has sent an appeal shall be informed about the impossibility to give a reply to the pertinent question posed in the appeal in view of the inadmissibility of divulging the indicated facts.

7. In the case of the subsequent elimination of the reasons which made the reply to the pertinent questions raised in the appeal impossible, the citizen is entitled to send an appeal to a respective state authority, local authority or official again.

Article 12. The terms of consideration of a written appeal

1. A written appeal submitted to a state authority, local authority or official in accordance with their jurisdiction shall be considered within 30 days from the time of the registration of the appeal.

2. In exceptional cases and also in the case of forwarding a request stipulated by Paragraph 2 of Article 10 of the present Federal law, the head of a state authority, local authority, official or authorized person are empowered to extend the term of appeal's consideration for not longer than 30 days. A citizen who has sent an appeal shall be informed about the extension of the term.

Article 13. Personal reception of citizens

1. The personal reception of citizens is conducted by the heads and authorized persons of state authorities and local authority bodies. Citizens shall be informed about the place, date and hours of the reception.

2. A person who has come to a personal reception shall show a document proving his identity.

3. The content of an oral appeal is entered in a citizen's personal reception card. In case the facts and circumstances contained in an oral appeal are obvious and do not require additional checkup, by citizen's consent a reply to an appeal can be given orally during a personal reception of which an entry shall be made in a citizen's personal reception card. In other cases a written reply shall be given to pertinent questions posed in an appeal.

4. A written appeal accepted during a personal reception is subject to registration and consideration in compliance with the procedure specified by the present Federal law.

5. In case an appeal contains questions which cannot be decided within the jurisdiction of the given state and local authority bodies or officials, an explanation shall be given to a citizen as to what authorities he shall turn to and what procedure he shall follow.

6. During a personal reception a citizen can be denied the further consideration of an appeal provided he has been previously given a reply to the pertinent questions posed in an appeal.

Article 14. Control over observance the procedure for consideration of appeals.

Within their jurisdiction state and local authority bodies and officials exercise control over the observance of the procedure for the consideration of appeals, analyse the content of incoming appeals, take measures aimed at the timely detection and exclusion of the causes of the violation of citizens' rights, freedoms and legal interests.

Article 15. Responsibility for the violation of the present Federal law

Individuals guilty of the violation of the present Federal law bear responsibility stipulated by the Russian Federation legislative acts.

Article 16. Compensation for losses and recovery of expenses in considering appeals

1. By a judicial decision a citizen is entitled to a compensation for losses and moral damage caused by an unlawful action (inaction) by a state authority, local authority or official in considering an appeal.

2. In the case of the deliberately false information provided by a citizen in his appeal, expenses borne by a state authority, local authority or official in connection with the appeal's consideration can be recovered from this citizen by a court decision.

Article 17. Recognition of a number of legislative acts of the Union of Soviet Socialist Republics to be no longer in effect on the territory of the Russian Federation

To recognize as being no longer in effect on the territory of the Russian Federation:

1) The Decree of the Presidium of the Supreme Soviet of the USSR from April 12, 1968 года N 2534-VII "On Procedure for Consideration of Citizens' Proposals, Appeals and Complaints" (The Bulletin of the Supreme Soviet of the USSR, 1968, N 17, p. 144);

2) Law of the USSR from June 26, 1968 года N 2830-VII "On Approval of Decree of the Presidium of the Supreme Soviet of the USSR "On Procedure for Consideration of Citizens' Proposals, Appeals and Complaints" (the Bulletin of the Supreme Soviet of the USSR , 1968, N 27, p. 237);

3) The Decree of the Presidium of the Supreme Soviet of the USSR from March 4, 1980 N 1662-X "On Introduction of Changes and Amendments into the Decree of the Presidium of the Supreme Soviet of the USSR " On Procedure for Consideration of Citizens' Proposals, Appeals and Complaints" (the Bulletin of the Supreme Soviet of the USSR, 1980, N 11, ст. 192);

4) Law of the USSR from June 25 ,1980 N 2365-X "On Approval of Decrees of the Presidium of the Supreme Soviet on Introduction of Changes and Amendments into Some Legislative Acts of the USSR" (the Bulletin of the Supreme Soviet of the USSR, 1980, N 27, p. 540) in the part concerning the approval of the Decree of the Presidium of the Supreme Soviet of the USSR "On Introduction of Changes and Amendments into the Decree of the Presidium of the Supreme Soviet of the USSR " On Procedure for Consideration of Citizens' Proposals, Appeals and Complaints";

5) The Decree of the Presidium of the Supreme Soviet of the USSR from February 2, 1988 N 8422-XI "On Introduction of Amendments into the Decree of the Presidium of the Supreme Soviet of the USSR "On Procedure for Consideration of Citizens' Proposals, Appeals and Complaints" (the Bulletin of the Supreme Council of the USSR, 1988, N 6, p. 94);

6) Law of the USSR from May 26, 1988 N 9004-XI "On Approval of Decrees of the Presidium of the Supreme Soviet of the USSR on Introduction of Changes and Amendments into the USSR Legislative Acts " (the Bulletin of the Supreme Soviet of the USSR, 1988, N 22, p. 361) in the part concerning the approval of the Decree of the Presidium of the Supreme Soviet of the USSR "On Introduction of Amendments into the Decree of the Presidium of the Supreme Soviet of the USSR "On Procedure for Consideration of Citizens' Proposals, Appeals and Complaints".

Article 18. Entry into force of the present Federal Law

This Federal Law shall enter into force on the expiry of 180 days after its official publication

President of the Russian Federation

V. Putin

Moscow, Kremlin
May 2, 2006
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