

# Предварительный конституционный судебный контроль в Российской Федерации и зарубежных странах: сравнительно-правовое исследование в свете поправок к Конституции 2020 г., расширяющих полномочия Конституционного Суда

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**Alexandr PISAREV. Preliminary Constitutional Judicial Control in the Russian Federation and Foreign Countries: a Comparative Legal Study in the Light of the Amendments to the Constitution of 2020**

Amendments to the Constitution of the Russian Federation in terms of granting the Constitutional Court additional powers to exercise, at the request of the Head of the Russian state, preliminary regulatory control over the constitutionality of draft laws of the Russian Federation on amendments to the Constitution, federal constitutional laws and federal laws; adopted in accordance with the procedure provided for in Parts 2 and 3 of Article 107 and Part 2 of Article 108 of the Constitution of federal constitutional laws and federal laws, before their signature by the President; laws of the subject of the Russian Federation prior to their promulgation by the highest official of the subject (the head of the highest executive body of state power of the subject), significantly changes the system of optional constitutional control currently adopted in Russia, and therefore requires understanding and deep scientific and comparative legal analysis of the constitutional legislation of the most developed foreign states, in which the European (continental) system has been successfully functioning for a long time, effectively combining various types of such control.

These amendments are in the context of the concept of the constitutional reform of 2020, which is designed, among other things, to redistribute powers between state authorities in accordance with the principle of separation of powers, to create a more effective system of “checks and balances”, to strengthen the role of the legislative and judicial authorities in this system, and to highlight the special functional purpose of the Constitutional Court of the Russian Federation, which is called upon, through the exercise of constitutional control, to exert a significant influence on the law-making activities of the Federal Assembly and other federal and regional bodies of state power in order, first of all, to increase its effectiveness and the quality of the laws adopted.

The analysis of modern domestic constitutional legislation shows that the Russian Federation has now adopted and generally successfully operates the European (continental, concentrated) model of constitutional control, which has certain distinctive features.

At the same time, in this system there was no demand for preliminary constitutional control over certain normative acts, which found its most complete embodiment in the constitutional structure of many countries of Western Europe with a semi-presidential form of government and, above all, France, which is largely explained by the facts of the politicization of the Constitutional Court in the 90s of the last century.

Introduction of these amendments to the Constitutional Code of the Russian Federation in terms of granting the Constitutional Court additional powers to exercise.

The quality of legislative activity, ensuring the constitutionality of the adopted laws, and reducing the costs of implementing complex and time-consuming legal procedures for resolving cases on compliance with the Constitution by the Constitutional Court of the Russian Federation at the request of federal and regional state authorities are directly dependent on the introduction of preliminary and mandatory constitutional control in the Russian Federation.

**Keywords:** Address of the President of the Russian Federation 2020, amendments to the Constitution of the Russian Federation, constitutional judicial control, separation of powers, semi-presidential republic, constitutional reform, form of government, state regime, the European model of constitutional control, preliminary and mandatory constitutional control.

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