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**ANNUAL REPORTS OF THE GOVERNMENT OF THE RUSSIAN  
FEDERATION ON THE RESULTS OF ITS ACTIVITIES  
AS A FORM OF PARLIAMENTARY CONTROL**

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The article deals with the content of the reports of the Government of the Russian Federation on its activities for 2008-2012 before the State Duma of the Federal Assembly of the Russian Federation, analyses their main disadvantages and proposes a mechanism to eliminate them. Attention is given to the relationship of annual reports of the Government of the Russian Federation with other forms of parliamentary control.

**Keywords:** The Parliament, the State Duma of the Federal Assembly of the Russian Federation, Government report, parliamentary control, forms of parliamentary control.

Hearing of the annual reports of the Government of the Russian Federation on the results of its activities, including on the issues raised by the State Duma, as a form of parliamentary control was established by the Law of the Russian Federation for an amendment to the Constitution of the Russian Federation No. 7-FCL from 30.12.2008 "On the Control Powers of the State Duma in Respect of the Government of the Russian Federation" [2].

The initiative of making these and other constitutional amendments belonged to the President of the Russian Federation and was published November 05, 2008 in the Address to the Federal Assembly of the Russian Federation [13]. The entire

law-making process took about two months (the law was adopted by the state Duma on November 21, approved by the Federation Council on November 26 and signed by the President on December 30, 2008), due to the speed of adoption of the Law in science these novelties were called “reform at one go” [15].

The introduction of this form of parliamentary control was not something new for the Russian legal reality, since under the previously existing legislation the competence of the Supreme Soviet of the Russian Federation included an annual hearing of the report of the Chairman of the Council of Ministers of the Russian Federation on activity of the Council of Ministers of the Russian Federation. Also provided for hearing of reports of the members of the Government of the Russian Federation on the issues of their maintenance (see article 13 of the Law of the Russian Federation [1]). By the results of these procedures Parliament could put the issue of changing the composition of the Government, and express distrust of the Government in general (see article 104 of the Rules of the Supreme Soviet of the RSFSR [5]).

Prior to the amendments, the Constitution of the Russian Federation contained the duty of the Government to annually submit to the State Duma a report on the execution of the federal budget (paragraph “a” of part 1 article 114). In addition, some constitutions (charters) of the subjects of the Russian Federation contained norms requiring governments and other regional executive authorities to submit records and reports on its activities to the relevant legislative (representative) bodies [7]. The legal position on the accountability of all levels of executive power was confirmed by the Resolution of the Constitutional Court of the Russian Federation No. 19-P from 10.12.1997, which stated: “the duty of executive power to report on certain issues to the representative authority derives from the nature of executive power as the power that executes the law” (see paragraph 10 of Resolution [6]).

Thus, introduction of amendments to the Constitution of the Russian Federation on extending of parliamentary control became a natural continuation of the process of improving the domestic system of “checks and balances”. Therefore, in the science of law this event in general was positively met and accompanied by the following characteristics: “it seems justified, reinforcing the parliamentary control over the executive power, increasing the degree of parliamentary responsibility of the Government” [8]; “has made quite significant changes in the Russian form of government” [10]; “the accountability of executive authority bodies to the legislative authority has been confirmed” [9]; “creates procedural conditions for a more systematic assessment of the Government of the Russian Federation” [12]; “a small step forward in the development of the existing form of government” [14].

Regulation of the new form of parliamentary control is carried out by norms of the Constitution of the Russian Federation and the Federal Constitutional Law No. 2-FCL from 17.12.1997 "On the Government of the Russian Federation" [3]. At the level of the Constitution enshrine competence of the State Duma to hear annual reports of the Government of the Russian Federation, including on the issues raised by the State Duma (paragraph "c" part 1 article 103), and the corresponding to it duty of the Government to submit annual reports on its activities, including on the issues raised by the State Duma (part 1 article 114). At the level of federal constitutional law define: the duty of the Government to submit appropriate reports (article 13), the adoption of the reports exclusively at government meetings (article 28), the preparation of the reports in the manner prescribed by the Regulations of the Government, obligatory publication of the reports in "Russian Newspaper" and "Parliamentary Newspaper" (article 40.1.).

To date the State Duma has heard the annual reports of the Government of the Russian Federation for 2008-2012 years [17; 18; 19; 20; 21]. Having analyzed the procedure of hearing reports of the Government of the Russian Federation, it should be noted that it is composed of the following stages: 1) introductory stage – in which the Prime Minister informs deputies about the general directions of the Government activities during the reporting period; 2) primary stage – in which the Prime Minister brings to deputies the information about specific results of the activities of the Government, as well as provide answers to the questions of deputies made before the hearing of report; 3) the Prime Minister answers to the questions from deputies after the hearing of report.

Semantic analysis of the provisions contained in these reports makes it possible to emphasize in them some controversial points.

First, it is hardly possible to define the information contained in the reports, just as reporting information. Etymologically, a report is a message, a report on its actions, work [11]; a written or oral report on its activities or on fulfillment of orders that should be done by a person or institution [16]; an explanation (presentation) of what has happened [16]. Accordingly, an annual report shall contain information on the actions of the Government during a reporting period.

However, in the text of the report of the Government for 2008, 40 provisions from 80 were directed at implementation in the future, at that, specific deadlines of 23 provisions were not set or their implementation went beyond the term of office of the current composition of the Government. These circumstances actually do not allow the State Duma to control them, and the current composition of the Government to implement them.

This situation can be seen in the reports for 2009-2012, for example, in the report for 2009, 40 of 108 provisions are aimed at implementing in the future, deadlines of 28 provisions are not set or their implementation go beyond the term of office of the current composition of the Government; in the report for 2010, 82 of 170 provisions are aimed at implementing in the future, deadlines of 60 provisions are not set or their implementation go beyond the term of office of the current composition of the Government; in the report for 2011, 62 of 124 provisions are aimed at implementing in the future, deadlines of 59 provisions are not set or their implementation go beyond the term of office of the current composition of the Government; in the report for 2012, 32 of 120 provisions are aimed at implementing in the future, deadlines of 20 provisions are not set.

In this connection, we can distinguish the following types of information contained in the reports of the Government: 1) provisions made during the reporting year; 2) provisions whose implementation is provided for in future periods. It appears that the second type of provisions as not-containing reporting information should not be included in the text of reports. This information should be reflected in the documents containing a program of action of the Government of the Russian Federation.

Second, due to the fact that the activity of the Government as a public authority is based on the powers set out in article 114 of the Russian Constitution, articles 13-22 of the Federal Constitutional Law "On the Government of the Russian Federation", the Government report should contain information on the activities of the Government on the implementation of the relevant powers.

Structure of reports should cover all the major areas of Government activities: 1) economics; 2) budget, financial, credit and monetary policy; 3) social sphere; 4) science, culture and education; 5) nature management and environment protection; 6) ensuring defense and state security; 7) external policy and international relations.

However, there is virtually no information on the activities of the Government in the field of ensuring legitimacy, the rights and freedoms of citizens, combating crime, as well as in the field of foreign policy and international relations in the analyzed reports. Besides, there is a periodic lack of information on the implementation of the following powers of the Government: 1) on Federal property management; 2) on the mobilization plan of economy and the readiness of its implementation; 3) on regulation of securities market; 4) on management of State internal and external debt; 5) on currency regulation and control; 6) on monetary and financial activity in relations with foreign States; 7) on ensuring the sanitary-epidemiological welfare

of population; 8) on the organization of interaction with public associations and religious organizations; 9) on providing government support for the basic science; 10) on state support for culture and preserving of cultural heritage; 11) on realization of the State policy in the field of environmental protection and ecological safety; 12) on realization of the rights of citizens to a healthy environment and providing environmental well-being; 13) on prevention natural disasters and accidents, on risk reduction and rectification of consequences; 14) on equipping weapons and military equipment, provision of material resources, resources and services for the Armed Forces of the Russian Federation; 15) on protection of the State border; 16) on improvement of civil defense; 17) on development of charity; 18) on carrying out a unified state migration policy; 19) on implementation of tax policy.

Thus, the reports of the Government do not contain information on the implementation of a significant number of powers, what in turn does not let to make a conclusion on the results of government activity during a reporting period.

Thirdly, part of information contained in the reports duplicates information approved by the federal law on the execution of the federal budget or set out in the draft federal laws on the federal budget for the next fiscal year and planning period. The number of general provisions on the expenditures (incomes) or on the planned expenditures (incomes) included in the reports of the Government, is as follows: in 2008 – 7 of 80 provisions; 2009 – 14 of 108 provisions; 2010 – 31 of 170 provisions; 2011 – 8 out of 124 provisions; 2012 – 17 out of 120 provisions.

Fourth, we should note a small amount of final indicators that allow us to evaluate the performance of the Government for a reporting period. The reports generally provide general statistics, which directly do not describe the implementation by the Government of its powers in a reporting period (for example, birth rate, industry growth).

Summarizing the above, it can be noted that much of the information contained in the annual reports of the Government cannot create for the deputies of the State Duma a whole picture of the Government activity in a reporting year.

At the same time, we should take into account that a Government report is a final form of the State Duma's parliamentary control over the activities of executive power bodies. Therefore, in our view, the report must include information on the results of consideration and the measures of implementation parliamentary requests, recommendations made by the State Duma on the results of parliamentary investigations, parliamentary hearings and "government hours" for a reporting period.

Improvement of the quality of the annual reports of the Government as a form of parliamentary control, in our opinion, can be done through detailed describing

of its content in the Federal Law No. 77-FL from 07.05.2013 “On Parliamentary Control” [4]. In this case, the following provisions could be fundamental:

1) report shall contain information on the specific results of the Government work to implement the powers enshrined in the Constitution of the Russian Federation, Federal Constitutional Law “On the Government of the Russian Federation” for a reporting year;

2) report must not contain information on the plans, the terms of implementation of which exceed the period of activity of the Government in the current composition;

3) report must not provide information that duplicate data, which are provided to the State Duma in the manner specified by the Budget Code of the Russian Federation;

4) report must include information on the results of review and measures of implementation of parliamentary requests, recommendations made by the State Duma on the results of parliamentary investigations, parliamentary hearings and “government hours” for a reporting period.

In addition, we cannot agree with the amendment to part 3 article 154.3 of the Rules of the State Duma made by the Decision of the State Duma of the RF Federal Assembly No. 268-GD from 13.04.2012, which excludes obligatoriness of adoption by the State Duma of a decision following the results of consideration of an annual report of the Government of the Russian Federation on the results of its activities. This norm turns the supervisory power provided by the constitutional amendment to the State Duma in respect of the Government of Russia into an information power without legal consequences, which significantly reduces the effectiveness of parliamentary control over executive authority. It seems necessary to establish at the legislative level an imperative norm providing for compulsory voting of the State Duma regarding confidence (non-confidence) in the Government of Russia based on the results of consideration of an annual report.

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