

By the Judgement of 10 December 2019 No.39-II the Constitutional Court of the Russian Federation appraised constitutionality of Article 13 of the Law of the Russian Federation “On Rehabilitation of Victims of Political Repressions” and Article 7, paras. 3 and 5; Article 8, Section 1, para. 1; Article 8, Section 2 of the Law of the City of Moscow “On Securing the Housing Rights of the Inhabitants of the City of Moscow”

The challenged provisions were subject of consideration to the extent that they serve as the basis for deciding the issue of registration and provision of housing in case of returning to their previous place of residence, in particular to the city of Moscow, of children born in prisons, in exile, deportation, and special settlement whose rehabilitated parents lost their living quarters in the city of Moscow due to repressions.

The Constitutional Court recognised the challenged provisions inconsistent with the Constitution of the Russian Federation to the extent that, due to the vagueness of the registration procedure and provision of housing when children, whose rehabilitated parents lost their living conditions in connection with the repressions and who were born in designated places, returned to their previous place of residence in Moscow (including in connection with leaving for reunion with a repressed family member) and prevent compensation for harm to the rehabilitated.

Prior to the introduction of relevant legislative amendments, registration for provision of housing for this category of citizens in the localities and settlements where their parents lived before they were subjected to the repressions, including the city of Moscow, is carried out without observing the conditions established by housing legislation for other categories of citizens.