

**Judgment of the Constitutional Court of the Russian Federation of 19
November 2012 No. 27-II. Resume.**

By the Judgment of 19 November 2012 No. 27-II the Constitutional Court gave appraisal of constitutionality of Item 7 of Article 20 of the Law of the Russian Federation *On the Status of Judges in the Russian Federation*, Item 1 of Article 10, Item 1 of Article 16, Item 1 of Article 29.1 and Items 1 and 3 of Article 30 of the Federal Law *On Labour Pensions in the Russian Federation*

The petitioner contested the provisions establishing legal mechanism of pension maintenance of disabled members of the family of a judge (retired judge), having been at his/her expense, in case of death (decease) of the judge (retired judge) in consequence of causes not linked to his/her official activity.

In its decision, the Constitutional Court has recognized Item 7 of Article 20 of the Law of the Russian Federation “On the Status of Judges in the Russian Federation” not contradicting the Constitution of the Russian Federation to the extent to which it makes payment of respective monthly compensation to the disabled members of the family of a dead (deceased) judge (retired judge) conditional upon causal connection between the death (decease) of the judge (retired judge) and his/her official activity, i.e. performance by the judge of constitutionally-significant functions of exercise of justice, pre-determining constitutional law status of the judge.

At the same time, the indicated provision and the norms of pension legislation, contested by the petitioner, in their interconnection were recognized as not conforming to the Constitution of the Russian Federation to the extent to which the mechanism of social security of disabled members of the family of a judge (retired judge) having died in consequence of causes not linked to his/her official activity, established by them, does not guarantee to these persons pension maintenance in case of loss of family provider in the amount, correlative with the lost income of the family in the form of the judge’s salary (monthly life allowance of a retired judge), on the conditions determined with regard to his/her constitutional law status and, at least, not worse than those envisaged for family members of persons, having performed labour or other socially useful activity and in this connection subject to compulsory pension insurance.

19 November 2012