

By the Judgment of 8h December, 2015 No. 31-II/2015 the Constitutional Court gave appraisal of constitutionality of Item “m” of Section 1 of Article 58 of the Statute on Service in Bodies of Internal Affairs of the Russian Federation.

The contested norm was the subject-matter of consideration to the extent to which on its basis is decided the question of dismissal from service of a staff-member filling the post of a fireman in the State Anti-Fire Service of the Ministry of the Russian Federation on Matters of Civil Defence, Emergency Situations and Elimination of Consequences of Natural Calamities, who was convicted for the commission of a crime, whereas his previous conviction had been removed or cancelled prior to the admission to service.

The Constitutional Court recognized the contested normative provision as not contradicting the Constitution of the Russian Federation as contemplating no unconditional dismissal of the said staff-members, whose main duties are fire-extinguishing and carrying out crash-rescue works, without consideration of factors, allowing to appraise risks of coming of adverse consequences of continuation of service by them, including criminal law characteristics of the committed crime, the term having expired from the moment of its commission as well as from the moment of removal or cancellation of previous conviction, behavior of the staff-member during this period, including attitude towards fulfilment of his service duties, and other significant circumstances.