

By the Judgement of 20 June 2018 No. 25-II/2018 the Constitutional Court appraised constitutionality of Sub-Item 6 of Item 1 of Article 127 of the Family Code of the Russian Federation and Item 2 of the List of diseases, in the presence of which a person may not adopt a child, admit him under guardianship (trusteeship), take into adoptive or foster family.

The contested provisions were a subject-matter of consideration insofar as they serve as a ground for the decision on the possibility to adopt a child by a person infected with Human Immunodeficiency Virus and (or) virus of hepatitis C and actually living with him permanently in one family.

The Constitutional Court has recognised the contested provisions as not conforming to the Constitution of the Russian Federation to the extent to which they serve as a ground for refusal to a person infected with HIV-infection and (or) virus of hepatitis C to adopt a child, who by virtue of formed family relations lives with this person, if it follows from facts established by court in their totality that adoption helps legalise these relations and answers the child's interests.