

**By the Judgement of 22 May 2018 No. 19-II/2018 the Constitutional Court appraised constitutionality of Paragraphs 2, 3 and 10 of Sub-Item “a” of Item 2 of Article 24 of the Federal Law “On Military Duty and Military Service”.**

The contested provisions were the subject-matter of consideration insofar as on their basis it is decided on the possibility to grant respite of conscription to military service to citizens studying in internal form in educational organisations on programmes of secondary professional education having state accreditation (hereinafter – organizations of secondary professional education), in the event when first respite of conscription to military service was granted to them during study in organisations carrying out educational activity on educational programmes of secondary general education having state accreditation (hereinafter – organisations of secondary general education), for the time of coping with these educational programmes, but not more than terms of obtaining secondary general education set by federal state educational standards (hereinafter – set terms), in connection with attainment of majority prior to termination of study.

The Constitutional Court has recognised the contested provisions as not conforming to the Constitution of the Russian Federation to the extent to which they, setting grounds, conditions and order of granting respites of conscription to military service to citizens studying in internal form, condition granting respite of conscription to military service to citizens who entered training in organisations of secondary professional education in the year of receipt of secondary general education depending on whether such citizens have enjoyed respite of conscription to military service during study in organisations of secondary general education, and deprive of the possibility to receive respite of conscription to military service in connection with study on programmes of secondary professional education those of them, who have mastered educational programmes of secondary general education within set terms of obtaining it, but was forced to use respective respite

to finalise studies in organisation of general education and pass final attestation, which ends mastery of educational programmes of secondary general education.

Until appropriate amendments to normative regulation are made, law-enforcement bodies must not take into consideration the fact of granting respite of conscription to military service during study in organisations of secondary general education to a citizen, studying in internal form in an educational organisation of secondary professional education, if he entered study on the programme of secondary professional education in the year of obtaining secondary general education.