

**By the Judgement of 27 May 2020 No. 26-II the Constitutional Court of the Russian Federation appraised constitutionality of Article 51, para.3, subpara. “B”, indent 5 of the Federal Law “On Military Duty and Military Service”**

The challenged provision was the subject of consideration to the extent that, on its basis, the issue of dismissal from military service of military personnel, after divorce taking care of children who have not reached the age of 18 years, is resolved, provided that the second parent of the child is not able to participate in taking care of the child.

The challenged provision was recognised as not contradicting the Constitution of the Russian Federation, since in the current legal regulation system it is aimed primarily at protecting the interests of minor children of military personnel, and does not imply arbitrary - without a thorough consideration of all the circumstances of the case (including the state of the child’s health, the possibility of visiting pre-school educational organisation, the presence or absence of circumstances preventing the second parent from participating in the upbringing of and caring the child etc.) - refusal to dismiss military personnel, after divorce taking care of children who have not reached the age of 18 years.