

By the Judgement of 23 December 2021 No. 54-II/2021 the Constitutional Court of the Russian Federation assessed constitutionality of Article 27¹, part 1, item 9 of the Law of the Russian Federation “On Social Protection of citizens who have been exposed to radiation as the result of the Chernobyl disaster”.

This legislative provision was subject to consideration insofar as it served as basis to decide upon the monthly payment for second-generation children (grandchildren) of citizens mentioned in Article 13, part one, items 1, 2, 3 and 6 of the said Law.

The challenged provision was recognised as not being in conformity with the Constitution of the Russian Federation insofar as its lack of clarity led in practice to ambiguous interpretation, allowing different approaches to resolving the above issue.

The Constitutional Court established special modalities of execution of the present Judgement:

Pending the necessary legislative amendments, the monthly payment under the challenged provision to second-generation children (grandchildren) of citizens mentioned in Article 13, part one, items 1, 2, 3 and 6 of the said Law shall be granted where it has been proven that one of the parents of such children was subjected to radiation due to the Chernobyl disaster. After the relevant amendments are final, providing such payment shall be decided upon under new legislation.

Where second-generation children (grandchildren) of citizens of the said categories have been provided with relevant monthly payment before the present Judgement is final, the payment shall be continued until there are grounds to cancel it under the legislation of the Russian Federation.