

By the Judgement of 18 October 2022 № 44-II the Constitutional Court assessed the constitutionality of Article 15 (item 1, paragraph twelve) of the Federal Law “On the Status of Military Personnel”.

This legal provision was the subject of consideration insofar as it serves as the basis for deciding on the issue of providing guarantees provided for therein in the housing sphere to a citizen of the Russian Federation who served in the military under a contract, was a citizen of another state during a certain period of this service and whose military service duration, should this period not be taken into account, would not be sufficient to provide these guarantees.

The contested legal provision was found to be inconsistent with the Constitution of the Russian Federation since within the current legal framework its uncertainty gave rise to possibility of different interpretations, thus not providing unambiguous solution to the issue of procedure and conditions for providing guarantees established therein in the housing sphere with regard to the specified category of Russian citizens based on principles of equality and fairness.

Law enforcement decisions in the applicant’s case made on the basis of contested legal provision are subject to revision in the established manner after the necessary legislative changes are made in pursuance of execution of the present Judgement, with the application of new legal regulation in his case.