

By the Judgement of 31 March 2026 No. 19-II, the Constitutional Court assessed constitutionality of Article 208 of the Civil Procedure Code of the Russian Federation and Article 242¹ of the Budget Code of the Russian Federation

These legal provisions in their interrelation were examined to the extent that, they serve as a basis for resolving the issue concerning the indexation of sums not timely paid to a pensioner on the basis of a court judgment obliging the pension authority to take actions to recalculate and accrue the insurance pension (or part thereof) not received by the pensioner for a previous period.

The contested legal provisions in their interrelation were recognised as inconsistent with the Constitution to the extent that they prevent the indexation of sums not timely paid to a pensioner on the basis of such a judgment, where the recalculation and accrual of the insurance pension sums do not require additional determination of facts the information on which is not at the disposal of the pension authority and cannot be promptly obtained by it through interagency cooperation, and also to the extent that, within the system of current legal regulation, it is impossible to unambiguously determine the day from which the indexation period for the said sums should be calculated.

Pending the introduction of appropriate legislative amendments, sums not timely paid to a pensioner on the basis of the said judgment shall be subject to indexation where the recalculation and accrual of the insurance pension sums do not require additional determination of facts the information on which is not at the disposal of the pension authority and cannot be promptly obtained by it through interagency cooperation; such indexation shall be performed on the basis of the general criteria provided for in Article 208 of the Civil Procedure Code; its period shall begin from the first day after the end of the month following the month in which the said court judgment entered into force.