

Decision of the Government of the Russian Federation No. 635 of August 29, 2001 amended this Decision

See the previous text of the Decision

DECISION
OF THE COUNCIL OF MINISTERS OF THE RUSSIAN FEDERATION
NO. 1030 OF OCTOBER 11, 1993
ON CONTROL OVER THE EXECUTION OF OBLIGATIONS UNDER THE GUARANTEES
OF THE USE OF IMPORTED AND EXPORTED GOODS (SERVICES) OF DOUBLE
USE FOR DECLARED PURPOSES
(in the wording of August 29, 2001)

In order to raise the efficiency of the national system of export control, the Council of Ministers (Government) of the Russian Federation resolves:

1. To approve the appended Regulations for Control over the Execution of Obligations under the Guarantees of the Use of Imported and Exported Goods (Services) of Double Use for Declared Purposes.

2. The Ministry of Economic Development and Trade of the Russian Federation shall be obliged to draw up and issue Russian import certificates, and the State Customs Committee of the Russian Federation shall be obliged to make up and issue certificates for the confirmation of delivery.

3. Abolished

4. The Ministry of Economic Development and Trade of the Russian Federation shall be obliged to keep a register of goods (services) of double use, imported with granted guarantees of the use for declared purposes.

5. To lay down that in the issue of Russian import certificates the Ministry of Economic Development and Trade of the Russian Federation shall collect payments in the amount agreed upon with the Ministry of Finance of the Russian Federation.

The said means shall be charged to the settlement account of the Ministry of Economic Development and Trade of the Russian Federation.

Chairman of the Council of Ministers -
Government of the Russian Federation

Viktor Chernomyrdin

REGULATIONS
FOR CONTROL OVER THE OBLIGATIONS
TO USE OF IMPORTED AND EXPORTED
GOODS (SERVICES) OF DOUBLE USE FOR DECLARED PURPOSES ONLY
(Approved by Decision of the Council of Ministers of the Russian
Federation No. 1030 of October 11, 1993)

- I. General Provisions (Items 1-4)
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- III. The Order of Transfer of Imported Goods (Services) of Double Use to Other Transactor Units in the Territory of the Russian Federation (Items 10-12)
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- V. The Order of Organizing Checks of the Use by Russian Consumers of Goods (Services) of Double Use, Imported with Guaranteed Utilization for Declared Purposes (Items 15-16)
- VI. Responsibility of Russian Importers and Consumers of Imported Goods (Services) of Double Use for the Vio-

lation of the Assumed Obligations
VII. The Order of Organizing Control over the Implementa- (Items 20-22)
tion of the Obligations of Foreign Importers in the
Utilization of Goods and Services of Double Use
Imported from the Russian Federation

I. General Provisions

1. The present Regulations provide for a series of measures aimed at the prevention of non-sanctioned re-export from Russia of goods (services) of double use imported to the Russian Federation for declared purposes only. They define the order of drawing up the obligations of Russian organizations and enterprises for the utilization of goods (services) of double use for declared purposes, the exercise of state control over their implementation, and also of control over the execution by foreign importers of their obligations under the guarantees of utilizing goods (services) of double use, acquired in the Russian Federation.

2. The terms used in the present Regulations denote the following:

the term "goods (services) of double use" means equipment, auxiliary and raw materials, technologies and scientific-technical information which are used for civilian purposes but can be used for the production of arms and military equipment, including weapons of mass destruction (chemical, bacteriological and nuclear) and rockets for their delivery.

In case of import of goods (services) of double use to the Russian Federation their nomenclature is determined by check lists of an exporting country.

In case of export of goods (services) of double use from the Russian Federation, their nomenclature is determined by the corresponding lists, approved in keeping with the Federal Law on Export Control;

Decree of the President of the Russian Federation No. 96 of January 29, 2001 abolished above-mentioned Decree of the President of the Russian Federation No. 388 of April 11, 1992

the terms "importer" and "exporter" mean the legal entities which are parties to the contract of purchase and sale (transfer and exchange) of goods (services) of double use;

the term "consumer" means the legal entity using imported goods (services) of double use;

the term "declared purpose" means the purpose of using imported goods (services) of double use indicated by the importer or consumer while concluding a contract.

3. The present Regulations extend to all the businesses operating in the territory of the Russian Federation or in places (points) under the jurisdiction or control of the Russian Federation, regardless of the forms of property.

4. Export control shall extend to the goods (services) of double use, imported to the Russian Federation in accordance with the present Regulations. Goods (services) may not be re-exported to third countries otherwise than in the order provided for the export of Russian goods (services) of double use, if there is the official consent of a foreign exporter to their re-export.

II. The Order of Drawing up Obligations for the Utilization of Imported Goods (Services) of Double Use

5. The following documents shall be brought into use in Russia in order to draw up obligations for the utilization of goods (services) of double use in the territory of the Russian Federation:

an application for the issue of an import certificate;

a Russian import certificate;

a certificate of delivery confirmation;

a certificate of an end user.

Said documents define the following obligations of the Russian importers and consumers of goods (services) of double use:

a) to import goods (services) of double use only to the Russian Federation, and if they are not

imported to Russia, they shall not be forwarded to another place of destination;

b) not to employ these goods (services) for [non-declared purposes](#);

c) not to transfer said goods (services) to any other businesses in the Russian Federation and not to re-export them to third countries without the authorization of the Ministry of Foreign Economic Relations of the Russian Federation.

The forms of documents are given in Appendices Nos. 1-4 to the present Regulations.

6. The Russian import certificate and the certificate of delivery confirmation shall be issued to Russian [importers](#) if the government bodies of an exporting country demand such documents.

7. The Russian import certificate shall be drawn up and issued in the following order:

a) the Russian import certificate shall be made out and issued by the Ministry of Economic Development and Trade of the Russian Federation on the basis of an application for the issue of the import certificate, submitted by the Russian [importer](#).

The following documents shall be appended to the application:

- a cover letter;

- a copy of the contract concluded with a foreign [exporter](#);

- a copy of the contract concluded between the Russian importer and the [consumer](#).

The Ministry of Economic Development and Trade of the Russian Federation shall have the right to request from the applicant additional information needed for the issue of a Russian import certificate.

The Russian import certificate shall be issued for one type of products according to the Commodity Classification for Foreign Economic Activity (CC FEA), irrespective of the number of the names of products included in a contract;

b) a decision on the issue of the Russian import certificate shall be made within 15 days after the receipt of an application;

c) the Russian import certificate shall be formalized on special paper, protected against the forgery, which possesses the accounting series and the number, and which shall be issued to the Russian importer in two copies. The Russian importer shall pass over the first copy of the document to the foreign exporter for it to be forwarded to the state bodies of the latter's country, and he shall present the second copy to the customs bodies of the Russian Federation, when the certificate of confirming the delivery is being formalized.

The copies of the issued Russian import certificate shall be forwarded by the Ministry of Economic Development and Trade of the Russian Federation to the State Customs Committee of the Russian Federation;

d) in case of changes in the terms of a contract, the Russian import certificate shall be reformed. The original of the earlier drawn up certificate shall be appended to a new application for the issue of the import certificate. If it is impossible to submit the original of the certificate for any objective reason, the [importer](#) shall file his application in written form with the indication of these reasons;

e) if the Russian import certificate is not used (a trade deal has not taken place or the certificate has not been submitted to a government body of the [exporting](#) country within 6 months), it shall be returned to the Ministry of Economic Development and Trade of the Russian Federation and destroyed;

f) if the Russian import certificate has been lost or destroyed, its duplicate may be received by the Russian [importer](#) who has used the original by sending a new application for the issue of an import certificate to the Ministry of Economic Development and Trade of the Russian Federation. The application shall be appended with the letter explaining the circumstances of loss or destruction of the certificate and confirming the fact that the importer undertaken to return it or its duplicate to the Ministry of Economic Development and Trade of the Russian Federation, if the original certificate is to be found.

8. The certificate of delivery confirmation shall be drawn up and issued in the following order:

a) the formalization and the issue of a certificate of confirming the delivery shall be performed by the customs body of the Russian Federation, carrying out the customs formalization of the imported commodities (services) of a double use, at the request of the Russian importer, or at his presentation

of the Russian import certificate.

The request for an issue of the certificate of confirming the delivery shall be submitted to the customs body not later than ten days after the date of the customs formalization of the commodities (services) of a double use.

The copies of the certificate of confirming the delivery shall be forwarded within a five-day term by the customs body, which has issued the said certificate, to the State Customs Committee of the Russian Federation, to the Ministry of Economic Development and Trade of the Russian Federation;

b) the State Customs Committee of the Russian Federation shall notify by its order within 10 days after the receipt of a copy of the certificate of delivery confirmation of imported goods (services) of double use that these goods (services) have been brought into the territory of the Russian Federation and may not be brought out from this territory without the license of the Ministry of Foreign Economic Relations of the Russian Federation.

Decision of the Government of the Russian Federation No. 556 of June 3, 1995 on Introduction of Amendments and Additions into Certain Decisions of the Government of the Russian Federation amended the second paragraph of subitem (b) of Item 8 of these Regulations
see the previous text of the paragraph

The copies of the order shall be forwarded to the Ministry of Economic Development and Trade of the Russian Federation.

The operation of this Subitem shall not extend to the imported goods (services) of double use on the Russian lists approved in keeping with the Federal Law on Export Control;

c) if the certificate of delivery confirmation for some reason is not used, it shall be returned to the customs body to be destroyed;

d) in the case of the loss or of the destruction of the certificate, of confirming the delivery, its duplicate may be obtained by the Russian importer at the customs body, which has issued its original, at the presentation of the Russian import certificate and of the letter, in which he shall explain the circumstances of the loss or of the destruction of the certificate of confirming the delivery. In the letter shall be indicated the number of the freight customs declaration, the date of the customs formalization of the imported commodity (service) of a double use, and shall be confirmed that if the original of the certificate is found, the importer shall be obliged to return either it or its duplicate, to the customs body.

9. The certificate of an end user shall be drawn up in the following order:

a) the certificate of an end user shall be drawn up, if the foreign exporter requires the submission of such document or in the case provided for by Item 10 of the present Regulations;

b) the certificate of an end user shall be drawn up by a Russian consumer of goods (services) of double use upon the inquiry of a Russian importer.

The drawn up document shall be forwarded by the Russian consumer to the Russian importer who hands it over to a foreign exporter.

III. The Order of Transfer of Imported Goods (Services) of Double Use to Other Businesses in the Territory of the Russian Federation

10. If it is necessary to transfer imported goods (services) of double use to another businesses in the territory of the Russian Federation, the Russian consumer of imported goods (services) of double use shall forward his inquiry about the permission of such transfer to the Ministry of Economic Development and Trade of the Russian Federation. The inquiry shall indicate:

- the full name and detailed description of goods (services) of double use, their code according to CC FEA and their quantity;

- the name and address of the foreign exporter that has supplied goods (services) of double use to the Russian Federation;

- the number and date of the correspondent Russian import certificate;

- the name and address of the Russian organization (enterprise) to which goods (services) are given;

- the causes for the need of transfer.

The inquiry shall be appended with the following documents:

- the document confirming the consent of a foreign exporter to the transfer of goods (services) of double use (if the need for such consent is provided for by a contract or a contract for the delivery of said goods (services) to the Russian Federation;

- the certificate of the end user, drawn up by the Russian organization (enterprise) to which these goods (services) are given;

- the copy of the contract of purchase and sale (transfer, exchange) of given goods (services) concluded between Russian organizations (enterprises).

11. Within 15 days after the receipt of an inquiry, the Ministry of Economic Development and Trade of the Russian Federation shall make a decision on the possibility of the transfer of goods (services) of double use and forward it to the Russian consumer.

Decision of the Government of the Russian Federation No. 556 of June 3, 1995 on Introduction of Amendments and Additions into Certain Decisions of the Government of the Russian Federation amended the second paragraph of Item 11 of these Regulations

See the previous text of the paragraph

The copy of the decision shall be forwarded to the State Customs Committee of the Russian Federation.

Decision of the Government of the Russian Federation No. 556 of June 3, 1995 on Introduction of Amendments and Additions into Certain Decisions of the Government of the Russian Federation amended Item 12 of these Regulations

see the previous text of the Item

12. The fact of the receipt of goods (services) of double use shall be confirmed by a new consumer of these goods (services) by the official letter sent to the Ministry of Economic Development and Trade of the Russian Federation within a week since the date of the receipt of goods (services) of double use.

IV. The Order of Re-export of Imported Goods (Services) of Double Use to Third Countries

13. The re-export from the Russian Federation of goods (services) of double use, imported with the guaranteed utilization for declared purposes shall be made in the order established for the export of Russian goods (services) of double use.

14. The official consent by a foreign exporter to re-export is an indispensable condition for taking a decision on the possibility of re-export of goods (services) of double use.

The contract concluded with a foreign firm, which provides for the delivery of those goods (services), and signed without the consent of a foreign exporter to re-export shall not be a ground for the permission of re-export.

V. The Order of Organizing Verification of the Use by Russian Consumers of Goods (Services) of Double Use, Imported with Guaranteed Utilization for Declared Purposes

15. State control over the execution by Russian importers and consumers of the obligations for guaranteed use of imported goods (services) of double use shall be exercised by sample inspection of the utilization of the most important goods (services) of double use in the following order:

Decision of the Government of the Russian Federation No. 556 of June 3, 1995 on Introduction of Amendments and Additions into Certain Decisions of the Government of the Russian Federation amended subitem (a) of Item 15 of these Regulations

see the previous text of the subitem

a) the objects of control shall be selected by the Ministry of Economic Development and Trade of the Russian Federation together with the State Customs Committee of the Russian Federation on the basis of analysis of the nomenclature of imported goods (services) of double use and their consumers;

b) the list of objects of control together with the copies of the application for the issue of an import certificate, a Russian import certificate and a certificate of delivery confirmation per each object of control shall be communicated by the Ministry of Foreign Economic Relations of the Russian Federation to the Federal Security Service of the Russian Federation;

c) the Federal Security Service of the Russian Federation shall determine the time-limit of checks and form a control commission with the inclusion of the representatives of the Federal Security Service of the Russian Federation, the Ministry of Trade of the Russian Federation, the State Customs Committee of the Russian Federation, the ministries or departments of the Russian Federation in the respective branch of industry, and other interested ministries and departments of the Russian Federation.

Information about the control commission and the terms of checks shall be officially forwarded to the management of the organization (enterprise), which is a consumer of imported goods (services) of double use;

d) checks shall be made in the place of the installation and/or the use of imported goods (services) of double use.

The Russian consumer shall be obliged to submit to the commission all the necessary documents and render assistance in its work;

Decision of the Government of the Russian Federation No. 556 of June 3, 1995 on Introduction of Amendments and Additions into Certain Decisions of the Government of the Russian Federation amended subitem (e) of Item 15 of these Regulations

see the previous text of the subitem

e) the results of a check shall be formalized by an act to be submitted to the Ministry of Economic Development and Trade of the Russian Federation, and the State Customs Committee of the Russian Federation.

16. If a contract for the delivery of goods (services) of double use to the Russian Federation provides for an inspection by a foreign exporter of their use by the Russian consumer, such inspection shall be made with the observance of the operation requirements effective in the territory of the Russian Federation. The obligations for the use of imported goods (services) under such contracts shall be drawn up by agreement with the Federal Security Service of the Russian Federation and the Foreign Intelligence Service of the Russian Federation.

An inquiry for inspections shall be forwarded by the ministry of foreign affairs of one country to the respective ministry of another country.

The Ministry of Foreign Affairs of the Russian Federation shall confirm to a foreign applicant the possibility of carrying out an inspection after it agrees upon its place, terms and procedure with the Federal Security Service of the Russian Federation and the Foreign Intelligence Service of the Russian Federation.

Upon the receipt from the Ministry of Foreign Affairs of the Russian Federation of a notification about sending foreign inspectors, the Russian consumer shall be obliged to inform the Federal Security Service of the Russian Federation about the fact and terms of the forthcoming inspection.

The Federal Security Service of the Russian Federation, the Ministry of Economic Development and Trade of the Russian Federation, the Ministry of Foreign Affairs of the Russian Federation, the State Customs Committee of the Russian Federation, the ministry or government department of the Russian Federation in the respective branch of industry, and other interested ministries and departments of the Russian Federation shall send to the place of installation and/or use of imported goods (services) of double use their representatives for the participation in the work of a foreign inspection team.

Decision of the Government of the Russian Federation No. 556 of June 3, 1995 on Introduction of Amendments and Additions into Certain Decisions of the Government of the Russian Federation amended the sixth paragraph of Item 16 of these Regulations
[see the previous text of the paragraph](#)

The Federal Security Service of the Russian Federation shall inform the Ministry of Economic Development and Trade of the Russian Federation, and the State Customs Committee of the Russian Federation about the results of the inspection.

VI. Responsibility of Russian Importers and Consumers of Imported Goods (Services) of Double Use for the Violation of the Assumed Obligations

17. The Russian [importer](#) shall bear full and personal responsibility for the delivery of imported [goods \(services\) of double use](#) to the place and within the time stipulated by the contract concluded between the Russian importer and the [consumer](#) and if for some reason said goods (services) have not been imported to the Russian Federation, they shall bear such responsibility for the failure to deliver them to another place of destination.

18. The Russian [consumer](#) shall bear full and personal responsibility for the utilization of goods (services) of double use for [declared purposes](#), for the failure to deliver them to other businesses in the territory of Russia and for the failure to re-export them from the Russian Federation (other than with the permission of the Ministry of Economic Development and Trade of the Russian Federation).

19. For the violation of the assumed obligations, the Russian [importer](#) and [consumer](#) shall bear responsibility in keeping with the current legislation of the Russian Federation.

VII. The Order of Organizing Control over the Implementation of the Obligations of Foreign Importers in the Utilization of Goods and Services of Double Use Imported from the Russian Federation

20. In cases provided for by decisions of the Council of Ministers (Government) of the Russian Federation that determine the order of export of [goods \(services\) of double use](#) the Russian [exporter](#), while concluding a contract with a foreign [importer](#), shall introduce in it a provision on the exporter's right to carry on checks whether the exported goods (services) of double use comply with the purposes declared in the contract.

21. An inspection shall be carried out in the place and/or use of exported [goods \(services\) of double use](#) by the commission consisting of the representatives of the organization (enterprise), which is the [exporter](#) of the manufacturing organization (enterprise), of the Ministry of Economic Development and Trade of the Russian Federation, the Ministry of Foreign Affairs of the Russian Federation, the State Customs Committee of the Russian Federation, and the Federal Security Service of the Russian Federation.

An inquiry for an inspection shall be forwarded through the Ministry of Economic Development and Trade of the Russian Federation.

All the organizational matters relating to inspections (agreement of the time of an inspection with a foreign [importer](#), the formation of a commission, processing visas, etc.) shall be decided on by the Russian [exporter](#).

Decision of the Government of the Russian Federation No. 556 of June 3, 1995 on Introduction of Amendments and Additions into Certain Decisions of the Government of the Russian Federation amended the first and second paragraphs of Item 22 of these Regulations
[see the previous text of the paragraphs](#)

22. The results of the inspection shall be submitted by the Commission to the Ministry of Economic Development and Trade of the Russian Federation, the Ministry of Foreign Affairs of the Russian Federation, and the State Customs Committee of the Russian Federation.

In case of the discovery of violations of the assumed obligations by a foreign [importer](#) the

Ministry of Foreign Affairs of the Russian Federation shall send by agreement with the Ministry of Foreign Economic Relations of the Russian Federation its official letter to the state bodies of the importer's country and set forth in it the facts of revealed violations.

In the Russian Federation, this foreign importer shall be entered in the list of unreliable foreign companies, which are banned to export goods (services) of double use. This list shall be kept by the Ministry of Economic Development and Trade of the Russian Federation.

The Council of Ministers - Government
of the Russian Federation