

**FEDERAL LAW**  
**NO. 157-FZ OF OCTOBER 13, 1995**  
**ON THE STATE REGULATION OF THE FOREIGN-TRADE ACTIVITY**  
**(With the Amendments as of July 8 , 1997, February 10, 1999)**

**Adopted by the State Duma on July 7, 1995**  
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The present Federal Law shall determine the bases of the State regulation of the foreign-trade activity, the procedure of its realization by the Russian and foreign persons, the rights, duties and responsibility of the bodies of State power of the Russian Federation and the bodies of State power of the entities of the Russian Federation in the field of foreign-trade activity.

### **Chapter I. General Provisions**

#### **Article 1. Objectives of the Present Federal Law**

The objectives of the present Federal Law shall be to protect the economic sovereignty, to ensure the economic security of the Russian Federation, to stimulate the development of the national economy when carrying out the foreign-trade activity, and to provide the conditions for an efficient integration of the economy of the Russian Federation into the world economy.

#### **Article 2. Concepts Used in the Present Federal Law**

The following concepts shall be used in the present Federal Law:

**foreign-trade activity** - the business activity in the field of the international exchange of

goods, works, services, information, and the results of the intellectual activity, including the exclusive rights to such results (intellectual property);

**commodity, good** - any movable property (including all types of energy), and also aircraft, sea-going ships, inland ships and spacecraft, which are subsumed under the category of immovable property and are objects of the foreign-trade activity;

**services** - the business activity directed to the satisfaction of the requirements of other persons, with the exception of the activity carried out on the basis of labour legal relations;

**exclusive rights to the results of intellectual activity (intellectual property)** - the exclusive rights in literary, artistic and scientific works, electronic computer programs and data bases; neighbouring rights; to inventions, industrial designs, utility models, and also the means of individualizing a juridical person (firm names, trademarks, service marks) equated to the results of intellectual activity, and any other results of intellectual activity and individualization means whose protection is stipulated by the law;

**export** - the transportation of a commodity, works, services, or the results of intellectual activity, including the exclusive rights therein, from the customs territory of the Russian Federation abroad without the obligation to transport them back. The fact of the export shall be fixed at the moment when the commodity crosses the customs frontier of the Russian Federation, or when the services are provided, or the rights to the results of the intellectual activity are granted. To the export of goods there shall be equated certain commercial operations without the export of the goods from the customs territory of the Russian Federation abroad, in particular when a foreign person buys a commodity from a Russian person and transfers it to another Russian person for processing and the subsequent transportation of the processed commodity abroad;

**import** - the transportation of a commodity, works, services, or the results of intellectual activity, including the exclusive rights therein, to the customs territory of the Russian Federation from abroad without the obligation to transport them back. The fact of the import shall be fixed at the moment when the commodity crosses the customs frontier of the Russian Federation, or when the services are or the rights to the results of the intellectual activity are received;

**Russian participants of the foreign-trade activity (Russian persons)** - the juridical persons created in accordance with the legislation of the Russian Federation and having a permanent seat on its territory, and also the natural persons having a permanent or main place of residence on the territory of the Russian Federation and registered as individual businessmen;

**foreign participants of the foreign-trade activity (foreign persons)** - the juridical persons and the organization in any other legal form whose civil legal capacity is determined under the law of the foreign State in which they have been established; the natural persons who are foreign citizens and whose civil legal capacity and competence are determined under the law of the foreign State whose citizens they are, and those who are apatrides and whose civil competence is determined under the law of the foreign State in which such persons have a permanent place of residence;

**system of the export control** - the totality of the measures in the realization by the federal bodies of executive power of the procedure - established by the present Federal Law, any other federal laws and any other legal acts of the Russian Federation - of the transportation outside the bounds of the Russian Federation of armaments and military equipment, and also of certain types of raw and other materials, equipment, technologies and scientific-and-technical information, which may be used in the creation of armaments and military equipment (hereinafter referred to as goods of dual application), the measures for preventing the exportation of weapons of mass destruction and other most dangerous types of weapons and technologies of their creation, and also other measures for revealing, preventing and stopping the violations of the said procedure;

**economic security** - the state of the economy ensuring a sufficient level of the social, political and defence existence and progressive development of the Russian Federation, the invulnerability and independence of its economic interests with respect to the potential external and internal threats and influences.

### **Article 3.** Legislation of the Russian Federation on the Foreign-Trade Activity

The foreign-trade activity in the Russian Federation shall be regulated by the [Constitution](#) of the Russian Federation, the present Federal Law, other federal laws and any other legal acts of the Russian Federation, and also by the generally recognized principles and rules of international law and by the international treaties of the Russian Federation.

#### **Article 4. Principles of the State Regulation of the Foreign-Trade Activity**

The basic principles of the State regulation of the [foreign-trade activity](#) in the Russian Federation shall be:

- 1) the unity of the foreign-trade policy as an integral part of the foreign policy of the Russian Federation;
- 2) the unity of the system of the State regulation of the foreign-trade activity and of the control over its realization;
- 3) the unity of the policy of the export control carried out with the purpose of realizing the State tasks of ensuring the national security, the political, economic and military interests, and also of fulfilling the international obligations of the Russian Federation to prevent the exportation of the weapons of mass destruction and other most dangerous types of weapons;
- 4) the unity of the customs territory of the Russian Federation;
- 5) the priority of the economic measures of the State regulation of the foreign-trade activity;
- 6) the equality of the participants of the foreign-trade activity and their nondiscrimination;
- 7) the protection by the State of the rights and legitimate interests of the participants of the foreign-trade activity;
- 8) the exclusion of an unjustified interference of the State and its bodies in the foreign-trade activity, and of incurring damage to its participants and the economy of the Russian Federation as a whole.

#### **Article 5. Foreign-Trade Policy of the Russian Federation**

The relations of the Russian Federation with the foreign States in the field of the foreign-trade activity shall be based on the observance of the generally recognized principles and rules of international law and of the obligations resulting from the international treaties of the Russian Federation.

For the purposes of integrating the economy of the Russian Federation into the world economy, the Russian Federation, in accordance with the generally recognized principles and rules of international law, shall participate in the international treaties in the customs unions and free-trade areas based on the establishment of a single customs territory without applying the measures of the customs-tariff and non-tariff regulation of the trade between the member-countries of such unions and the countries participating in the activity carried out in the free-trade areas. In this case the member-countries of the customs unions shall establish a single customs tariff in respect to the trade with third countries, and the countries participating in the activity carried out in the free-trade areas shall preserve the national customs tariff in the trade with third countries.

## **Chapter II. Competence of the Russian Federation and of the Entities of the Russian Federation in the Field of the Foreign-Trade Activity**

#### **Article 6. Issues That Are Under the Jurisdiction of the Russian Federation in the Field of the Foreign-Trade Activity**

Under the jurisdiction of the Russian Federation there shall be:

- 1) the formation of the conception and strategy of the development of the foreign-trade relations and of the basic principles of the foreign-trade policy of the Russian Federation;
- 2) the ensuring of the [economic security](#), and the defence of the economic sovereignty and economic interests of the Russian Federation, and of the economic interests of the entities of the Russian Federation and of the Russian persons;
- 3) the State regulation of the [foreign-trade activity](#), including the financial, currency, credit, customs-tariff and non-tariff regulation; the ensuring of the [export control](#); and the determination of the policy in the field of the certification of [goods](#) in connection with their importation and

exportation;

4) the establishment of the standards and criteria - obligatory on all the territory of the Russian Federation - of safety and/or harmlessness for man in the importation of goods, and of the rules for controlling them;

5) the determination of the procedure for the importation and exportation of armaments, military equipment and materiel, for rendering the technical assistance in the creation of objects of military purpose abroad, for the transfer of the technical documentation, for the organization of the licensed production, for the modernization and repair of military equipment, and also for rendering other services in the field of military-technical cooperation and the cooperation with foreign States in the missile-and-space field;

*Federal Law No. 96-FZ of July 8, 1997 introduced amendments to Item 6 of Article 6 of the present Federal Law: the words "export and import" are replaced with the words "taking out and bringing in"*

6) the determination of the procedure for the taking out and bringing in of fissionable materials, toxic, explosive, poisonous and psychotropic substances, drastic narcotic drugs, biologically active materials (donor blood, viscera and other materials), genetically active materials (cultures of fungi, bacteria, viruses, seminal material of animals and man, and other materials), animals and plants that are under the threat of extinction, parts and derivatives, and also the procedure for their utilization;

7) the determination of the procedure for the importation and exportation of hazardous waste, and also for their utilization;

*See Regulations for the State Regulation of Hazardous Waste Transborder Transportation approved by Decision of the Government of the Russian Federation No. 766 of July 1, 1996*

8) the determination of the procedure for the exportation of the certain types of raw and other materials, equipment, technologies, and scientific-and-technical information, and for the rendering of services which are or may be applied in the creation of armaments and military equipment, and also of those of them which have peaceful purposes but may be used in the creation of nuclear, chemical and other types of weapons of mass destruction and missile facilities for their delivery;

9) the determination of the procedure for the exportation of certain types of strategically important raw-material goods, connected with the fulfilment of the international obligations of the Russian Federation, for the importation of raw materials for processing on the customs territory of the Russian Federation and for the exportation of the products of their processing;

10) the determination of the procedure for the importation and exportation of precious metals, precious stones, articles thereof, scrap of precious metals and precious stones, the waste of their processing and chemical compounds containing precious metals;

*About the Procedure for the Import into and the Export from the Territory of the Russian Federation of Rough Natural Diamonds and Cut Diamonds and Some Questions of Functioning of the Domestic Market of Rough Natural Diamonds see Decree of the President of the Russian Federation No. 740 of July 20, 1997*

11) the establishment of the indices of the statistical reporting for the foreign-trade activity, which indices shall be obligatory on the tax whole territory of the Russian Federation;

12) the granting of State credits and of other economic aid to foreign States, their juridical persons and international organizations, the conclusion of international treaties on external borrowings of the Russian Federation and on State credits granted to the Russian Federation by foreign States, and the establishment of the maximum amount of the State credits of the Russian Federation and external borrowings of the Russian Federation;

13) the formation and use of the official gold and currency reserves of the Russian Federation;

14) the elaboration of the balance of payments of the Russian Federation;

15) the attraction of State, bank and commercial credits under the guarantees of the Government of the Russian Federation, and the control over their use;

16) the establishment of the limit of the external State debt of the Russian Federation and the management of that debt, the organization of the work for the redemption of the debts of foreign States before the Russian Federation;

17) the conclusion of the international treaties of the Russian Federation in the field of foreign economic ties;

18) the participation in the activity of the international economic and scientific-and-technical organizations, and in the realizations of the decisions adopted by those organizations;

19) the creation and functioning of the trade missions of the Russian Federation abroad, and also of the missions of the Russian Federation to the international economic and scientific-and-technical organizations;

20) the possession, use and disposal of the federal State property of the Russian Federation abroad.

#### **Article 7.** Objects of Joint Jurisdiction of the Russian Federation and of the Entities of the Russian Federation in the Field of the Foreign-Trade Activity

In the sphere of the joint jurisdiction of the Russian Federation and of the entities of the Russian Federation in the field of the [foreign-trade activity](#) there shall be:

1) the coordination of the foreign-trade activity of the entities of the Russian Federation, including the export activity of the entities of the Russian Federation for the purposes of the maximum realization of their export potential;

2) the formation and realization of regional and interregional programs of the foreign-trade activity;

3) the obtention of foreign credits under the guarantees of the budget revenue of the entities of the Russian Federation, their use in the foreign-trade activity and redemption. The funds for granting the guarantees with respect to the foreign credits shall be stipulated by a separate line in the budget of an entity of the Russian Federation. The entities of the Russian Federation, whose budgets are subsidized from the federal budgets, must coordinate the value of the credit with the Government of the Russian Federation;

4) the implementation of the international treaties of the Russian Federation in the field of the foreign-trade activity affecting directly the interests of the relevant entities of the Russian Federation;

5) the coordination of the activity of the entities of the Russian Federation in the creation and functioning of free economic areas, and in the regulation of the border trade;

6) the information support of the foreign-trade activity.

#### **Article 8.** Powers of the Entities of the Russian Federation in the Field of the Foreign-Trade Activity

Outside the verges of the jurisdiction of the Russian Federation and the powers of the Russian Federation on the objects of joint jurisdiction of the Russian Federation and the entities of the Russian Federation in the field of the foreign-trade activity, the entities of the Russian Federation shall have the plenitude of the State power.

In particular, the entities of the Russian Federation shall have the right within their competence:

1) to carry out the foreign-trade activity on their territory in accordance with the legislation of the Russian Federation;

2) to carry out the coordination of and control over the foreign-trade activity of the Russian and foreign persons;

3) to carry out the formation and realization of the regional programs of the foreign-trade activity;

4) to grant additional - with respect to the federal - financial guarantees to the participants of the foreign-trade activity registered on their territory. The Russian Federation shall not answer for

the additional guarantees of the entities of the Russian Federation;

5) to grant guarantees and privileges to the participants of the foreign-trade activity registered on their territory only in the part concerning the fulfilment of their obligations before the budgets and the extra-budgetary funds of the entities of the Russian Federation. The said privileges must not be contrary to the international obligations of the Russian Federation;

6) to create insurance and security funds in the sphere of the [foreign-trade activity](#) for attracting foreign loans and credits in accordance with [Item 3 of Article 7](#) of the present Federal Law and the legislation of the Russian Federation;

7) to conclude agreements in the field of foreign-trade ties with the entities of foreign federative States and with the administrative-and-territorial entities of foreign States;

8) to maintain their representatives at the trade missions of the Russian Federation in foreign States at the expense of the funds of the budgets of the entities of the Russian Federation in agreement with the federal body of executive power entrusted with the coordination and regulation of the foreign-trade activity.

#### **Article 9.** Coordination of the Foreign-Trade Activity of the Entities of the Russian Federation on the Issues of the Joint Jurisdiction of the Russian Federation and of the Entities of the Russian Federation

In coordination of the foreign-trade activity of the entities of the Russian Federation on the issues of the joint jurisdiction of the Russian Federation and of the entities of the Russian Federation shall be carried out by means of elaborating and realizing the decisions by the federal body of executive power stipulated by [paragraph four of Article 12](#) of the present Federal Law in agreement with the relevant bodies of executive power of the entities of the Russian Federation, including the conclusion of the international treaties of the Russian Federation affecting directly the foreign-trade interests of the entities of the Russian Federation, and also by means of mutual exchange of information between them in that field.

The federal body of executive power indicated in paragraph one of the present Article must in good time coordinate with the relevant bodies of executive power of the entities of the Russian Federation the plans and programs of the development of the foreign-trade activity of the Russian Federation which affect the interests of the entities of the Russian Federation and are within the competence of the said body.

The bodies of the executive power of an entity of the Russian Federation shall - within a month after the receipt of a relevant draft for coordination - send an official conclusion to the federal body of executive power indicated in paragraph one of the present article.

The failure to receive an official conclusion from an entity of the Russian Federation shall be considered as its agreement with the draft which has been sent for coordination.

The bodies of executive power of an entity of the Russian Federation must regularly inform the federal body of executive power indicated in paragraph one of the present Article about all the actions undertaken by the entity of the Russian Federation on the issues of joint jurisdiction in the field of the [foreign-trade activity](#).

### **Chapter III. Participants of the Foreign-Trade Activity**

#### **Article 10.** Russian and Foreign Persons as Participants of the Foreign-Trade Activity

The right to carry out the foreign-trade activity shall be enjoyed by all Russian persons, with the exception of the cases stipulated by the legislation of the Russian Federation.

Foreign persons shall carry out the foreign-trade activity in the Russian Federation in accordance with the legislation of the Russian Federation.

#### **Article 11.** Participation of the Russian Federation, the Entities of the Russian Federation and the Municipal Entities in the Direct Realization of the Foreign-Trade Activity

The Russian Federation, the entities of the Russian Federation and the municipal entities shall

carry out the foreign-trade activity directly only in the cases established by the federal constitutional laws, federal laws, laws and other normative legal acts of the entities of the Russian Federation.

#### **Chapter IV. Basic Provisions of the State Regulation of the Foreign-Trade Activity**

##### **Article 12. Federal Bodies of Executive Power Responsible for the State Regulation of the Foreign-Trade Activity**

The State foreign-trade policy shall be carried out by means of applying the economic and administrative methods of regulating the foreign-trade activity in accordance with the present Federal Law, other federal laws and other normative legal acts of the Russian Federation.

The President of the Russian Federation in accordance with the [Constitution](#) of the Russian Federation and the federal laws:

- 1) shall provide the guidance of the State foreign-trade policy of the Russian Federation;
- 2) shall include a section on the State foreign-trade policy in the annual messages to the Federal Assembly of the Russian Federation on the situation in the country and on the basic directions of the internal and foreign policy of the of the State;
- 3) shall regulate the cooperation in the military-technical field;

*On military technical cooperation of the Russian Federation with foreign states, see [Decree of the President of the Russian Federation No. 1953 of December 1, 2000](#)*

*[Federal Law No. 96-FZ of July 8, 1997 introduced amendments to Item 4 Part two of Article 12 of the present Federal Law: the word "export" is replaced with the word "taking out"](#)*

4) shall determine the procedure for the [taking out](#) of precious metals, precious stones and fissionable materials;

5) for the purposes of the national security of the Russian Federation may introduce the economic sanctions recognized by international law;

6) in the case if he deems it necessary, on the ground of [paragraph one of Article 85](#) of the Constitution of the Russian Federation, shall use conciliation to resolve the difference between the bodies of State power of the Russian Federation and the bodies of State power of the entities of the Russian Federation on the issues of the State foreign-trade policy, and in the case if a concerted decision is not reached, may refer the resolution of the dispute for the consideration of the relevant court;

7) in the case if he deems it necessary, on the ground of the [paragraph two of Article 85](#) of the Constitution of the Russian Federation, shall suspend the acts of the bodies of executive power of the entities of the Russian Federation on the issues of the State foreign-trade policy pending the decision on the issue by the relevant court.

The Government of the Russian Federation:

1) shall ensure the conduct in the Russian Federation of a single State foreign-trade policy and shall implement the measures for its realization, shall adopt the relevant decisions and shall ensure their fulfilment;

2) shall elaborate and submit for the approval of the Federal Assembly of the Russian Federation the federal program of the development of the [foreign-trade activity](#);

3) shall take temporary measures for the protection of the internal market of the Russian Federation;

4) shall adopt decisions on the determination of the value of the rates of the customs tariff within the limits established by the federal laws;

*[Decision of the Government of the Russian Federation No. 479 of April 1, 1996 abolished, as from April 1, 1996, the export customs duties on all goods, with the exception of oil and gas condensate](#)*

*The Customs Tariff of the Russian Federation was approved by [Decision](#) of the Government of the Russian Federation No. 1560 of December 27, 1996*

5) shall introduce the quantitative restrictions on the export and import in conformity with the federal laws;

6) shall, within the limits of its competence, adopt decisions to hold negotiations and sign international treaties of the Russian Federation;

7) shall carry out the management of the federal property of the Russian Federation abroad;

*On the Management of the Federal Property That Is Situated Abroad see the [Decision](#) of the Government of the Russian Federation No. 14 of January 5, 1995*

8) on the ground of [Item \(g\) of paragraph one of Article 114](#) of the Constitution of the Russian Federation shall exercise any other powers entrusted to it by the Constitution of the Russian Federation, the federal laws and the decrees of the President of the Russian Federation in the field of the State management of the foreign-trade activity.

The elaboration of the proposals for the State foreign-trade policy of the Russian Federation, for the regulation of the foreign-trade activity of its participants, and for the conclusion of the international treaties of the Russian Federation in the field of foreign-trade ties shall be carried out by the federal body of executive power entrusted directly by the Government of the Russian Federation with the coordination and regulation of the foreign-trade activity jointly with other federal bodies of executive power within the limits of their competence. In the case if the interests of the entities of the Russian Federation are affected, the elaboration of the said proposals shall be carried out with the participation of the relevant bodies of executive power of the entities of the Russian Federation.

The federal body of executive power mentioned in [paragraph four of the present Article](#) shall ensure the direct realization of the tasks of the State foreign-trade policy in the defence of the economic interests of the entities of the Russian Federation and the Russian persons, and also the elaboration and implementation of the measures connected with the regulation of the foreign-trade activity.

The federal body of executive power mentioned in paragraph four of the present Article shall be the only body of State power issuing the licenses for carrying out the operations in the export and import, in whose respect quantitative restrictions have been established or a permit procedure has been introduced in accordance with the provisions of the present Federal Law.

#### **Article 13.** Methods of the State Regulation of the Foreign-Trade Activity

The State foreign-trade policy shall be carried out by means of the customs-tariff regulation (the application of the import and export customs tariffs) and of the nontariff regulation (in particular, by means of establishing quotas and licenses) of the [foreign-trade activity](#) in accordance with the present Federal Law, other federal laws and other legal acts of the Russian Federation.

No other methods shall be permissible of the State regulation of the foreign-trade activity through the interference and establishment of various restrictions by the bodies of State power of the Russian Federation and the bodies of State power of the entities of the Russian Federation.

The regulation of any other types of the foreign economic activity, in particular of the international investment cooperation, production cooperation, or currency and financial-and-credit operations shall be carried out by the relevant federal laws and other legal acts of the Russian Federation.

#### **Article 14.** Customs-Tariff Regulation of the Foreign-Trade Activity

In accordance with the federal laws and international treaties of the Russian Federation, [import](#) and [export](#) customs duties shall be established for the purposes of regulating the import and export operation, including for the protection of the internal market of the Russian Federation and the stimulation of the progressive structural changes in the economy of the Russian Federation.



*Customs Tariff of the Russian Federation - Table of Rates of import customs duties systematized in accordance with the Commodity Classification of Foreign Economic Activity of the Russian Federation (endorsed by [Decision](#) of the Government of the Russian Federation No. 148 of February 22, 2000) shall enter into force as from April 1, 2000*

*On the rates of the export customs duties, see the [reference](#)*

*Article 15 of the present Federal Law shall enter into force from January 1, 1996*

#### **Article 15.** Quantitative Restrictions on the Export and Import

The export from and the import into the Russian Federation shall be carried out without any quantitative restrictions.

Quantitative restrictions on the export and import may be introduced in exceptional cases by the Government of the Russian Federation for the purposes of:

- 1) ensuring the national security of the Russian Federation;
- 2) fulfilling the international obligations of the Russian Federation taking into account the state of the internal commodity market;
- 3) protecting the internal market of the Russian Federation in accordance with [Article 18](#) of the present Federal Law.

*On the measures for protection of the economic interests of the Russian Federation in foreign trade in goods see [Federal Law](#) No. 63-FZ of April 14, 1998*

*[Federal Law](#) No. 32-FZ of February 10, 1999 supplemented Article 15 of this Federal Law with the new Part 3 of the following wording*

Quantitative restrictions of export shall be introduced with due regard to how the Russian Federation meets its obligations under agreements concluded in accordance with the [Federal Law](#) on Production Sharing Agreements as regards deliveries under export of mineral raw materials which pursuant to terms of the above agreements are owned by the investor.

The Decisions of the Government of the Russian Federation introducing the quantitative restrictions on the [export](#) and import shall be adopted an officially published no later than three months before such restrictions are put into effect.

The distribution of the quotas and the insurance of the licenses, when establishing the quantitative restrictions, shall be carried out, as a rule, by means of conducting a competition or auction, or in the procedure of the actual conduct of the export and/or import operations till the aggregate fulfilment of the quota, with the granting by the federal body of executive power indicated in [paragraph four of Article 12](#) of the present Federal Law of a preferential right to the manufacturing organizations.

The procedure for conducting a competition or auction shall be established by the Government of the Russian Federation. It shall be impermissible to limit the number of the participants of such competition or auction or to discriminate them on the criteria of the form of ownership, the place of registration, or the position on the market.

*[Regulations](#) on the Procedure for Holding Tenders and Auctions for Sales of Export and Import Quotas when Quantitative Limitations are Introduced in the Russian Federation were approved by [Decision](#) of the Government of the Russian Federation No. 1299 of October 31, 1996*

*Article 16 of the present Federal Law shall enter into force from January 1, 1996*

*On the export control see the [Federal Law](#) No. 183-FZ of July 18, 1999*

#### **Article 16.** Export Control

For the purposes of the defence of the national interests of the Russian Federation when

carrying out the [foreign-trade activity](#) with respect to armaments, military equipment and dual application goods, and also of the observance of the international obligations of the Russian Federation on the nonproliferation of the weapons of mass destruction and other most dangerous types of weapons and the technologies of their creation, a [system of the export control](#) shall operate in the Russian Federation.

The nomenclature of the export-controllable armaments, military equipment, certain types of raw and other materials, equipment, technologies, scientific-and-technical information and [services](#) which are or may be used in the creation of weapons of mass destruction and missiles for their delivery, and other most dangerous types of weapons, shall be determined by the lists and registers established by the decrees of the President of the Russian Federation on the presentation of the Government of the Russian Federation. The decrees of the President of the Russian Federation establishing the lists of the [goods](#) that are subject to the export control shall enter into force not earlier than three months after their official publication.

*[Decree of the President of the Russian Federation No. 202 of February 14, 1996 approved the List of Nuclear Materials, Equipment, Special Non-nuclear Materials and the Proper Technologies That Are Subject to Exports Control](#)*

*[Decree of the President of the Russian Federation No. 228 of February 21, 1996 approved the List of the Equipment and Materials of Dual Use and the Corresponding Technologies Used in the Atomic Field, Export of Which Is Controlled](#)*

*[Decree of the President of the Russian Federation No. 1194 of August 16, 1996 approved the List of Equipment, Materials and Know-hows Used for the Creation of Missile Weaponry Subject to Control when Exported](#)*

*[Decree of the President of the Russian Federation No. 1268 of August 26, 1996 approved the List of Dual-Purpose Goods and Know-How Subject to Export Control](#)*

*[The Regulations on the Procedure for Control Over Taking Out of the Russian Federation of Dual Purpose Goods and Know-How Subject to Export Control were approved by Decision of the Government of the Russian Federation No. 1172 of October 7, 1996](#)*

The Russian Federation shall pursue a single policy of the export control, determined exclusively on the basis of ensuring the security of the country, its political, economic and military interests.

The exportation of a commodity, works, services, or the results of the intellectual activity, including the exclusive rights therein, whose export is controllable according to [paragraph one of the present Article](#), shall be carried out in the procedure determined by the Government of the Russian Federation.

#### **Article 17.** State Monopoly on the Export and/or Import of Certain Types of Goods

The list of certain types of goods, on whose [export](#) and/or [import](#) the State monopoly is established, shall be determined by the federal laws.

The State monopoly on the export and/or import of certain types of goods shall be carried out on the basis of licensing the activity in the export and/or import of goods. The licenses for carrying out such activity shall be issued by the federal body of executive power mentioned in [paragraph four of Article 12](#) of the present Federal Law exclusively to the State-owned unitary enterprises, which in accordance with the legislation of the Russian Federation and the generally recognized international legal norms must make the transactions for the export and/or import of goods on the basis of the principles of nondiscrimination and fair commercial practice.

The transactions for the export and/or import of certain types of goods made in violation of the State monopoly shall be null and void.

The federal body of executive power mentioned in [paragraph four of Article 12](#) of the present Federal Law may make demands for applying the consequences of the nullity of a void transaction in the procedure stipulated by the [Civil Code](#) of the Russian Federation.

#### **Article 18.** Protective Measures with Respect to the Import of Goods

*On the measures for protection of the economic interests of the Russian Federation in foreign trade in goods see [Federal Law No. 63-FZ of April 14, 1998](#)*

In case if a certain commodity or commodities are being imported in such great quantities and under such conditions that essential damage is being inflicted or is threatened to be inflicted to the producers of similar or directly rival goods on the territory of the Russian Federation, the Government of the Russian Federation in accordance with the generally recognized rules of international law may take protective measures to such extent and for such period which may be necessary to remove the serious damage or to prevent the threat of such damage, in the form of quantitative restrictions or of introducing a special increased customs duty.

*On the measures for the protection of the domestic manufacturers of alcoholic products see: [Decision of the Government of the Russian Federation No. 1590 of December 30, 1996](#)  
[Decision of the Government of the Russian Federation No. 1125 of September 19, 1996](#)*

*On the temporary introduction of quotas for the import of carpets and textile flooring from the European Union see [Decision of the Government of the Russian Federation No. 1549 of December 11, 1997](#)*

The ground for adopting a decision on introducing the protective measures shall be a report of the federal body of executive power mentioned in [paragraph four of Article 12](#) of the present Federal Law prepared by the results of an investigation carried out by the order of the Government of the Russian Federation and/or upon an application of a body of executive power of an entity of the Russian Federation, a manufacturer or an association of manufacturers, whose aggregate production of similar [goods](#) or of goods directly competing with the imported ones constitutes over 50 per cent of the total internal production of such goods.

*See the [Regulations for Conducting Investigations Prior to the Introduction of Special Protective Measures, Anti-Dumping Measures or Compensatory Measures approved by \[Decision of the Government of the Russian Federation No. 274 of March 11, 1999\]\(#\)](#)*

An investigation shall be carried out within not more than two months from the day when an application is received. The subject-matter of the investigation shall be the establishment of essential damage or of the threat of suffering such damage and of the existence of an objective causal relation between the growth of the [import](#) and the essential damage or the threat thereof.

For purposes of the present Article, essential damage shall be understood to be a general worsening of the state of the domestic production in a given branch, reflected in the indices of the curtailment of production or of the profitability of the relevant goods or [services](#), and the threat of suffering essential damage shall be understood to be the evident inevitability of such damage confirmed with factual evidence in order to exclude the subjective considerations on the possibility of inflicting essential damage.

By the order of the Government of the Russian Federation the federal body of executive power mentioned in [paragraph four of Article 12](#) of the present Federal Law shall send a notification to the relevant bodies of foreign States or the bodies of the customs territories about the beginning of an investigation with the indication of the commodity, the evidence of the existence of essential damage or the threat thereof from the import of that commodity, the concrete proposed protective measure and the proposed period of its introduction, and also the readiness to hold consultations on those issues. The procedure of introducing the protective measures shall be open and shall

stipulate an official publication of the decision of the Government of the Russian Federation on the introduction of the protective measure with the indication of the total quantity and the cost of the commodity or commodities that shall be subject to the restriction.

The period of the validity of the protective measure, its annulment before the appointed time or prolongation, and also all the changes in the total volume and the cost of the goods for the period of the validity in their respect of the protective measure shall be established by the Government of the Russian Federation taking into account the international obligations of the Russian Federation.

*Article 19 of the present Federal Law shall enter into force from July 1, 1996*

**Article 19.** Embargoes and Restrictions on the Export and/or Import Proceeding from the National Interests

In accordance with the federal laws and international treaties of the Russian Federation there may be established embargoes and restrictions on the export and/or import of a commodity, works, services, and the results of the intellectual activity, including the exclusive rights therein, proceeding from the National interests, comprising:

1) the observance of the social morality and of the legal order;  
2) the protection of the life and health of people, the protection of flora and fauna, and of the environment as a whole;

*Decision of the Government of the Russian Federation No. 278 of March 16, 1996 approved the Procedure for the Importation into and Exportation from the Russian Federation of Narcotic Drugs, Virulent and Poisonous Substances, establishing the licensing and quota allocation of export and import of the said goods*

3) the presentation of the cultural heritage of the peoples of the Russian Federation;  
4) the defence of the cultural values from illegal exportation, importation and the transfer of title thereto;

*On the Export and Import of Cultural Values see the Law of the Russian Federation No. 4804-1 of April 15, 1993*

5) the necessity of preventing the exhaustion of the irreplaceable natural resources, if the measures connected therewith are implemented simultaneously with the restrictions on the relevant internal production and consumption;

6) the insurance of the national security of the Russian Federation;  
7) the defence of the external financial position and the support of the payment balance of the Russian Federation;  
8) the fulfilment of the international obligations of the Russian Federation.

*Decision of the Government of the Russian Federation No. 563 of May 8, 1996 approved List of Ozone Destroying Substances and List of Products Containing Ozone Destroying Substances, Whose Importation to, and Exportation from, under the licenses in accordance with the Vienna Convention on the Protection of the Ozone Layer and the Montreal Protocol on the Substances Destroying the Ozone Layer*

The federal laws concerning the embargoes and restrictions on the export and/or import of goods proceeding from the national interests shall enter into force not earlier than 30 days after the day of their official publication.

**Article 20.** Technical, Pharmacological, Sanitary, Veterinary, Phytosanitary and Ecological Standards and Requirements with Respect to the Imported Goods; and the Control over the Quality of the Imported Goods

The goods imported into the territory of the Russian Federation must correspond to the

technical, pharmacological, sanitary, veterinary, phytosanitary and ecological standards and requirements established in the Russian Federation.

The procedure for the certification of the imported goods shall be regulated by the [Law](#) of the Russian Federation on the Certification of Products and Services and other normative legal acts of the Russian Federation.

The importation of ecologically hazardous products shall be subject to special control in the procedure determined by the federal laws and other legal acts of the Russian Federation.

It shall be prohibited to import into the territory of the Russian Federation the goods which:

1) do not correspond to the standards and requirements indicated in paragraph one of the present Article;

2) do not have the certificate, the marking or the conformity sign in the cases stipulated by the federal laws and other normative legal acts of the Russian Federation;

3) have been prohibited for use as dangerous consumer goods;

4) have defects constituting danger for the consumers.

The said goods must be reexported or destroyed on the basis of an act drawn up by independent experts of the Russian Chamber of Commerce and Industry in the procedure determined by the [Customs Code](#) of the Russian Federation.

#### **Article 21.** Participation of the Russian Federation in the International Economic Sanctions

The participation of the Russian Federation in the international economic sanctions with respect to one State or a number of States and the putting of such sanctions into effect shall be determined by decrees of the President of the Russian Federation.

The Russian persons shall have the right to be compensated judicially for the losses associated with the participation of the Russian Federation in the international economic sanctions, at the expense of the federal budget.

### **Chapter V. Special Regimes of Carrying Out Certain Types of Foreign-Trade Activity**

#### **Article 22.** Border Trade

The border trade may be conducted among the Russian persons having a permanent seat (place of residence) on the border territory of the Russian Federation, and the foreign persons having a permanent seat (place of residence) on the relevant border territory, determined in the international treaties of the Russian Federation with the contiguous States, exclusively for satisfying the local needs with respect to the goods produced within the limits of the relevant border territory, and also to the [goods](#) intended to be consumed within the limits of the relevant border territory.

The procedure for conducting the border trade and the relevant border territories shall be determined by the Government of the Russian Federation in accordance with the federal laws and the international treaties of the Russian Federation with the contiguous States.

#### **Article 23.** Free Economic Areas

A special regime of the economic activity, including the foreign-trade, on the territory of the free economic areas shall be established by the federal law on the free economic areas, other federal laws and other acts of the Russian Federation.

*On the free economic zones see Section Zones of a special economic status*

### **Chapter VI. Promotion of the Development of the Foreign-Trade Activity and Its Stimulation**

#### **Article 24.** Programs of the Development of the Foreign-Trade Activity

[Decision](#) of the Government of the Russian Federation No. 123 of February 8, 1996 approved

### *Federal Programme of Export Development*

For the purposes of stimulating the growth of the national economy, the Government of the Russian Federation and the bodies of executive power of the entities of the Russian Federation shall promote the development of the [foreign-trade activity](#), including through the realization of the federal and regional programs of the development of the foreign-trade activity.

The federal program of the development of the foreign-trade activity shall annually be elaborated by the Government of the Russian Federation and shall be presented for approval to the Federal Assembly of the Russian Federation simultaneously with the draft federal budget.

The said federal program shall contain:

- 1) the forecast of the trade balance as an integral part of the payment balance of the Russian Federation;
- 2) an assessment of the current state and of the problems of the trade-and-economic relations of the Russian Federation with foreign States;
- 3) the plan of the external borrowings of the Russian Federation with a detailed description of the target use of the foreign credits;
- 4) the plan of the export credits granted with the use of the funds of the federal budget or under the guarantees of the Government of the Russian Federation;
- 5) the plan of the servicing the external debt of the Russian Federation;
- 6) the plan of the receipts from the service of the debts of foreign States before the Russian Federation;
- 7) the list of the measures of the State foreign-trade regulation being taken or intended to be taken in the relevant year, the rates of the duties of the customs tariff and the limits of their possible change, the quantitative restrictions on the [export](#) and [import](#), and also the list of the measures for the protection of the internal market and of the currency regulation;
- 8) the list of the measures for stipulating the industrial export for the relevant year;
- 9) the register of the cases of discrimination and of violations of bilateral and multilateral obligations with respect to Russian persons on the markets of certain States, and the list of the measures that have been or are intended to be taken to protect the legal trade-and-economic interests of the Russian Federation.

The bodies of State power of the entities of the Russian Federation within the limits of their competence jointly with the federal body of executive power mentioned in [paragraph four of Article 12](#) of the present Federal Law shall elaborate the programs of the development of the foreign-trade activity on their territories.

#### **Article 25.** Information Support of the Foreign-Trade Activity

For the purposes of developing and raising the efficiency of the foreign-trade activity on the territory of the Russian Federation there shall operate a system of foreign-trade information financed at the expense of the funds of the federal budget and managed by the federal body of executive power mentioned in [paragraph four of Article 12](#) of the present Federal Law.

The following foreign-trade information shall comprise the data:

- 1) on the federal and regional programs of the development of the foreign-trade activity;
- 2) on the Russian and foreign persons concluding the [foreign-trade activity](#) on the Russian market;
- 3) on the Russian and foreign persons that have received quotas and licenses;
- 4) on the Russian and foreign legislation in the sphere of the foreign-trade activity;
- 5) on the activity of the trade missions of the Russian Federation abroad;
- 6) on the activity of the State specialized Russian export-import bank and of other organizations which render the [services](#) of crediting and insurance in the field of the foreign-trade activity;
- 7) on the customs statistics of the Russian Federation;
- 8) on the conjuncture on the foreign markets with the main commodity groups;
- 9) on the legal acts of the Russian Federation in standardization and certification;

- 10) in the infringements of the law in the sphere of the foreign-trade activity;
- 11) on the list of goods prohibited from the importation into and exportation from the territory of the Russian Federation;
- 12) any other data useful for conducting the foreign-trade activity.

The federal body of executive power mentioned in paragraph four of Article 12 of the present Federal Law must, within a reasonable term, furnish the necessary foreign-trade information to a Russian or foreign person participating in the foreign-trade activity, charging a fee therefor.

#### **Article 26.** Arrangements Promoting the Development of the Foreign-Trade Activity

The Government of the Russian Federation and the bodies of executive power of the entities of the Russian Federation, within the framework of their competence and in the person of their authorized bodies, shall make, in accordance with the international obligations of the Russian Federation, the arrangements, including their necessary financing, for promoting the development of the foreign-trade activity, in particular:

- 1) the elaboration of the programs of the development of the foreign-trade activity stipulated by Article 24 of the present Federal Law;
- 2) the ensuring of the crediting of the participants of the foreign-trade activity;
- 3) the ensuring of the functioning of the systems of guarantees and insurance of the export credits;
- 4) the organization of trade exhibitions and fairs, specialized symposia and conferences, and participation therein;
- 5) the conduct of advertising campaigns and campaigns for the development of the export of commodities and services;
- 6) the ensuring of the creation of the system of foreign-trade information and information-and-constructive services, and also the realization of other forms of stipulating and encouraging the foreign-trade activity.

#### **Article 27.** Insurance in the Foreign-Trade Activity

The insurance services in the foreign-trade activity on the territory of the Russian Federation shall be performed in accordance with the federal laws on the insurance activity.

The State, for the purposes of stipulating the export, may participate in the system of insuring the export credits.

The insurance against the commercial risks in the foreign-trade activity shall be carried out in the voluntary basis under insurance agreements with Russian or foreign insurers (juridical persons).

#### **Article 28.** Foreign-Trade Statistics

The Government of the Russian Federation, jointly with the Central Bank of the Russian Federation, shall ensure the creation of the federal system of statistical reporting, and the collection and elaboration by a single methodology of the statistical data comparable at the international level:

- 1) on the foreign trade of the Russian Federation on the basis of the State statistical reporting and the customs statistics of the Russian Federation, including the trade balances of the Russian Federation;
- 2) on the payment balance of the Russian Federation, including the statistics of the importation and exportation of goods, services, capital, securities, the obtention and servicing of credits.

The Government of the Russian Federation, jointly with the Central Bank of the Russian Federation, shall ensure the monthly, quarterly and yearly official publication of the statistical information mentioned in Item 1 of part one of the present Article.

#### **Article 29.** Association Promoting the Development of the Foreign-Trade Activity

The Russian juridical persons participating in the foreign-trade activity may, on the voluntary

basis, form associations and other unions by the branch, territorial and other principles.

The associations of the Russian juridical persons participating in the foreign-trade activity shall be created to ensure the protection of the interests of the members of the associations, to represent their mutual interests, to raise the efficiency and regulate the [export](#) and [import](#), to avoid unfair competition, to develop and strengthen the foreign-trade ties with foreign persons and their associations.

It shall be impermissible to use the associations for monopolizing and dividing the internal market, for limiting the conditions of the competition for the outsider participants of the [foreign-trade activity](#), for discriminating in any form the Russian and foreign persons depending on their participation in the associations, and also the use of such associations for limiting the business practice on the external market.

The creation and activity of the said associations shall be carried out in the procedure stipulated by the [Civil Code](#) of the Russian Federation.

#### **Article 30. Representative Offices of Foreign Juridical Persons in the Russian Federation**

Foreign juridical persons may open, on the territory of the Russian Federation, representative offices for conducting the foreign-trade activity on behalf only of those juridical persons, provided that the federal laws and other legal acts of the Russian Federation are observed.

### **Chapter VII. Interstate Relations in the Field of the Foreign-Trade Activity**

#### **Article 31. Ensuring of favourable Conditions for the Access to the External Markets**

The Government of the Russian Federation shall take measures to create favourable conditions for the access of the Russian persons to the markets of other States, entering, in particular, for these purposes into bilateral and multilateral negotiations, and also participating in the creation and activity of international organizations and intergovernmental commissions intended to promote the development of the trade-and-economic ties of the Russian Federation with foreign States.

#### **Article 32. Missions of the Russian Federation on the Trade-and-Economic Issues in Foreign States**

The missions of the Russian Federation on the trade-and-economic issues (hereinafter, the trade missions of the Russian Federation) in foreign States shall operate on the basis of the international treaties of the Russian Federation.

The trade missions of the Russian Federation shall be State bodies representing in the host countries the interests of the Russian Federation on the issues of the foreign-trade activity and ensuring their protection.

The trade missions of the Russian Federation shall be prohibited from refusing to furnish the information and consultation services to the [Russian participants of the foreign-trade activity](#), in particular on the grounds of the forms of ownership, the place of registration, and the amount of the authorized capital.

#### **Article 33. Missions of Foreign States on the Trade-and-Economic Issues in the Russian Federation**

The missions of foreign States on the trade-and-economic issues shall be established in the Russian Federation on the basis of the international treaties concluded by the Russian Federation with the relevant foreign States.

### **Chapter VIII. Defence of the Economic Interests of the Russian Federation, the Entities of the Russian Federation, the Municipal Entities and the Russian Persons in the Field**



## of the Foreign-Trade Activity

**Article 34.** Retaliatory Measures in the Field of the Foreign-Trade Activity for the Defence of the Economic Interests of the Russian Federation, the Entities of the Russian Federation, the Municipal Entities and the Russian Persons

In case a foreign State takes measures infringing the economic interests of the Russian Federation, the entities of the Russian Federation, the municipal entities and the Russian persons, or the political interests of the Russian Federation, and also in case the said State fails to fulfil the obligations assumed by it under international treaties before the Russian Federation, the Government of the Russian Federation may introduce retaliatory measures in the field of the foreign-trade activity in accordance with the generally recognized rules of international law and within the limits necessary for an efficient defence of the economic interests of the Russian Federation, the entities of the Russian Federation, the municipal entities and the Russian persons.

*On the measures for protection of the economic interests of the Russian Federation in foreign trade in goods see Federal Law No. 63-FZ of April 14, 1998*

*Decision of the Government of the Russian Federation No. 532 of July 14, 2001 introduced the Special Duties on Certain Goods Originating from the Republic of Hungary*

## Chapter IX. Control over the Realization of the Foreign-Trade Activity, and Responsibility for the Infringement of the Legislation of the Russian Federation on the Foreign-Trade Activity

**Article 35.** Control over the Realization of the Foreign-Trade Activity

The control over the realization of the foreign-trade activity shall be exercised by the relevant bodies of State power of the Russian Federation and by the bodies of State power of the entities of the Russian Federation within the limits of their competence in order to ensure the observance of the provisions of the present Federal Law, other federal laws and other normative legal acts of the Russian Federation on the foreign-economic activity, to ensure and protect the economic and political interests of the Russian Federation and the entities of the Russian Federation, and also to protect the economic interests of the municipal entities and the Russian persons.

**Article 36.** Responsibility of the Persons Guilty of the Infringement of the Legislation of the Russian Federation on the Foreign-Trade Activity

The persons guilty of the infringement of the legislation of the Russian Federation on the foreign-trade activity shall bear civil-legal, administrative and criminal responsibility in accordance with the legislation of the Russian Federation.

## Chapter X. Final Provisions

**Article 37.** Entry into Force of the Present Federal Law

The present Federal Law, with the exception of Articles 15, 16 and 19, shall enter into force 30 days after its official publication.

Articles 15 and 16 of the present Federal Law shall enter into force as of January 1, 1996.

Article 19 of the present Federal Law shall enter into force as of July 1, 1996.

To recommend the President of the Russian Federation and assign the Government of the Russian Federation to bring their normative legal acts in conformity with the present Federal Law.

President of the Russian Federation  
Moscow, the Kremlin

Boris Yeltsin