

**DECISION OF THE GOVERNMENT OF THE RUSSIAN FEDERATION
NO. 401 OF JUNE 27, 2005 ON THE OPTIMISATION OF THE SYSTEM
OF TRADE MISSIONS OF THE RUSSIAN FEDERATION IN FOREIGN
STATES (with the Amendments and Additions of September 25, 2007)**

In accordance with the Federal Law on the Fundamentals of State Regulation of Foreign Trade Activity and for the purposes of improving the effectiveness of foreign economic activity and safeguarding the foreign economic interests of the Russian Federation in foreign states, the Government of the Russian Federation hereby does the following:

1. Approves:

- the Regulations on the Trade Mission of the Russian Federation in Foreign State (as attached hereto);

- the list of foreign states in which the Russian Federation shall preserve its trade missions and transform trade councillors' offices under the Russian Federation embassies into trade missions of the Russian Federation, as per Appendix No. 1;

- the list of foreign states in which the Russian Federation shall set up trade missions of the Russian Federation in 2005-2006, as per Appendix No. 2;

- the list of foreign states in which the Russian Federation shall close as from January 1, 2006 its trade missions and trade councillors' offices under the Russian Federation embassies, as per Appendix No. 3;

2. Orders that the Ministry of Economic Development and Trade of the Russian Federation, shall, prior to November 1, 2005, provide for the conduct of organisational personnel-related activities associated with the closure of trade missions of the Russian Federation and trade councillors' offices under the Russian Federation embassies in foreign states, as envisaged under Appendix No. 3 hereto, in accordance with the legislation of the Russian Federation.

3. Accepts the proposal of the Ministry of Economic Development and Trade of the Russian Federation to open in 2005-2006 an office of the Trade Mission of the Russian Federation in the Federal Republic of Germany in the city of Bonn and an office of the Trade Mission of the Russian Federation in the Peoples' Republic of China in the city of Shanghai.

4. Orders that the Ministry of Economic Development and Trade of the Russian Federation shall, jointly with the Ministry of Foreign Affairs of the Russian Federation, inform the competent bodies of foreign states of the transformation of trade councillors' offices under the Russian Federation embassies in those states as envisaged under this Decision and conduct relevant negotiation with said bodies.

5. Orders that:

- appointment to and removal from the post of trade representatives of the Russian Federation in foreign states shall be the competence of the

Government of the Russian Federation and shall be effected on the recommendation of the Ministry of Economic Development and Trade of the Russian Federation by agreement with the Ministry of Foreign Affairs of the Russian Federation;

- the funding of costs (both in rubles and foreign currency) of trade missions of the Russian Federation in foreign states shall be effected using the funds of the federal budget to be set aside by the Ministry of Economic Development and Trade of the Russian Federation for the upkeep of foreign staff and also, in line with the laws of the Russian Federation, by using the funds derived from the authorized types of activity of trade missions of the Russian Federation in foreign states as additional sources of funding.

6. Increases, as from January 1, 2006, by 80 (eighty) units, staff numbers of the foreign staff of the Ministry of Foreign Affairs of the Russian Federation by an appropriate reduction of staff numbers of the foreign staff of the Ministry of Economic Development and Trade of the Russian Federation, providing for an increase in funds of the federal budget allocated to the Ministry of Foreign Affairs of the Russian Federation for the upkeep of the foreign staff by appropriate cut-off of funds set aside for the Ministry of Economic Development and Trade of the Russian Federation for those purposes.

Selection of candidates to occupy said staff posts shall be done by the Ministry of Economic Development and Trade of the Russian Federation by agreement with the Ministry of Foreign Affairs of the Russian Federation which shall send employees for work on the terms of a time-fixed official contract or time-fixed labour agreement.

the Ministry of Foreign Affairs of the Russian Federation shall be required to make, as appropriate, a proposal to adopt an act of the President of the Russian Federation to increase staff numbers of the foreign staff of the Ministry of Foreign Affairs of the Russian Federation by said number of units by an appropriate reduction of staff numbers of the foreign staff of the Ministry of Economic Development and Trade of the Russian Federation.

7. The Ministry of Economic Development and Trade of the Russian Federation shall, jointly with the Ministry of Foreign Affairs of the Russian Federation prepare, prior to July 15, 2005, proposals associated with the organisation and procedure of using the system of special communication of trade missions of the Russian Federation in the states where they stay.

8. The Ministry of Economic Development and Trade of the Russian Federation shall be required to carry out the funding of activities towards the optimisation of the system of trade missions of the Russian Federation in foreign states, specified under this Decision, by using the funds of the federal budget set aside to said Ministry for the upkeep of its foreign staff.

9. The Ministry of Economic Development and Trade of the Russian Federation and the Ministry of Foreign Affairs of the Russian Federation

shall, by agreement with the Managing Department of the President of the Russian Federation, submit to the Government of the Russian Federation proposals related to the immovable property of trade missions of the Russian Federation in foreign states.

10. Invalidates:

- Decision of the Government of the Russian Federation No. 1009 of August 26, 1996 on Reorganisation of Trade Missions of the Russian Federation Abroad (Sobraniye Zakonodatelstva Rossiyskoy Federatsii 1996, No. 37, item 4311);

- Decision of the Government of the Russian Federation No. 626 of June 24, 1998 on Transforming Trade Missions of the Russian Federation in Some Foreign States and Trade Councillors' offices under the Russian Federation Embassies into Trade-Economic Offices of Embassies of the Russian Federation (Sobraniye Zakonodatelstva Rossiyskoy Federatsii 1998, No. 27, item 3210);

- Decision of the Government of the Russian Federation No. 636 of August 28, 2002 on Amending Decision of the Government of the Russian Federation No. 1009 of August 26, 1996 (Sobraniye Zakonodatelstva Rossiyskoy Federatsii, 2002, No. 36, item 3495).

Chairman of the Government of the Russian Federation

M. Fradkov

Regulations on the Trade Mission of the Russian Federation in Foreign State (approved by Decision of the Government of the Russian Federation No. 401 of June 27, 2005) (with the Amendments and Additions of September 25, 2007)

I. General Provisions

1. A Trade Mission of the Russian Federation in a foreign state (hereinafter referred to as the Trade Mission) shall be a state body furthering the foreign economic interests of the Russian Federation in the given foreign state.

2. The Trade Mission shall be opened on the basis of an agreement made between the Russian Federation and a relevant foreign state.

The Trade Mission shall be incorporated as a part of the diplomatic mission of the Russian Federation in the state of stay and shall operate under immediate political direction of the Ambassador of the Russian Federation in that state.

3. The Trade Mission shall, while pursuing its activity, be guided by the Constitution of the Russian Federation, federal constitutional laws, federal laws, decrees and orders of the Government of the Russian Federation, statutory legal acts of the Ministry of Economic Development

and Trade of the Russian Federation, norms of international law, the legislation of the state of stay and also by these Regulations.

II. Basic Goals of the Trade Mission

4. The basic goals of the Trade Mission shall be:

a) to provide for conduct of the foreign economic policy of the Russian Federation in the state of stay, assist in the expansion and diversification of Russia's export of goods and services, create in the state of stay conditions for realizing competitive advantages of the Russian Federation, carry out analysis and projection of the state of foreign economic relations of the Russian Federation with the state of stay and prepare proposals towards improvement of same;

b) to participate in ensuring the realisation of the trade policy of the Russian Federation and development of economic ties between the Russian Federation and the state of stay, and take part in devising and implementation of measures to secure favourable conditions for the integration of the economy of the Russian Federation into the world economy;

c) to prevent the emergence of any complications in the trade-economic relations of the Russian Federation with the state of stay, and in case of emergence of same, to secure prompt settlement of same;

d) to take part in formulating and upholding the position of the Russian Federation with international economic organisations;

e) to disseminate in the state of stay information on Russia's economy and investment climate in the Russian Federation;

f) to provide for information support for interested federal executive bodies, state power bodies of the subjects of the Russian Federation and Russian participants in foreign trade activity about tenders held in the state of stay for construction of projects and supply of goods and services;

g) to render assistance in the obtaining by interested participants in foreign trade activity orders for the supply of goods, work and services, including trading in information and objects of intellectual property and also in promoting Russian investment projects abroad;

h) to assist in promoting Russian goods, services and objects of intellectual property to the market of the state of stay and in attracting investments into the Russian Federation and also in creating favourable conditions for granting credit resources to Russian participants in foreign trade activity in the state of stay;

i) to assist in establishing and developing trade ties between natural and legal persons of the Russian Federation and the state of stay.

III. Basic Functions of the Trade Mission

5. The basic functions of the Trade Mission shall be:

a) to analyse an impact of the economic situation in the state of stay upon the economic interests of the Russian Federation;

b) to establish and maintain contacts with the state bodies and business community of the state of stay and also with representative offices of other states located on the territory of the state of stay and with international economic organisations;

c) to participate in providing interaction with international economic organisations based on the territory of the state of stay;

d) to keep the federal executive bodies informed of actions of the state bodies of the state of stay affecting the trade-economic interests of the Russian Federation, as is envisaged under statutory legal acts of the Ministry of Economic Development and Trade of the Russian Federation;

e) to assist in the work of inter-governmental bodies for trade-economic and scientific-technological cooperation of the Russian Federation with the state of stay;

f) to prepare proposals on the development of trade-economic relations with the state of stay, to participate in preparing and conducting inter-state and inter-governmental negotiations on trade-economic issues and in making with the state of stay agreements in the field of trade-economic cooperation;

g) to assist Russian participants in holding fairs, exhibitions, conferences and workshops on matters concerning the development of foreign economic relations between the Russian Federation and the state of stay and also to render assistance to representatives of the federal executive bodies, the subjects of the Russian Federation and participants in foreign trade activity in arranging and holding meetings with representatives of the state of stay;

h) to provide assistance in implementing bilateral and multilateral international agreements on issues of trade-economic relations whose participants are the Russian Federation and the state of stay;

i) to participate in devising and realising measures aimed at creating favourable conditions for Russian participants in foreign economic activity in the state of stay;

j) to render assistance in the realisation of investment projects and in conducting investment activities of Russian participants in foreign economic activity in the state of stay;

k) to reveal cases of discrimination and infringement by the state of stay of its obligations vis-a-vis Russian participants in foreign economic activity, Russia's goods, services and investments and to assist in making good said infringements;

l) to identify obstacles to carrying out in the state of stay the export of Russia's goods, services, investments or objects of intellectual property and to prepare proposals on measures towards removal of same and to assist Russian participants in foreign economic activity in overcoming said obstacles;

m) to take part in:

- settling trade disputes associated with the infringement by the state of stay of the terms and conditions of trade-economic agreements with the Russian Federation and/or application of the legislation of the state of stay discriminating against participants in foreign economic activity of the Russian Federation;

- settling, at the pre-trial stage, trade and other commercial disputes between Russian and foreign participants in foreign economic activity;

- trade negotiations with the state of stay for the purpose of liberalisation of access to the market of the state of stay of Russia's goods, services and investments, including trade in information and objects of intellectual property;

n) to participate in giving assistance, when considering matters related to the settlement of debts of the state of stay to the Russian Federation or of the Russian Federation to the state of stay;

o) to investigate and analyse the state and assess the prospects of development of the economy of the state of stay, legislation in the field of regulation of the economy and the practice of its application, conditions of the markets of goods, work, services and investments, foreign economic relations with the Russian Federation and third countries and to forward information on those issues to the federal executive bodies of the Russian Federation and also to Russian participants in foreign economic activity in compliance with their requests therefor;

p) to collect and analyse data regarding measures of trade policy and state regulation of foreign trade of the state of stay and to prepare appropriate materials with a view to providing information and also organisational and consultative support to Russian participants in foreign economic activity and also to individuals and legal persons of the state of stay;

q) to provide analyses of information as regards potential demand in the market of the state of stay for Russia's goods and services, including trading in information and objects of intellectual property and also to prepare appropriate materials and proposals for interested participants in foreign economic activity;

r) to assist Russian participants in foreign economic activity in finding partners for the realisation of joint projects on the territory of the state of stay and also in verifying the reliability of individuals and legal persons of the state of stay to be involved in cooperation with Russian enterprises and organisations.

IV. Organisation of Activity of the Trade Mission

6. The decision to set up, reorganize and close the Trade Mission and/or its office in the state of stay shall be made by the Government of the

Russian Federation in accordance with international agreements of the Russian Federation.

The Trade Mission shall have the right to have in the state of stay its offices to be set up on the basis of an international agreement to be made between the Russian Federation and the state of stay.

7. The Trade Mission shall have the right to conclude, as appropriate, on its own behalf, transactions and other juridical acts that may be essential to achieving the goals it has been entrusted with, to act as a plaintiff or an agent of the plaintiff in court.

The Trade Mission shall have the right to act in court as a defendant only in disputes ensuing from transactions and other juridical acts performed by the Trade Mission in the state of stay, and only in instances when the Russian Federation expressed, either in an international agreement with the state of stay or by making a declaration in court or by a notice in writing made within the framework of hearing a case, its consent to have the trade mission subjected to the court jurisdiction of the state of stay in respect of said disputes.

8. The Trade Mission may have incorporated as its members, in the established procedure, representatives of other federal executive bodies and Russian state agencies.

On the basis of a decision of the Government of the Russian Federation, to a Trade Mission there may be sent representatives of federal state unitary enterprises, and also of other enterprises and organisations carrying out foreign-economic activity for the purpose of fulfilling the international treaties on trade-and-economic, scientific-and-technical and military-technical cooperation concluded by the Russian Federation with foreign states, without including such representatives in the number of regular staff of a Trade Mission.

The maintenance of such representatives shall be carried out from the funds of the sending federal bodies of executive power, Russian state institutions, federal state unitary enterprises and other enterprises and organisations with which these representatives are in labour relations.

The conditions of the work of the said representatives in the structure of a Trade Mission shall be determined by the agreements concluded by the sending federal bodies of executive power, Russian state institutions, federal state unitary enterprises and other enterprises and organisations with the Ministry of Economic Development and Trade of the Russian Federation in agreement with the Ministry of Foreign Affairs of the Russian Federation. With respect to the representatives of the federal state unitary enterprises and other enterprises and organisations carrying out foreign-trade activity connected with products of military purpose, there shall also be required coordination with the authorised federal body of executive power in the field of military-technical cooperation.

9. General direction of the Trade Mission activity shall be the competence of the Ministry of Economic Development and Trade of the Russian Federation.

10. The structure and personnel schedule of the Trade Mission shall be approved by the Ministry of Economic Development and Trade of the Russian Federation within the limits of total personnel numbers of the foreign staff of that Ministry or as fixed by the Government of the Russian Federation.

Provision of the Trade Mission with personnel shall be the competence of the Ministry of Economic Development and Trade of the Russian Federation.

11. The Trade Mission shall be headed by the Trade Representative of the Russian Federation (hereinafter referred to as the Trade Representative) who shall be appointed to and released from his post by the Government of the Russian Federation upon the recommendation of the Ministry of Economic Development and Trade of the Russian Federation, agreed upon with the Ministry of Foreign Affairs of the Russian Federation.

12. During the period of work abroad the Trade Representative and employees of the Trade Mission shall be in labour and official relations with the Ministry of Economic Development and Trade of the Russian Federation, respectively.

13. The Trade Representative shall:

- a) directly control the work of the Trade Mission;
- b) bear responsibility for the fulfillment by the Trade Mission of tasks placed upon it;
- c) determine the regime of working hours and time for recreation for the employees of the Trade Mission in accordance with the legislation of the Russian Federation, local conditions and traditions of the state of stay;
- d) define the duties of deputy Trade Representatives and other employees of the Trade Mission;
- e) issue orders which are binding for execution upon the employees of the Trade Mission;
- f) carry out, on behalf of the Trade Mission, juridical acts;
- g) have the right on its own to sign documents to be forwarded to the federal executive bodies through special communication channels and by diplomatic mail.

14. The Trade Mission shall be a legal person, have a seal with the State Emblem of the Russian Federation inscribed thereupon, and seals, stamps and forms essential for conducting its activity.

The Trade Mission shall have the right to open settlement and other accounts with banks in the procedure and on the terms as prescribed under the legislation of the Russian Federation and that of the state of stay.

The Trade Mission shall carry out special communication in the established procedure.

15. The information-analytical materials of principal significance for the development of relations between the Russian Federation and the state of stay to be forwarded by the Trade Mission, including through channels of special communication, shall be submitted to the Ambassador of the Russian Federation in the state of stay for his/her familiarisation.

16. The Trade representative and his/her deputies shall be members of the diplomatic personnel.

17. The Trade Mission, employees of the Trade Mission and members of their families shall enjoy in the state of stay such privileges and immunity as are envisaged under international law.

Employees of the Trade Mission and members of their families shall be obligated to abide by the laws, administrative rules and also traditions and customs of the state of stay, and to abstain from any actions which may be interpreted as interference in the internal affairs of the state of stay.

18. Both movable and immovable property of the Trade Mission shall be federal property. The Trade Mission shall make use of said property free of charge for the purpose of performing the functions entrusted thereto.

The contents and value of the movable property of the Trade Mission shall be shown on its balance sheet as envisaged under the laws of the Russian Federation.

19. Control over the financial-economic activity of the Trade Mission shall be exercised by the Ministry of Economic Development and Trade of the Russian Federation and other duly authorized bodies of state financial control.

**Appendix No. 1
to Decision
of the Government of the Russian Federation
No. 401 of June 27, 2005**

**List of Foreign States in Which the Russian Federation Shall Preserve
Its Trade Missions and Transform Trade Councillors' Offices under
the Russian Federation Embassies into Trade Missions of the Russian
Federation**

1. Australia
2. The Republic of Austria
3. The Algerian Peoples' Democratic Republic
4. The Republic of Argentina
5. The Republic of Belorussia
6. The Kingdom of Belgium (the Grand Duchy of Luxemburg)
7. The Republic of Bulgaria
8. The Federal Republic of Brazil (with offices in the cities of San Paulo and Rio de Janeiro)
9. The Republic of Hungary

10. The United Kingdom of Great Britain and Northern Ireland
11. The Socialist Republic of Vietnam
12. The Kingdom of Denmark
13. The Arab Republic of Egypt
14. The Islamic Republic of Iran
15. The Kingdom of Spain
16. The Republic of Italy
17. The Republic of India, with an office in the city of Mumbai
18. The Republic of Indonesia
19. The Republic of Kazakhstan
20. Canada with an office in the city of Monreal
21. The Peoples' Republic of China with an office in the city of Shanghai
22. The Republic of Korea
23. The Republic of Lithuania
24. Malaysia
25. The Kingdom of Morocco
26. The Kingdom of the Netherlands
27. The Kingdom of Norway
28. The Islamic Republic of Pakistan, with an office in the city of Karachi
29. The Republic of Poland
30. Serbia and Montenegro
31. The Republic of Slovakia
32. The United States of America, with offices in the cities of New York and San Francisco
33. The Kingdom of Thailand
34. The Republic of Turkey, with an office in the city of Istambul
35. Ukraine
36. The Federal Republic of Germany, with an office in the city of Bonn
37. The Republic of Finland
38. The Republic of France
39. The Czech Republic
40. The Swiss Confederation
41. The Kingdom of Sweden
42. Japan

**Appendix No. 2
to Decision
of the Government of the Russian Federation
No. 401 of June 27, 2005**

**List of Foreign States in Which the Russian Federation Shall Set up,
in 2005-2006, Trade Missions of the Russian Federation**

1. The Republic of Azerbaijan
2. The Republic of Armenia
3. Georgia
4. The Republic of Kirgizia
5. The Republic of Moldova
6. The Republic of Tadjikistan
7. Turkmenistan
8. The Republic of Uzbekistan

**Appendix No. 3
to Decision
of the Government of the Russian Federation
No. 401 of June 27, 2005**

List of Foreign States in Which the Russian Federation Shall, as from January 1, 2006, Close Trade Missions of the Russian Federation and Trade Councillors' Offices under the Russian Federation Embassies

1. The Republic of Albania
2. The Republic of Angola
3. The Transitional Islamic State of Afghanistan
4. The Peoples' Republic of Bangladesh
5. The Kingdom of Bahrain
6. The Bolivarian Republic of Venezuela
7. The Republic of Greece
8. The State of Israel
9. The Khashimite Kingdom of Jordan
10. The Republic of Iraq
11. Ireland
12. The Republic of Yemen
13. The Kingdom of Cambodia
14. The Republic of Keniya
15. The Republic of Cyprus
16. The Peoples' Democratic Republic of Korea
17. The Republic of Columbia
18. The Republic of Cuba
19. The State of Kuwait
20. The Peoples' Democratic Republic of Laos
21. The Republic of Latvia
22. The Republic of Lebanon
23. The Socialist Peoples' Lybian Arab Jamakhiria
24. The Republic of Madagascar
25. The Republic of Macedonia
26. The Republic of Malta

- 27.** The Mexican United States
- 28.** The Republic of Mozambique
- 29.** Mongolia
- 30.** The Federal Republic of Nigeria
- 31.** The Republic of Nicaragua
- 32.** The New Zealand
- 33.** The United Arab Emirates
- 34.** The Republic of Panama
- 35.** The Republic of Peru
- 36.** The Republic of Portugal
- 37.** Romania
- 38.** The Kingdom of Saudi Arabia
- 39.** The Republic of Singapore
- 40.** The Syrian Arab Republic
- 41.** The Republic of Guinea
- 42.** The Republic of Slovenia
- 43.** The United Republic of Tanzania
- 44.** The Republic of Tunisia
- 45.** The Eastern Republic of Uruguay
- 46.** The Republic of the Phillipines
- 47.** The Republic of Croatia
- 48.** The Republic of Chili
- 49.** The Republic of Ecuador
- 50.** The Republic of Estonia
- 51.** The Federal Democratic Republic of Ethiopia
- 52.** The South-African Republic