

**LAW OF THE RUSSIAN FEDERATION NO. 4730-I OF APRIL 1, 1993 ON THE STATE BORDER OF THE RUSSIAN FEDERATION (with the Amendments and Additions of August 10, 1994, November 29, 1996, July 19, 1997, July 24, 31, 1998, May 31, 1999, August 5, December 7, 2000, March 24, December 30, 2001, December 24, 2002, June 30, 2003, June 29, August 22, 2004, March 7, 2005, April 20, June 15, December 30, 2006, June 26, December 4, 2007)**

**Part I General Provisions**

**Article 1. The State Border of the Russian Federation**

The state border of the Russian Federation (hereinafter referred to as "the State Border") is a line and a vertical plane going along the line determining the limits of the state territory (land, water, mineral resources and airspace) of the Russian Federation, i.e., the spacial limit of the effect of state sovereignty of the Russian Federation.

**Article 2. The Principles of Establishing and Changing the Route of the State Border, Establishing and Maintaining Legal Relations on the State Border**

The State border of the Russian Federation is the border of the RSFSR fixed by the effective international treaties and legislative acts of the former USSR; the borders of the Russian Federation with adjacent states not made formal in international legal terms are subject to be fixed by treaties.

While establishing and changing the route of its State Border, establishing and maintaining relations with states on the State Border as well as regulating legal relations in border areas (water areas) of the Russian Federation and on international communications routes located on the territory of Russia the Russian Federation is to be governed by the following principles:

- providing the security of the Russian Federation as well as international security;
- mutually beneficial comprehensive cooperation with foreign states;
- mutual respect of the sovereignty, territorial integrity of the states and the inviolability of the state borders;
- the peaceful resolution of border issues.

**Article 3. Protecting and Guarding the State Border**

The protection of the State Border as a part of the system for providing the security of the Russian Federation and the implementation of the state border policy of the Russian Federation lies in the coordinated activities of the federal bodies of state power, the bodies of state power of the subjects of the Russian Federation and the bodies of local self-government pursued by them within the limits of their authority by means of undertaking political, organisational and legal, diplomatic, economic, defense, border, intelligence, counter-intelligence, operative investigation, customs, environmental protection, sanitation and epidemiology, ecological and other measures.

Organizations and citizens may participate in these activities in accordance with the established procedure.

The measures for the protection of the State Border shall be taken in keeping with the status of the State Border as determined by the international treaties of the Russian Federation and the legislation of the Russian Federation.

The Russian Federation cooperates with foreign states in the sphere of protection of the State Border on the basis of generally recognized principles and norms of international law and international treaties of the Russian Federation.

The protection of the State Border shall cater for the vitally important interests of a person, society and state on the State Border within the border territory (border zone, the Russian part of the water area of border rivers, lakes and other water bodies, interior sea waters and territorial sea bodies of the Russian Federation where the border regimen is established, the state border check-points as well as the territories of administrative districts and cities/towns, sanatorium/resort zones, specially protected nature territories, facilities and other territories adjacent to the State Border, a border zone, the banks of border rivers, lakes and other bodies of water, sea coast or check-points) and it shall be carried out by all federal bodies of executive power in accordance with the powers thereof established by the legislation of the Russian Federation.

The guarding of the State Border shall be an integral part of the protection of the State Border and it shall be carried out by the border guard bodies incorporated in the federal security service (hereinafter referred to as "border guard bodies"), within the boundaries of a border territory, by the Armed Forces of the Russian Federation in the airspace and underwater medium and by other forces (bodies) which provide the security of the Russian Federation in the events and in accordance with the procedure determined by the legislation of the Russian Federation. The guarding of the State Border shall be carried out for the purposes of preventing the unlawful alteration of the route of the State Border, making sure natural persons and legal entities observe the regimen of the State Border, the border

regimen and the regimen at the state border check-points. The measures for guarding the State Border are considered for the purposes of the present Law as border measures.

The border measures are incorporated in the system of security measures implemented within the framework of a uniform state policy for providing security and corresponding to the threats to the vital interests of person, society and state.

#### **Article 4. Legislation on the State Border**

The legislation of the State Border is based on the Constitution of the Russian Federation and the international treaties of the Russian Federation and is composed of the present law and other federal laws adopted in accordance with this law and other regulatory legal acts of the Russian Federation.

Should an international treaty of the Russian Federation establish rules other than those contained in the present law and the other legislative acts of the Russian Federation on the State Border, the rules of the international treaty shall be applicable.

### **Part II Establishing and Changing the Route of, and Marking the State Border**

#### **Article 5. Establishing and Changing the Route of the State Border**

1. The route of the State Border shall be established and altered by the international treaties of the Russian Federation and federal laws. Documents on alterations and clarifications of the route of the State Border on the terrain effected as the verification of the State Border on the basis of the international treaties of the Russian Federation shall be put into force in accordance with the legislation of the Russian Federation.

2. Except as otherwise provided in the international treaties of the Russian Federation, the route of the State Border shall be established:

- a) on land by characteristic points, relief lines or clearly visible reference points;
- b) in the sea by of the outer border of the territorial sea of the Russian Federation;
- c) on the navigable rivers by the middle of the main fairway or thalweg of a river; on non-navigable rivers, creeks by the middle thereof or by the middle of the main branch of a river; on lakes and other bodies of water by the equidistant or middle, straight or another line connecting the outlets of the State Border to the banks of the lake or other body of water. The State Border going through a river, creek, lake or other body of water shall not be moved as either the contour of the banks or the water level vary or the bed of the river, creek sways either side;
- d) on the reservoirs of hydraulic stations or other artificial bodies of water in accordance with the State Border line on the terrain prior to the flooding thereof;
- e) on bridges, dams and other structures crossing rivers, creeks, lakes and other bodies of water by the middle of these structures or by their technological axis no matter where the State Border goes on water.

#### **Article 6. Marking the State Border**

The terrain the State Border shall be marked with clearly visible border signs.

The description of and the procedure of the installation of the border signs shall be determined under the international treaties of the Russian Federation, the decisions of the Government of the Russian Federation.

### **Part III The Regimen of the State Border**

#### **Article 7. Maintaining and Establishing the Regimen of the State Border**

The regimen of the State Border shall include the rules for:

- maintaining the State Border;
- persons and vehicles crossing the State Border;
- cargoes, goods and animals being carried across the State Border;
- letting persons, vehicles, cargoes, goods and animals across the State Border;
- pursuing economic, fishing/procurement and other activities on the State Border or in the vicinity thereof on the territory of the Russian Federation;
- resolving, together with foreign states, of incidents relating to the breach of the said rules.

The regimen of the State Border shall be established by the present law, other federal laws, and the international treaties of the Russian Federation.

With due regard to the mutual interests of the Russian Federation and adjacent states specific rules of the regimen of the State Border may not be established and the nature of the established rules may be simplified.

#### **Article 8. Maintaining the State Border**

The rules for maintaining the State Border shall regulate the procedure for the establishment, preservation and maintenance in proper condition of the border signs, the control inspections thereof, arrangement and maintenance of border forest cuttings, the conduct of the verification of the route of the State Border jointly with the adjacent state.

The documents of joint verification of the route of the State border which do not contain alterations of the border shall be endorsed by the Government of the Russian Federation.

In the interests of appropriate maintenance of the State Border of the Russian Federation the following is allocated for border-guard bodies in the procedure established by the legislation of the Russian Federation: the strip of land stretching immediately along the State Border on land and where necessary along the bank/coast of the Russian part of waters of a border river, lake or another body of water.

#### **Article 9. Persons and Vehicles Crossing the State Border**

The crossing of the State Border by persons and vehicles shall take place at international railway and motor vehicle routes or at other places designated under the international treaties of the Russian Federation or the decisions of the Government of the Russian Federation. These acts may set the time for crossing the State Border, the procedure for travelling from the State Border to state border check-points and in reverse direction; no disembarkation of people, unloading of cargoes, goods, animals and receipt thereof on vehicles shall be permitted.

The crossing point across the State Border shall be understood to mean the territory or a water area within the limits of a railway or a bus station, a seaport, a fish or specialised port), a river (lake) port, an airport or a military aerodrome opened for international communication (international flights), and also a different land section in the locality specially allotted in the direct proximity to the State Border, where in accordance with the legislation of the Russian Federation persons, transport vehicles, cargoes, commodities and animals are let through the State Border. The limits of passage across the State Border and the list of the crossing points across the State Border, specialised according to the types of shifted goods, cargoes and animals, shall be determined in the order prescribed by the Government of the Russian Federation.

The border guard agencies are hereby granted the right to use with the approval of the authorities of the states adjacent to the Russian Federation another procedure for crossing the State Border for the military servicemen of these bodies and other persons as they perform their duty of guarding the State Border.

Russian and foreign vessels, foreign navy ships and other state vessels operated for non-commercial purposes shall cross the State Border on the sea, river, lake or other body of water in compliance with the present Law, the international treaties of the Russian Federation and federal laws.

Shipping on border rivers, lakes and other bodies of water including the crossing of the State Border without calling at ports (roadsteads) of the Russian Federation and adjacent states shall be regulated by the treaties of the Russian Federation with the adjacent states.

Foreign vessels, foreign navy ships and other state vessels operated for non-commercial purposes, Russian vessels as they proceed from the State Border to state border check-points and back, while navigating in the Russian part of the waters of border rivers, lakes or other bodies of water without calling at ports (roadsteads) of the Russian Federation shall comply with the following requests of the border guard agencies:

show their flag if it failed to be shown for some reason;

change their course if it leads to a navigation exclusion area or an area temporarily dangerous for navigation as well as to a safety area established around an artificial island, plant or structure;

inform of the aim of the call at the territory of the Russian Federation;

other requests as provided in the laws and other regulatory legal acts of the Russian Federation.

The vessels specified in Part 6 of the present Article, as they proceed from the State Border to state border check-points and back, are prohibited (excluding the cases stipulated by the international treaties of the Russian Federation, laws and other regulatory legal acts of the Russian Federation):

a) to call at the ports (roadsteads) of the Russian Federation that have not been opened by the Government of the Russian Federation for the calls of foreign vessels;

b) to enter a navigation exclusion area or an area temporarily dangerous for navigation as well as a safety area established around an artificial island, plant or structure if a public announcement has been made about such areas;

c) to stop, disembark (embark) people, unload (load) any cargoes, goods, currency, animals, put afloat or lift on board any floating craft, take-off, land or accept on board any aircraft, perform fishing, research, prospecting or other activity without the appropriate permission of the specifically authorized federal bodies of executive power in charge of the protection of interior sea waters and the territorial sea of the Russian Federation and the natural resources thereof, within the competence thereof, or with their permission but in breach of the provisions of such permission;

d) other activities prohibited under the legislation of the Russian Federation and international treaties of the Russian Federation.

Aircraft shall cross the State Border along allocated air corridors with the observance of the rules established by the Government of the Russian Federation and published in air navigation data documents. The crossing of the State Border beyond allocated air corridors is admissible only with the permission of the Government of the Russian Federation, except as in the cases specified in Part 12 of the present Article.

While they proceed from the State Border to state border check-points and backwards and also in case of a transit flight via the air space of the Russian Federation aircraft, are prohibited (except in cases provided by the present Law):

a) to land at the airports or airfields of the Russian Federation that have not been opened by the Government of the Russian Federation for international flights;

b) to take off from airports or airfields of the Russian Federation that have not been opened by the Government of the Russian Federation for international flights. In some cases when special international flights are performed the take-off of aircraft from the Russian Federation and the landing of aircraft after their entry into the Russian Federation may be performed in airports or airfields of the Russian Federation not open for international flights only with the permission of the Federal Aeronavigation Service, agreed upon with the Federal Security Service of the Russian Federation, the Federal Customs Service, the Federal Service for Supervision in the Sphere of Protecting the Rights of Customers and the Welfare of Man and accordingly the Ministry of Defence of the Russian Federation and the Federal Agency of the Air Transport;

c) to enter flight exclusion areas about which a public announcement has been made;

d) to perform other actions prohibited by the legislation of the Russian Federation and the international treaties of the Russian Federation.

In the interests of providing for the security of the Russian Federation and on the request of foreign states, the crossing of the State Border at specific sections thereof may be temporarily restricted or stopped by decision of the Government of the Russian Federation, with the authorities of states concerned being notified.

Should extraordinary situations of a natural or non-natural character occur, emergency rescue or emergency relief formations (forces) shall cross the State Border to localize and clear up such situations, in accordance with the procedure provided under the international treaties of the Russian Federation and acts of the Government of the Russian Federation.

The following shall not be deemed violations of the rules of crossing the State Border: forced crossing of the State Border by persons, vehicles on the ground, entry of foreign vessels, foreign navy ships and other state vessels operated for non-commercial purposes, into the territory of the Russian Federation, forced flight into the air space of the Russian Federation of aircraft, as effected by virtue of the below emergency circumstances:

a calamity;

an accident or natural disaster threatening the safety of a foreign vessel (including aircraft), foreign navy ship or other state vessel operated for non-commercial purposes;

a strong storm, ice drift or ice conditions threatening the safety of a foreign vessel, foreign navy ship or other state vessel operated for non-commercial purposes;

the towing of a damaged foreign vessel, foreign navy ship or other state vessel operated for non-commercial purposes;

the carriage of rescued people;

rendition of urgent medical assistance to a member of crew or passengers and also due to other extraordinary circumstances.

In the event of a forced crossing of the State Border or a forced violation of the rules provided under the present Law for vessels/craft proceeding from the State Border to checkpoints across the State Border and back, the procedure for staying in the Russian part of border rivers, lakes and other bodies of water, in the interior sea waters, territorial sea and airspace of the Russian Federation, the captain of a vessel, commander of a navy ship or commander of an aircraft is to notify thereof immediately the administration of the nearest Russian sea, river (lake) port, or the respective body of the unified air traffic system, which shall notify about such crossing of the State Border the border guard agencies and the Armed Forces of the Russian Federation and is to act henceforth in compliance with their directions or the directions of a navy ship, captain of a sea, river vessel or the commander of an aircraft of the Russian Federation that would arrive to render assistance or clarify the circumstances of the occurrence.

Russian catcher boats procuring aquatic biological resources in inland sea waters, the territorial sea, an exclusive economic zone and/or continental shelf of the Russian Federation without unloading (loading) the catch to foreign vessels, and also to Russian vessels subjected to border control, in the event of a fishing activity aimed at delivering catches of aquatic biological resource in a live, fresh, chilled or frozen form for the purpose of processing or selling on the territory of the Russian Federation may cross the State Border several times without undergoing border, customs and other types of control under

a permit of border-guard bodies. The said Russian fishing vessels are prohibited to reach high seas, to call at an exclusive economic zone, territorial sea, inland sea waters of a foreign state, foreign ports and to disembark (embark) people, to unload (load) any cargoes, merchandise, currency, animals to foreign vessels, and also to Russian vessels subjected to border control, except for cases when it is due to the need for rescuing people and vessels or other extraordinary circumstances about which the captain of the vessel notifies borderguard bodies immediately.

The procedure for securing a permit for the multiple crossing of the State Border, the territorial and temporal limits of the permit, and also the procedure for exercising control in respect of the Russian fishing vessels mentioned in Part 14 of the present article shall be established by the Government of the Russian Federation.

**Article 10. The Carriage of Cargoes, Goods and Animals Across the State Border**

The carriage of cargoes, goods and animals across the State Border shall be effected at the locations and in accordance with the procedure established under the international treaties of the Russian Federation, the legislation of the Russian Federation, the decisions of the Government of the Russian Federation.

**Article 11. Letting Persons, Means of Transportation, Cargoes, Goods and Animals Across the State Border**

The allowing of persons, means of transportation, cargoes, goods and animals across the State Border shall be carried out at the established and opened in keeping with Article 12 of the present Law state border check-points and it is constituted in recognizing as lawful the crossing of the State Border by persons and means of transportation which have arrived on the territory of the Russian Federation, of the carriage across the State Border of cargoes, goods, animals to the territory of the Russian Federation or in permitting the persons and means of transportation leaving the Russian Federation to cross the State Border, permitting carriage across the State Border of cargoes, goods, animals out of the Russian Federation.

Grounds for letting across the State Border persons, means of transportation, cargoes, goods and animals shall be the availability of effective documents for the right to enter the Russian Federation or exit from the Russian Federation, documents for the means of transportation, cargoes, goods and animals.

Not subject to be let across the State Border shall be foreign citizens or persons without citizenship to whom entry to the Russian Federation is not permitted in accordance with the legislation of the Russian Federation, and also persons in respect to whom a decision to prohibit exit from the Russian Federation has been adopted in accordance with the procedure established under the legislation of the Russian Federation.

A treaty of the Russian Federation with an adjacent state may establish a simplified procedure for letting citizens of the Russian Federation and the adjacent state across the State Border insofar as concerns the determination of the documents for the right to exit from the Russian Federation and enter into the Russian Federation.

Letting persons, means of transportation, cargoes, goods and animals across the State Border shall include the performance of border control (the verification of the grounds for being let across the State Border of persons, means of transportation, cargoes, goods and animals, the inspection of the means of transportation, cargoes and goods for the purpose of discovering and apprehending violators of the rules for the crossing of the State Border as well as the carried cargoes, goods and animals prohibited to be brought to the Russian Federation and taken out of the Russian Federation under the legislation of the Russian Federation) and customs control, and in cases fixed by the international agreements of the Russian Federation and federal laws, and other types of control. The list of other types of control exercised in crossing points across the State Border shall be established by the Government of the Russian Federation.

The contents, means and methods of control, the order of its implementation in crossing points across the State Border shall be established by the Government of the Russian Federation in compliance with the laws of the Russian Federation.

The letting across the State Border of Russian aircraft performing special international flights from airports and airfields not open for international flights as well as of foreign and Russian aircraft performing forced landings in improper places shall be effected by the bodies of the Federal Security Service of the Russian Federation jointly with the administration of airports, airfields or the command of the air force units of the Armed Forces of the Russian Federation with subsequent notification of the bodies of the Russian Federation concerned.

**Article 11.1.** Abrogated from January 1, 2001.

## **Article 12.** The Establishment and the Opening of Crossing Points Across the State Border

The state border check-points shall be established by the international agreements of the Russian Federation or by the Government of the Russian Federation on the proposal of the federal bodies of executive power or the subjects of the Russian Federation as approved by the border guard agencies and the other federal bodies of executive power concerned with the account taken of the interests of adjacent and other foreign states.

The opening of a state border check-point shall be carried out after the construction (reconstruction), furnishing/equipping and commissioning by the federal body of executive power concerned, by the subject of the Russian Federation of respective buildings, premises, facilities per the design documentation approved the border guard agencies as well as the customs and other bodies participating in the control exercised at the state border check-point. As the said design papers are elaborated, a provision shall be made for the premises and facilities needed for the organisation of border control and other kinds of control. The constructing and furnishing/equipping of the said facilities shall be an expense commitment of the Russian Federation and shall be carried out in the procedure established by legislative and other normative legal acts of the Russian Federation.

The procedure for the establishment, opening, functioning (operating), reconstructing and closing of crossing points across the State Border, and also general requirement for the construction, reconstruction, equipment and the fitting out of buildings, premises and structures necessary for the organisation of frontier, customs and other control exercised in crossing points across the State Border, shall be determined by the Government of the Russian Federation.

## **Article 13.** The Pursuance of Economic, Fishing/Procurement Activities on the State Border

The economic, fishing/procurement and other activities relating to the crossing of the State Border and in another way interfering with the interests of the Russian Federation or foreign states pursued by Russian and foreign legal entities and natural persons including joint activities, on the State Border or in the vicinity thereof on the territory of the Russian Federation (within the five-kilometer strip of the area) shall not:

inflict harm on the population's health, ecological and other safety of the Russian Federation, of adjacent foreign states and other foreign states or contain a threat of such a harm;

hinder the maintenance of the State Border and the performance of the tasks of the border guard agencies.

The activities specified under Part 1 of the present article shall be pursued in accordance with the international treaties of the Russian Federation or other agreements with foreign states, with the rules for the crossing of the State Border being observed and on the ground of the permit of the border guard agencies which includes information on the places, time of the crossing of the State Border and the works performed, the number of participants, fishing and other vessels used, transportation and other means and mechanisms.

## **Article 14.** Resolving the Incidents Relating to a Breach of the Regimen of the State Border

The procedure for resolving the incidents relating to a breach of the regimen of the State Border, the referral thereof to the competence of the border representatives of the Russian Federation, the Ministry of Defense of the Russian Federation or the Ministry of Foreign Affairs of the Russian Federation shall be governed by the treaties of the Russian Federation with adjacent states on the State Border and the regimen thereof, other international treaties of the Russian Federation, the present law, and the decisions of the Government of the Russian Federation.

The persons, aircraft, Russian and foreign sea, river vessels and military ships, other means of transportation which crossed the State Border in breach of the rules established under the present law shall be deemed violators of the State Border.

The foreign citizens and persons without citizenship who have not the status of persons residing or staying on the territory of the Russian Federation and who crossed the State Border from the territory of a foreign state, should there be in their actions the attributes of a crime or administrative legal offence shall be held legally accountable under the legislation of the Russian Federation.

In the event when in respect to the violators of the State Border specified in Part 3 of the present article there are no grounds for commencing criminal actions or proceedings on administrative legal offence cases and they do not enjoy the right to political asylum in accordance with the Constitution of the Russian Federation, the border guard agencies shall in accordance with the official procedure hand them over to the authorities of the state from the territory of which they have crossed the State Border. Should, in the treaty of the Russian Federation with the state, there be no provision for violators being handed over to the authorities of the state, the border guard agencies and frontier troops shall evict them out of the Russian Federation at the places designated by the border guard agencies and frontier troops. The authorities of the state to the territory (or via the territory) which foreign citizens or persons without citizenship are evicted out of the Russian Federation from the state border check-points shall be notified

of the eviction should there be a provision for that in the treaty of the Russian Federation with the respective state.

Citizens of the Russian Federation who while staying abroad lost their documents for the right to enter the territory of the Russian Federation and who have arrived at state border check-points shall be left at the check-points for a term needed for their personal identification, this term not exceeding thirty days. The procedure and terms and conditions of their stay at the state border check-points shall be determined by the Government of the Russian Federation.

#### **Article 15. The Border Representatives of the Russian Federation**

For the purpose of resolving the issues of the observance of the regimen of the State Border and settling border incidents, border representatives of the Russian Federation (border commissars, border authorized representatives and deputies thereof) shall be appointed to specific sections of the State Border by the head of the Federal Security Service of the Russian Federation on the approval of the Ministry of Foreign Affairs of the Russian Federation in accordance with the international treaties of the Russian Federation.

In their activities the border representatives shall be governed by the present law, other federal laws, international treaties of the Russian Federation and the Regulations on the Border Representatives of the Russian Federation endorsed by the Government of the Russian Federation.

The settlement of border incidents relating to the activities of Russian or foreign military aircraft and military ships, other military objects or servicemen (excluding objects or servicemen of the border guard agencies when the interests of preventing dangerous military activities are not concerned) shall be effected by the representatives of the Ministry of Defense of the Russian Federation, if necessary, with the participation of the border representatives of the Russian Federation.

The issues and incidents not regulated by the border representatives of the Russian Federation or the representatives of the Ministry of Defense of the Russian Federation shall be resolved via diplomatic channels.

### **Part IV The Border Regimen**

#### **Article 16. The Contents and Establishment of the Border Regimen**

The border regimen shall serve exclusively the interests of the creation of the necessary conditions for the protection of the State Border and it shall include the rules:

1) in the border area:

of entry (passage), temporary stay, movement of persons and vehicles;

of economic, fishing/hunting and other activities, of holding mass public political, cultural and other events, within the five-kilometre strip of the area along the State Border on land, the sea coastline of the Russian Federation, the Russian banks of border rivers, lakes and other reservoirs and on islands in said reservoirs, and also up to the point of the engineering and technical installations, if it is located beyond the limits of the five-kilometre strip of the area;

2) in the Russian part of the waters of border rivers, lakes and other bodies of water, in interior sea waters and the territorial sea of the Russian Federation:

of the registration and maintenance of Russian small-size self-propelled and non-self-propelled (surface and underwater) vessels (means) and means of transportation on ice, of the navigation thereof and movement on ice thereof;

of fishing/hunting, research, prospecting and other activities.

The establishment of other rules of border regimen shall not be admissible. Any limitation on citizens' rights and freedoms shall be admissible only on the basis and in accordance with the procedure provided under the law.

The border zone shall be established within the territory of the settlements and inter-settlement territories which adjoin the State Border on land, the sea coastline of the Russian Federation, the Russian banks of border rivers, lakes and other reservoirs, and within the territory of islands in said reservoirs. On the proposal of local self-government bodies of inhabited localities it shall be possible for a border zone not to include individual territories of inhabited localities, settlements and sanatoria, rest houses, other health rehabilitation institutions, culture institutions (facilities) as well as mass recreation, active water use, religious rite places as well as other places of traditional mass public gatherings.

Warning signs shall be installed at the entrances to a border zone. Proceeding from the nature of the relations of the Russian Federation with an adjacent state it shall be possible not to establish a border zone at specific sections of the State Border.

The boundaries of a border zone shall be determined and changed, and warning signs installed by the decision of authorized federal executive bodies on the proposal of the senior officials of the border guard agencies on the territories of the subjects of the Russian Federation.

The same procedure shall be applicable for the purposes of determining and changing the sections (areas) of the internal waters of the Russian Federation within which the border regimen is established.

The specific contents, special and temporary limits of the effect of the border regimen rules provided under the present law, and the circle of the persons to whom any of the said rules are applicable shall be established and repealed by the decisions of authorized federal executive bodies on the approval with senior officials of the border guard agencies on the territories of the subjects of the Russian Federation and shall be subject to be published.

**Article 17. The Entry (Passage), Temporary Stay, Movement of Persons and Means of Transportation in a Border Zone**

The entry (passage) of persons and means of transportation to a border zone shall be effected per the personal identification documents or individual or collective permits issued by the border guard agencies on the personal applications of citizens or requests of enterprises and associations thereof, organisations, institutions and public associations. The locations of entrances (passage) to the border zone shall be designated. There may be designated the time of entrance (passage), the routes of movement, the duration and other conditions of the stay of persons and means of transportation in the border zone.

**Article 18. Economic, Fishing/Procurement and Other Activities, the Conduct of Mass Public and Political, Cultural and Other Events in a Border Zone**

The specifics of the economic, fishing/procurement and other activities relating to the use of land, forests, mineral resources, water, the conduct of mass public and political, cultural and other events in a border zone shall be regulated by the federal laws and regulatory legal acts of the subjects of the local self-government bodies. Economic, fishing and other activity, mass socio-political, cultural and other undertakings, carried out within the five-kilometre strip of the area or up to the point of the engineering and technical installations, if it is located beyond the five-kilometre strip of the area, shall be realised with permission, whereas in the remaining part of the border zone - with the notice of the border guard agencies.

The permission for work, event an or the notification about the realization of a work or a measure shall include, apart from the issues stipulated in Article 17 of the present law, the designation of the place, time, number of participants, and the person in charge for the conduct thereof. For regular works or events, permanent places may be designated.

**Article 19. Animal Husbandry and Grazing on the State Border**

For the purposes of preventing the transfer of contagious diseases across the State Border, prohibited or limited may be animal husbandry and grazing within the terrain strip (quarantine strip) along the State Border on land.

A quarantine strip, the width thereof, the procedure for its fencing, the veterinary regimen on the strip shall be established by the Ministry of Agriculture and Foodstuffs of the Russian Federation or on the instruction thereof by the veterinary supervision bodies of the subjects of the Russian Federation. As it is done animal husbandry and grazing shall be performed in a border zone also in accordance with the procedure provided in Articles 17 and 18 of the present law.

**Article 20. The Registration, Maintenance and Use of Russian Small Vessels (Means) and Means of Transportation on Ice**

Russian small self-propelled and non-self-propelled (surface and underwater) vessels (means) and means of transportation on ice used on the Russian part of the waters of border rivers, lakes and other bodies of water, on the interior sea waters and territorial sea of the Russian Federation shall be subject to mandatory registration and storage at piers, moorings, and other bases. There may be established a procedure for these vessels (means) getting out of their bases and returning including notification of the border guard agencies, the limit of time for getting out, the period of being seaborne (iceborne), and the leaving their base or shores.

**Article 21. The Pursuance of Fishing/Hunting, Research, Prospecting and Other Activities in the Russian Part of the Waters of Border Rivers, Lakes and Other Bodies of Water, in the Internal Sea Waters and the Territorial Sea of the Russian Federation**

1. Fishing/hunting, research, prospecting and other activities shall be pursued in the Russian part of the waters of border rivers, lakes and other bodies of water, in the interior sea waters and territorial sea of the Russian Federation in compliance with the legislation of the Russian Federation.

2. For the purposes of protecting the State Border the activities specified under Item 1 of the present Article shall be pursued in the Russian part of the waters of border rivers, lakes and other bodies of water on the permission of the border guard agencies and in the interior sea waters and territorial sea



of the Russian Federation with a notification of the border guard agencies and frontier troops. In such a case information shall be provided on the places, time of pursuance of the fishing/hunting, research, prospecting or other activities, the number of participants, fishing/hunting and other vessels and other means used for the purpose.

**3.** Persons pursuing the activities specified under Item 1 of the present Article without notification (permission) of the border guard agencies as well as with notification thereof but in violation of the terms of such a notification (permission) shall be held accountable under the legislation of the Russian Federation.

## **Part V The Regimen at the State Border Check-points**

**Article 22.** The Contents and Establishment of the Regimen at the State Border Check-points

The regimen at the state border check-points shall include the rules for entering these check-points, staying there and exiting them for persons and means of transportation, bringing in, keeping and taking out cargoes, goods and animals established exclusively in the interests of creating the necessary conditions for the performance of the border and customs control, and in cases established by the international agreements of the Russian Federation and federal laws, and other control.

A regime in crossing points across the State Border shall be established in the order defined by the Government of the Russian Federation in accordance with the present Law and the international agreements of the Russian Federation.

**Article 23.** The Procedure for the Entry (Exit) of Persons and Means of Transportation, and the Bringing in (Taking out) of Cargoes, Goods and Animals at the State Border Check-points

The entry into the state border check-points and exit from them of persons and means of transportation, as well as the bringing in and taking out of cargoes, goods and animals shall be effected at the locations specially designated for these purposes per the permits issued by the administration of airports, airfields, sea ports, river (lake) ports, railroad and automobile terminals and stations, and other transportation enterprises on the approval of the border guard agencies.

**Article 24.** The Stay of Persons and Means of Transportation at the State Border Check-points

The locations and duration of the stay of the international route means of transportation at the state border check-points shall be determined by the administration of airports, airfields, sea ports, river (lake) ports, railroad and automobile terminals and stations, and other transportation enterprises on the approval of the border guard and customs bodies.

During customs control and other kinds of control access of persons to the means of transportation and on the international route means of transportation shall be limited and, if necessary, prohibited.

Passengers' embarkation on the means of transportation as they leave the Russian Federation and disembarkation upon arrival in the Russian Federation as well as the loading (unloading) of luggage, mail and cargoes shall be effected with the permission of the border guard and customs bodies.

The officials of transportation enterprises, organisations, and owners of means of transportation shall open up sealed railroad cars, automobiles, holds and other premises of means of transportation and cargoes carried therein, should the representatives of the border guard agencies so request.

The international route means of transportation may start moving to leave the territory of the Russian Federation or to travel inland on the territory of the Russian Federation and equally change the place of their stay only with the permission of the border guard and customs bodies.

The stay at the state border check-points of citizens of the Russian Federation without valid documents for the right to enter in the Russian Federation shall be regulated in accordance with the procedure provided in Part 5, Article 14 of the present law.

**Article 25.** Removed.

**Article 25.1.** The Economic and Other Activity Carried out in Crossing Points Across the State Border

The list of the types of the economic and other activity, which may be carried out within the limits of crossing points across the State Border shall be established by the Government of the Russian Federation.

**Article 26.** Additional Regimen Rules at the State Border Check-points

At the state border check-points there shall be designated the territories, premises where border control and other kinds of control are directly performed. At such places there shall be introduced additional regimen restrictions which shall be established within the limitations of the rules and in accordance with the procedure provided in Articles 22, 23, 24 and 25 of the present law.

## **Part VI The Powers of the Bodies of State Power in the Sphere of Protection of the State Border**

### **Article 27. The Powers of the Bodies of State Power of the Russian Federation**

The bodies of state power of the Russian Federation shall exercise powers in the sphere of protection of the State Border as provided in the Constitution of the Russian Federation and the present law.

The federal executive body in charge of ensuring the security of the Russian Federation shall be specially authorized to carry out public administration in respect of the protection and guarding of the State Border, as well as to organize the border guard service. The border guard agencies engaged in the protection and guarding of the State Border shall be part of the federal security service.

### **Article 28. The Powers of the Federal Bodies of Executive Power**

#### **1. The Ministry of Foreign Affairs of the Russian Federation shall:**

on the basis of the decisions of the bodies of state power of the Russian Federation conduct negotiations for establishing and fixing the State Border and establishing the regimen of the State Border, and prepare the necessary documents and materials;

provide the foreign political and international legal backing for the protection of the State Border;

make, within its competence, the documents for the right to enter into the Russian Federation and exit from the Russian Federation for citizens of the Russian Federation, foreign citizens and persons without citizenship;

resolve the issues of observance of the regimen of the State Border, incidents on the State Border not regulated by the border representatives of the Russian Federation or the Ministry of Defense of the Russian Federation.

#### **1.1. The Federal Security Service of the Russian Federation:**

jointly with the federal executive bodies, shall organize and ensure within the scope of its authority the protection and guarding of the State Border on land, at sea, on rivers, lakes and other reservoirs at check-points of the State Border, intelligence, counterespionage and operational-search activities, as well as the passing across the State Border of individuals, transport vehicles, freight, commodities and animals;

shall coordinate the activities of the federal executive bodies exercising on the State Border all types of control over the observance of the State Border Regimen, the border regimen and the regimen at checkpoints of the State Border;

shall ensure, jointly with the Ministry of Defence of the Russian Federation, the coordination by the border guard agencies of the activities of the Air Defence Troops and Navy aimed at the protection and guarding of the State Border, the coordination, jointly with other authorized federal executive bodies, of measures taken by law enforcement bodies and bodies of the secret services of the Russian Federation at the local level in the interests of the protection and guarding of the State Border;

shall participate in the preparation by state power bodies of normative legal acts regarding the activities of natural persons and legal entities, which concern the interests of protection and guarding of the State Border;

shall participate in the delimitation, demarcation and re-demarcation of the State Border, and in the development of normative legal acts establishing the regimen of the State Border;

on the instructions of the Government of the Russian Federation, shall directly administer the activities of border representatives of the Russian Federation;

shall obtain and process information on threats to the security of the Russian Federation in the interests of the protection and guarding of the State Border, presentation thereof to the President of the Russian Federation and to the Government of the Russian Federation; and shall inform the federal executive bodies concerned in the procedure established by federal laws;

shall ensure the security of the bodies of the federal security service;

jointly with the federal state guard bodies, shall participate in ensuring the security of objects under state guard at the State Border within the limits of the frontier territory;

in cooperation with the Federal Customs Service and the Federal Service of the Russian Federation for Control over the Traffic of Narcotics and Psychotropic Substances, shall work out and take measures to counteract smuggling;

shall ensure, from the counterespionage angle, the entry to the territory of the Russian Federation and exit from the Russian Federation of citizens of the Russian Federation, foreign citizens and stateless persons, as well as the regimen of foreign citizens' and stateless persons' staying on the territory of the Russian Federation;

shall cooperate with federal executive bodies and public associations, as well as with the appropriate bodies of foreign states, and with international organizations in the interests of protection and guarding of the State Border.

#### **2. Abolished as of July 1, 2003**

**3.** The Ministry of Defense of the Russian Federation shall:  
provide for the protection of the State Border in the air space and under water;  
provide for the participation of the Armed Forces of the Russian Federation in the protection of the State Border on land, seas, border rivers, lakes and other bodies of water in the events and in accordance with the procedure stipulated by the present law and other federal laws;  
resolve within its competence the incidents relating to the violation of the regimen of the State Border;  
render assistance to the bodies of the Federal Border Guard Service of the Russian Federation in providing resources, intelligence, etc. for the protection of the State Border pursuant to the legislation of the Russian Federation and the inter-departmental agreements.

**4.** The federal bodies of executive power exercising customs control, and in cases established by the international agreements of the Russian Federation and federal laws - by other types of control on the State Border, shall:

organize and conduct actions for the protection of the economic, ecological and other interests of a person, the society and the state on the State Border;

issue within their competence the regulatory acts binding on all legal entities and natural persons on the territory of the Russian Federation;

verify the observance by enterprises, organisations, institutions, public associations, and citizens of the requirements set forth in the international treaties of the Russian Federation, and the legislation of the Russian Federation concerning the issues within the competence thereof;

set up control bodies (points) and organise their work;

interact with each other and render assistance to the border guard agencies in protecting the State Border;

cooperate in the protection of the State Border with the appropriate bodies of foreign states.

**4.1.** Apart from the powers indicated in Item 4 of the present Article, the customs shall:

require the submission of the documents necessary for control of other types in the order and in cases defined by the Government of the Russian Federation;

enter the data on the cargoes goods, and animals shifted across the State Border to the interdepartmental information system. The Regulations for the Interdepartmental Information System shall be approved by the Government of the Russian Federation.

**5.** The Ministry of Internal Affairs of the Russian Federation shall:

render assistance to the border guard agencies in the conduct of activities for the protection of the State Border, fight against illegal activities at the border, search for the persons who violated the regimen of the State Border, and discovery and verification of the circumstances of the legal offences of the citizens detained in accordance with administrative or criminal procedure;

inform the border guard agencies on law enforcement of the situation in the border areas of the Russian Federation, offences discovered, the criminal groups and persons having criminal intents in respect to the State Border and the border guard agencies;

in respect to the protection of the State Border in the events and in accordance with the procedure provided in the present law;

make sure the bodies of internal affairs take part in the control of the observance of the border regimen and the regimen at the state border check-points;

provide for, on the proposal of the border guard agencies, a temporary limitation or prohibition of the access of citizens to specific terrain areas or facilities in the vicinity of the State Border during the conduct of a border search or operation, as armed intrusions on the territory of the Russian Federation are countered or as mass illegal crossing of the State Border is stopped;

ensure public order as mass events of a federal or international nature are held on the State Border or in the border areas of the Russian Federation;

ensure law and order in the border areas in the event of an emergency, and the introduction of a state of emergency;

take part in legal upbringing of the population of the border areas of the Russian Federation, prevention jointly with the border guard agencies of offences on the State Border and at the state border check-points.

**6.** Abolished as of July 1, 2003.

**7.** The Foreign Intelligence Service of the Russian Federation shall: in cooperation with the Federal Security Service of the Russian Federation perform intelligence activities in the interests of the protection of the State Border.

**Article 29.** The Powers of the Bodies of State Power of the Subjects of the Russian Federation

The bodies of state power of the subjects of the Russian Federation, in compliance with the authority established by the laws of the Russian Federation, shall:

create conditions for the protection of the State Border by troops and bodies authorized for such purposes, adopt for such purposes laws and other regulatory legal acts within the limitations set by the present law;

inform the border guard agencies on the issues concerning the situation in the border areas of the Russian Federation;

create conditions for the voluntary participation of citizens in the protection of the State Border;

verify on their territories the observance by all bodies, enterprises, institutions, organisations, public associations and also by officials and citizens of the legislation of the Russian Federation on the State Border.

## **Part VII The Powers of the Border Guard Agencies, the Air Defense Troops, the Navy, Other Troops and Military Formations of the Russian Federation in the Sphere of the Protection of the State Border**

### **Article 30. The Powers of the Border Guard Agencies**

The border guard agencies shall guard the State Border on land, seas, rivers, lakes and other bodies of water at the state border check-points and also perform the passage across the State Border. For these purposes they shall:

provide all the necessary measures to prevent unlawful modification of the route of the State Border on the terrain;

perform the verification of the observance of the rules, having a permission or notification nature, for the regimen of the State Border, the border regimen and the regimen at the state border check-points;

carry out troop, intelligence, counter-intelligence, and operative investigations, access restriction and military-technical activities;

carry out proceedings in respect to administrative offence cases referred to their jurisdiction under the legislation of the Russian Federation, consider these cases within their competence and implement the rulings on these cases;

carry out the investigation in respect to the cases referred to their jurisdiction under the legislation of the Russian Federation;

perform the prevention of the legal offences the fight against which is within the competence of the border guard agencies;

participate in the activities of the border representatives of the Russian Federation;

carry out border searches and operations, when necessary;

exercise control over foreign nationals and stateless persons arriving at the territory of the Russian Federation (including persons who seek asylum), and also foreign nationals and stateless persons who follow in transit through the territory of the Russian Federation, carry out their identification (checking identity papers with the person who produces them) and keep accounting of these persons in crossing points across the State Border. The procedure for such accounting and the procedure for the interaction of frontier control bodies and immigration control bodies in the registration of foreign nationals and stateless persons arriving at the territory of the Russian Federation (including persons seeking asylum), and also of foreign nationals and stateless persons following in transit through the territory of the Russian Federation, shall be determined by the Government of the Russian Federation.

Within the boundaries of the border territory the border guard agencies shall have the right to the following:

1) to erect the necessary engineering and technical structures, perform the construction of communications lines and utility lines, deploy and use materiel and armaments on the land plots provided under the legislation of the Russian Federation;

2) to be located on any parts of the terrain and move about them as they perform their service duties; to claim from the owners of land plots, land users, land possessors and tenants in the border zone the allocation of the places for border guard patrol movements, the arrangement and maintenance in the proper state of passages through fences and passages through other obstacles; to accompany Russian and foreign vessels and other means of transportation and place border guard patrols on them; for the purpose of preventing and stopping violations of the regimen of the State Border, the border regimen, the regimen at the state border check-points to check persons' necessary documents and the documents of the means of transportation, to carry out the search (inspection) of means of transportation and the cargoes they carry;

3) to perform by means of border guard patrols the detention and personal search of the persons in respect to whom there are grounds to suspect that they are in violation of the regimen of the State Border, the border regimen, the regimen at the state border check-points, bringing these persons to the premises of sub-units, units of the border guard agencies or to other places for the purpose of finding out the circumstances of the violation; to halt, inspect and apprehend by means of border guard ships Russian and foreign ships which commit violations of the said regimens and lead them (escort) them to

the nearest Russian port for the purpose of finding out the circumstances of the violation. During the inspection and escorting of the vessel it shall be prohibited for the vessel to use its radio stations. A report shall be compiled for each case when a ship is inspected or apprehended. The ship's navigation and cargo documents seized from the captain shall be attached to the ship's apprehension report;

4) to perform the administrative detention of the persons who committed a violation of the regimen of the State Border, the border regimen, the regimen at the state border check-points, for a term of up to three hours for the purpose of compiling a report and, if necessary, for the purpose of personal identification and finding out the circumstances of the offence for a term of up to three days, with a written notification being forwarded to the procurator within twenty-four hours from the moment of detention or for a term of up to ten days as authorized by the procurator, should the offenders have no documents whereby their person is identified; to subject the detainees to a personal search and also to search and, if necessary, seize the things they have with them, other things being in their ownership or possession and documents. A report shall be compiled for every case of administrative detention, personal search of a detainee, the search and seizure of the things held by him;

5) to detain, on the procurator's authority, foreign persons and persons without citizenship who committed the unlawful crossing of the State Border and in respect to whom decisions have been adopted on the grounds stipulated in Part 4, Article 14 of the present law to pass them over to the authorities of the adjacent states or to evict them out of the Russian Federation or the rulings issued to effect administrative eviction out of the Russian Federation, for the period needed for the implementation of the decision, ruling;

6) to hold in custody the persons subjected to administrative detention on the premises of the border guard agencies specially furnished for such purposes, the persons detained in accordance with the criminal procedure on suspicion of having committed a crime and the suspects in respect to whom putting into custody has been selected as preventive punishment, in temporary custody isolators or on the premises of the border guard agencies specially furnished for the custody of the persons subjected to administrative detention, in the necessary cases to place such persons in an investigation confinement facility, temporary confinement facility and other specially equipped premises of the bodies of internal affairs;

7) to invite persons to the subunits of the border guard agencies and obtain from them explanations of the circumstances of the unlawful crossing of the State Border or other violation of the regimen of the State Border, the border regimen, and the regimen at the state border check-points of which they are aware. If necessary, the obtaining of explanations about the circumstances of the said violations may be effected in other places;

8) to enter appropriate notations in the documents for the right to cross the State Border and, if necessary, to seize temporarily such documents and also to seize invalid documents; to prolong the effective term of expired Russian visas for foreign citizens and persons without citizenship at the locations where there are no offices of the Department of the Consular Service of the Ministry of Foreign Affairs of the Russian Federation. For the prolongation of Russian visas which expired up to ten days ago inclusive a fee shall be charged for the benefit of the federal budget at a rate of 1000 roubles; for the prolongation of Russian visas which expired more than ten days ago at a rate of 1700 roubles;

9) to transfer to the customs bodies, and in the absence thereof to apprehend contraband carried across the State Border and other goods, cargoes and means of transportation illegally carried across the State Border and discovered by the border guard agencies as they perform the duties of protecting the State Border they are charged with within the boundaries of the border territory;

10) to temporarily limit or prohibit the movement of persons and means of transportation, including small-size vessels (means) and the means of transportation on ice and prevent the access of citizens to specific terrain areas, obligate them to stay there or leave these areas for the purposes of protecting the health and life of people as border searches and operations are conducted as well as other investigative activities and actions on criminal cases and administrative offence cases;

11) as a threat arises to the interests of the Russian Federation on the State Border, to restrict the performance of various works together with the notification of local self-government bodies, concerned enterprises, institutions, and organisations, excluding works having defense significance and works relating to natural calamities or especially dangerous contagious diseases;

12) to enter at any time of the day in residential and other premises of citizens, in the territories and premises of enterprises, institutions, and organisations, excluding those having diplomatic immunity, and inspect them while pursuing the persons in respect to whom there are sufficient grounds to suspect that they violated the regimen of the State Border. Should the entry in residential premises be effected without the consent of the resident persons, notification of the procurator shall be carried within 24 hours;

13) to freely use for service purposes means of communications, and while countering armed intrusions into the territory of the Russian Federation, stopping the mass illegal crossing of the State Border, carrying on search activities, delivering persons suspected to have committed offences, to freely use for service purposes the means of transportation owned by enterprises (no matter the form of ownership of the enterprise), institutions, organisations, public associations and, when necessary,

citizens, with the reimbursement made to the owners on the owners' request in accordance with the expenses or inflicted damage in accordance with the procedure established under the law. Excluded shall be means of communication and transportation owned by diplomatic, consular and other missions of foreign states, international organisations as well as special-purpose means of transportation;

14) to inquire and receive free of charge from state bodies, enterprises and associations thereof, institutions, organisations and public associations, the information required for the performance of the duties vested under the law in the border guard agencies excluding the cases when a special procedure for obtaining information is in place, and also receive and use dactyloscopic information stored in the information data bases of the bodies of the Ministry of Interior and the federal bodies of executive power in accordance with the legislation of the Russian Federation, is established under the law for obtaining the information;

15) to perform the registration of persons and keep a record of actual data and statistics required to monitor the maintenance of the regimen of the State Border, the border regimen and the regimen at the state border check-points as well as to use for these purposes information systems in accordance with a procedure that does not contradict the federal law. The border guard agencies shall quarterly and at the end of a year issue reference information on the number of persons who crossed the State Border including an indication of the citizenship, purpose of the visit (business, tourism, etc.), balance between entry into the Russian Federation and exit from the Russian Federation of foreign citizens and citizens of the Russian Federation as well as persons without citizenship, shall keep record, jointly with the customs bodies, of the means of transportation, cargoes, goods and animals carried across the State Border, including transit, shall issue quarterly and at the end of a year the reference information on the number of vehicles, cargoes and goods carried across the State Border;

16) to introduce to the state bodies, enterprises and the associations thereof, institutions, organisations, public associations the proposals on the elimination of the causes and conditions assisting the commission of legal offences in respect to which the investigation and proceedings on cases are referred to the jurisdiction of the border guard agencies;

17) to invite and use citizens on voluntary basis to use the tasks in the sphere of the protection of the State Border within the boundaries of the border territory as members of public associations, part-time employees of the border guard agencies and in other forms and also to award citizens distinguished while protecting the State Border;

18) to use weapons, materiel, special means, physical force and service dogs in accordance with the procedure and in the events provided under the present law;

19) in interior sea waters and the territorial sea of the Russian Federation, the Russian part of border rivers, lakes and other bodies of water in respect to Russian and foreign vessels, apart from this:

to suggest that a vessel show its flag if it is not up mast; to inquire of the vessel the purpose of its calling at these waters;

to suggest to the vessel that it change its route, should it be heading towards an area where navigation is restricted or an area temporarily dangerous for navigation as well as the safety area established around an artificial island, plant or structure, provided a public announcement has been made on such areas, or it may entail another violation of the regimen of navigation;

to stop the vessel and inspect it should it not put up its flag, not respond to the inquiry signals, not obey to the demand to change its route or violate the generally recognized principles and norms of international law. According to the results of the inspection of the vessel it may be permitted to continue to navigate (stay) in the waters of the Russian Federation while observing the established rules, or suggested to leave the waters of the Russian Federation, or it may be apprehended in accordance with the requirements set forth in the present law;

to withdraw from a vessel and detain the persons who committed crimes and are criminally liable under the legislation of the Russian Federation, and to hand these persons to inquiry/investigation bodies except as otherwise provided in the international treaties of the Russian Federation;

to pursue and apprehend outside the territorial waters of the Russian Federation a vessel which violated the international treaties of the Russian Federation, federal laws and other regulatory legal acts of the Russian Federation prior to this vessel coming to the territorial sea of its own country or a third state, should the pursuit have been started in the waters or in an adjacent area of the Russian Federation after a visual or sound signal was sent about the situation from a distance that allowed the vessel to see or hear this signal, and should this pursuit be continuous.

20) to implement the measures for ensuring the security of the border guard agencies in accordance with the Federal Law on Operative Investigation Activities;

21) in accordance with the legislation of the Russian Federation to impose a fine for the illegal carriage of persons across the State Border. (Note: The payment of the fine shall not hold the carriers relieved from the liability for the reimbursement of the actual expenses incurred through the shipping of foreign citizens or persons without citizenship who have been brought to the Russian Federation without documents required for exit, to the point where foreign citizens or persons without citizenship commenced

their journey or to any other place where they are allowed to enter as well as the actual expenses for their living and eviction out of the territory of the Russian Federation).

As border searches and operations on the territory of the Russian Federation are carried out the border guard agencies may use the rights granted to them also outside the limits established in Part 2 of the present Article.

As ships and aircraft (helicopters) of the border guard agencies solve their service tasks, the right shall be granted:

for the free-of-charge use of the water and airspace of the Russian Federation, sea, river (lake) ports, airports, airfields (runways) on Russian territory no matter to whom they belong and for what they are intended;

for obtaining free-of-charge navigation, meteorological, hydrographical and other data;

for free-of-charge flight and shipping support.

Other rights may be granted to the border guard agencies only by federal laws.

The border guard agencies are not permitted to use their rights to solve the tasks which are not assigned to them by federal laws.

### **Article 31. The Powers of the Air Defense Troops**

The Air Defense Troops shall:

protect the State Border in the airspace;

perform the verification of the observance of the rules for crossing the State Border;

stop the flights and take the measures for making the aircraft which have illegally crossed the State Border or violated the procedure for the use of the airspace of the Russian Federation land on the territory of the Russian Federation;

render assistance to aircraft which have illegally crossed the State Border under force majeure circumstances or due to the non-deliberate actions of the crews of such aircraft, by means of restoration of their orientation, guiding them to a landing airfield on the territory of the Russian Federation or guiding them off the air space of the Russian Federation.

The Air Defense Troops shall have the right:

1) to use the means they have at their disposal to recognize aircraft in the airspace of the Russian Federation and the air space outside the boundaries of the territorial sea of the Russian Federation up to the borders of foreign states, should a threat of an illegal crossing or an illegal crossing of the State Border occur;

2) when necessary, to employ in accordance with the procedure established by the Government of the Russian Federation the forces and means of the other branches of the Armed Forces of the Russian Federation, the state bodies for the purposes of clarifying the situation in the air space and taking measures for preventing or stopping an illegal crossing of the State Border in the airspace;

3) to completely prohibit or restrict the flights of aircraft in specific parts of the airspace of the Russian Federation, should the threat of an illegal crossing or an illegal crossing of the State Border in the airspace occur;

4) to invite the crew members of the aircraft which illegally crossed the State Border, upon their landing on the territory of the Russian Federation, to the subunits of the Armed Forces of the Russian Federation or to other locations for the purposes of clarifying the circumstances of the illegal crossing and for the purposes of being handed over to inquiry/investigation bodies except as otherwise provided in the international treaties of the Russian Federation;

5) to use materiel and weapons in accordance with the present law.

### **Article 32. The Powers of the Navy**

The Navy shall carry out the protection of the State Border in the underwater medium.

The forces of the Navy in their zones of responsibility for maintaining the operative regimen on the military sea theatres:

shall control the crossing of the State Border;

shall perform anti-submarine, including underwater sabotage, defense in the interests of the security of the Russian Federation;

should underwater objects be discovered in interior sea waters and in territorial sea of the Russian Federation and outside their boundaries (in the event when a threat of these objects' illegal crossing of the State Border occurs), shall take measures for stopping or preventing the activities of the discovered objects in accordance with the norms of international law and the international treaties of the Russian Federation in the military sphere;

shall use materiel and weapons in accordance with the present law.

### **Article 33. The Participation of the Armed Forces of the Russian Federation, Internal Troops of the Ministry of Internal Affairs of the Russian Federation, Other Troops and Military Formations of the Russian Federation in the Protection of the State Border by the Border Guard Agencies**

The protection of the State Border at specific sections on land, sea coast, banks of border rivers, lakes and other bodies of water insofar as concerns the prohibition of illegal crossings of the border at the places where military installations are located, the garrisons of the Armed Forces of the Russian Federation, internal troops of the Ministry of Internal Affairs of the Russian Federation, other troops and military formations of the Russian Federation closed to the passage of alien persons and means of transportation is hereby vested in the commanding officers of the said military installations and garrisons. Such sections shall be designated jointly by the chiefs of regional border guard directorates for federal districts, the chiefs of border guard directorates for subjects of the Russian Federation (for directions) and the commanders of the troops of military districts, fleets, flotillas, operational-territorial formations of internal troops, the commanders (chiefs) of other troops and military formations and shall be fixed in appropriate documents.

The Armed Forces of the Russian Federation, the internal troops of the Ministry of Internal Affairs of the Russian Federation, other troops and military formations of the Russian Federation shall allocate forces and means to the border guard agencies for the participation in border searches and operations in accordance with the procedure determined by joint decisions of appropriate federal bodies of executive power.

Other participation of the Armed Forces of the Russian Federation, the internal troops of the Ministry of Internal Affairs of the Russian Federation, other troops and military formations of the Russian Federation in the protection of the State Border shall be effected only pursuant to federal laws.

#### **Article 34. Cooperation in the Protection of the State Border**

The border guard agencies, Air Defense Troops, and Navy shall:

render assistance to each other as they perform the duties of protecting the State Border vested in them;

within the competence established by the present law, coordinate the activities of the state bodies performing the various kinds of control over the maintenance of the regimens on the State Border, without interfering in these activities;

organize directly on the State Border the cooperation of their forces and the state bodies, enterprises (no matter the form of ownership thereof), institutions, organisations, and public associations taking part in the protection of the State Border or pursuing the activities concerning the interests of the protection of the State Border. The head of the Federal Security Service of the Russian Federation, the commanders-in-chief of the Air Defense Troops and the Navy shall issue within their competence orders concerning the observance of the regimens on the State Border, such orders being binding on all bodies, enterprises, institutions, organisations, public associations, officials and citizens on the territory of the Russian Federation;

cooperate in protecting the State Border with the appropriate bodies, troops and fleets of foreign states in accordance with the procedure established by the international treaties of the Russian Federation, including those of inter-departmental nature.

#### **Article 35. The Use of Weapons and Combat Materiel**

As they carry out the protection of the State Border within the boundaries of the border territory, the border guard agencies, the Air Defense Troops and the forces of the Navy shall use weapons and combat materiel for countering an armed intrusion into the territory of the Russian Federation, preventing the attempts at hijacking air, sea, or river craft, vessels or other means of transportation having no passengers.

Weapons and combat materiel may also be used: against persons, air, sea and river craft and vessels and other means of transportation which have crossed (which are crossing) the State Border in violation of the rules established under the present law, in response to their using force or in the events when the stopping of a violation or the detaining of the violators may not be effected by other means; for the protection of citizens from an assault threatening their life and health, for releasing hostages; for countering assaults against servicemen, the persons performing service duties or public duties of protecting the State Border, and the members of their families when their lives are under immediate threat; for countering an attack against subunits and facilities of the border guard agencies, the Armed Forces of the Russian Federation, other troops and military formations of the Russian Federation taking part in the protection of the State Border including for the purpose of rendering assistance to ships (boats), aircraft and helicopters while countering an armed assault against them.

The use of weapons and combat materiel shall be preceded by an explicit warning of the intent to use them and warning shots.

Without a warning weapons and combat materiel may be used in countering an armed intrusion, sudden or armed assault against servicemen and other citizens, an assault with the use of combat materiel, air, sea, river craft and vessels and other means of transportation, armed resistance, runaway detained persons with weapons, for the release of hostages.



Military servicemen shall have the right to use weapons for neutralizing animals threatening the life and health of military servicemen and other citizens and also for making alarm and rescue call signals.

It shall be prohibited to use weapons and combat materiel in respect to women and minors excluding the cases of armed assault on their part or of armed resistance on their part or a group assault threatening life; in respect to air, sea, river craft and vessels and other means of transportation with passengers; in respect to persons who have illegally crossed or attempt to cross the border, should this be clearly by mere change or in relation to an accident, force majeure natural circumstances.

The procedure for the use of weapons and combat materiel shall be determined by the Government of the Russian Federation.

The servicemen of the other branches of the Armed Forces of the Russian Federation, other troops and military formations of the Russian Federation employed in the protection of the State Border may use weapons and combat materiel in accordance with the requirements set forth in the present article.

#### **Article 36. The Use of Special Means**

As they perform the duties of protecting the State Border within the boundaries of the border territory and of ensuring the security of the border guard agencies, servicemen shall use special means (handcuffs or means at hand for the purpose of tying up, rubber batons, tear substances, light/sound distracting devices, devices for the forced halting of vehicles), physical force including combat arts and service dogs in accordance with Part 3, Article 12 and Parts 4 and 5, Article 14 of the Law of the Russian Federation on the Militia. A complete list of the special means being standard equipment of the border guard agencies, the grounds and rules for the application thereof by the servicemen of the border guard agencies as well as the servicemen of the Armed Forces of the Russian Federation, other troops and military formations of the Russian Federation in the protection of the State Border shall be established by the Government of the Russian Federation.

### **Part VIII The Participation of the Bodies of Local Self-Government, Enterprises and Associations Thereof, Institutions, Organizations, Public Associations and Citizens in the Protection of the State Border**

#### **Article 37. The Powers of the Bodies of Local Self-government, Enterprises and the Associations thereof, Institutions, Organisations, and Public Associations of the Russian Federation in the Sphere of the Protection of the State Border**

The bodies of local self-government in compliance with the authority thereof established by the legislation of the Russian Federation, organisations (regardless of their property forms) and their associations, public associations and the officials thereof:

shall allot in compliance with the laws of the Russian Federation land plots for the protection of the State Border, shall exercise control over the use of the land and over the observance on these land plots the laws of the Russian Federation on environmental protection;

shall render assistance to the border guard agencies, the Air Defense Troops, the Navy, the state bodies exercising the various kinds of control on the State Border, shall perform their lawful prescriptions, provide the information required for their activities, and shall supply information that is required for their activities;

shall create the conditions for participation of citizens on a voluntary basis in the protection of the State Border within the boundaries of the border territory.

The by-laws of the municipal entities located completely or partially on a border territory may provide for the posts of local self-government officials in charge of border matters.

#### **Article 38. The Participation of Citizens in the Protection of the State Border**

Citizens shall participate voluntarily in the protection of the State Border within the boundaries of the border territory as members of public associations, voluntary people's patrols, off-staff personnel of the border guard agencies and in other forms. The procedure for the use of citizens in the protection of the State Border shall be determined by the Government of the Russian Federation.

### **Part IX The Legal Protection of, and Social Support to Military Servicemen and Other Citizens Taking Part in the Protection of the State Border**

#### **Article 39. The Legal Protection of the Military Servicemen Taking Part in the Protection of the State Border and the Members of the Families thereof**

The military servicemen directly participating in the protection of the State Border shall be attributed the status of servicemen performing special duties as established by the Law of the Russian Federation on the Status of Servicemen. They shall be the representatives of federal executive power and shall be under the protection of the state. Their lawful demands shall be binding on citizens and

officials. Nobody except the persons specially authorized for that under a federal law shall interfere with their activities.

Hindering the performance of servicemen's duties of protecting the State Border, encroaching on the life, health, honour and dignity, or property of a serviceman or the members of his family relating to his performing his duties shall entail criminal or administrative liability as provided under the legislation of the Russian Federation.

**Article 40.** The Legal Protection of the Citizens Taking Part in the Protection of the State Border and the Members of the Families thereof

Unlawful actions in respect of citizens and the members of the families thereof in connection with citizens rendering assistance to the border guard agencies in protecting the State Border shall entail the amenability as established under the legislation of the Russian Federation.

**Article 41.** The Social Support to Military Servicemen and Other Citizens Taking Part in the Protection of the State Border

The social support to the military servicemen and other citizens directly participating in the protection of the State Border is guaranteed by the legislation of the Russian Federation.

**Article 42.** Abolished from January 1, 2005.

### **Part X Liability for Legal Offences on the State Border**

**Article 43.** Amenability for Legal Offences on the State Border

The persons guilty of the violation of the rules of the regimen of the State Border, the border regimen and the regimen at the state border check-points shall be criminally or administratively liable under the laws of the Russian Federation.

### **Part XI Providing Resources for the Protection of the State Border**

**Article 44.** Financing the Protection of the State Border

Financing the protection of the State Border shall be an expense commitment of the Russian Federation.

**Article 45.** Providing Logistics for the Protection of the State Border

Logistics for the protection of the State Border shall be provided out of state logistics and other funds of the Russian Federation.

The rates and procedure for providing logistics shall be established by the Government of the Russian Federation.

President of the Russian Federation

B. Yeltsin

Moscow, the House of the Soviets of Russia