



## Changes to Russian Federation Migration Laws

Migration problems face all modern states, including Russia. During the past 10 years, illegal migration has become a significant problem in the country and continues to increase with no sign of slowing. According to experts, there are more than 1.5 million illegal foreign nationals in the country, many of whom are also working.

In light of the growing problem, Russian migrations laws are being reviewed and changed. Over the course of several years, the State Duma examined proposed changes to federal statutes, and finally during its 2006 spring session approved bills in their third readings to modify migration policy, including registration and work permits.

On July 19, Russian Federation President Vladimir Putin signed into law changes affecting the registration and residency of foreigners in the Russian Federation. The new laws (No. 109-FZ and No. 110 - FZ of July 18, 2006) will come into effect on Jan. 15, 2007. Duma deputies say the new regulations will considerably liberalize migration policy and will simplify the legal regime for foreigners seeking to reside temporarily or permanently in the Russian Federation.

### New Laws

In particular, Federal Law “On Migration Registration of Foreign Nationals and Stateless Persons in the Russian Federation (No. 109)” aims to clearly codify procedures for immigration-related registration. As part of this law, a clearly structured unified database of foreign nationals and stateless persons will be created. Additionally, under the new law, foreigners – once legally arriving to the Russian Federation – must simply inform authorities by mail of their arrival. They must submit to the inviting party passports and migrations cards in order to be registered at the planned place of residence.

The inviting party must present notification about foreign nationals’ arrival to immigration authorities either in person or by mail and then pass to a foreign national a detachable part of a notification blank confirming his arriving and registration in the planned accommodation. If the inviting party is unable to send the information itself – and has a valid reason for not doing so – then the foreign national may send the required documents himself.

### Changes to Migration Cards

Required information on migration cards is also changing in 2007 and their purposes are widening. Beginning in 2007, valid temporary residency or visiting permits of non-Russian citizens in the Russian Federation will be placed on the cards, which will confirm the right of the card holders be in the Russian Federation. The law renews validities of temporary residency in Russia of such foreign nationals if they’ve submitted documents to for a temporary residence permit. The migration card will also confirm the legality of a foreign national’s arrival to Russia.



Additionally, foreign nationals temporarily and permanently residing in Russia and owning homes within the Russian Federation must be registered with immigration as well as be registered in their homes. However, a foreigner owning an apartment in Russia still needs an invitation to enter the country.

### **Other Changes**

As previously mentioned, Law No. 110 introduces amendments to the Law “On the Legal Status of Foreign Nationals in the Russian Federation,” which establishes rules applicable to nationals of CIS countries eligible for visa-free entry into the Russian Federation. The most important changes concern the issuance of work permits and temporary residency permits.

Under the new law, in order to obtain a work permit, a foreign national entering the RF under the visa-free regime, must submit in person or through a job placement organization an application and supporting documents to the Federal Migration Service for a work permit, which must be issued within 10 days and must be picked up by the foreign national personally upon presentation of his or her passport.

Employers in 2007 will have the right to employ foreign nationals of CIS countries directly without obtaining employment permission (quotas). The employer has only to notify immigration authorities and the Federal Tax Service of the fact of employing such a foreign national. This notification procedure, however, has not yet been clearly defined.

The system for checking a company’s compliance with regulations governing employment permission has been strengthened, according to Federal Law No. 189-FZ “On Alterations to the Russian Federation Code of Administrative Offences (Regarding Reinforcement of Liability for Infringement of Orders for Employing Foreign and Stateless Persons in the Russian Federation)”.

For temporary residency permits, annual quotas have been cancelled and all foreign nationals entering Russia under the visa-free regime can receive temporary residency permits in a straight-forward manner. These permits must be issued within 60 days now, instead of the previous term of six months.

A person applying for a temporary residency permit must present proof of income or savings and proof of housing. Yearly re-registration for those holding temporary residency permits has been cancelled. For persons denied temporary residency permits may now appeal the decisions.

There is only one change in laws governing foreign nationals entering Russia on visas and this concerns registration in the place of abode. Registration may be performed via the post following a foreign national’s arrival to Russia. However, even state officials admit the system for registration via the post has not been fully developed.