

FEDERAL LAW
NO. 95-FZ OF JUNE 28, 1997
ON THE INTRODUCTION OF AMENDMENTS AND ADDENDA TO THE LAW
OF THE RUSSIAN FEDERATION ON REFUGEES
(with the Amendments and Additions of July 21, 1998, August 7, November 7, 2000)

Adopted by the State Duma on May 23, 1997

Article 1. To introduce amendments and addenda to the Law of the Russian Federation on Refugees (Gazette of the Congress of People's Deputies of the Russian Federation and the Supreme Soviet of the Russian Federation, No. 12, 1993, item 425) and lay-down in a new wording:

FEDERAL LAW ON REFUGEES

The present Federal Law defines the grounds and procedure for the recognition of a person as a refugee on the Territory of the Russian Federation, established economic, social and legal guarantees of the protection of the rights and lawful interest of refugees in accordance with the Constitution of the Russian Federation, with the generally recognized principles and norms of international law and international treaties and agreements of the Russian Federation.

The legislation of the Russian Federation on refugees consists of the present Federal Law, other federal laws to be adopted in conformity with it and other normative legal acts of the Russian Federation, the laws and their normative legal acts of the subjects of the Russian Federation

Article 1. Basic Concepts

1. The following basic concepts shall be applied for purposes of the present Federal Law:

1) The refugee is a person who is not a citizen of the Russian Federation and who because of well-founded fear of becoming a victim of persecution by reason of race, religion, citizenship, national or social identity or political convention is to be found outside the country of his nationality and is unable or unwilling to avail himself of the protection of this country due to such fear, or having lost his or her nationality and staying beyond the country of his or her former place of residence as a result of similar developments, cannot return to it and does not wish to do so because of such fear;

2) The person who applies for the recognition as a refugee is a person who is not a citizen of the Russian Federation and who expresses his or her wish to be a recognized refugee owing to the circumstances, provided for by Subitem 1 of Item 1 of this Article, from among:

- foreign nationals who have arrived or wish to arrive in the Russian Federation;
- stateless persons who have arrived or wish to arrive in the Russian Federation;
- foreign nationals and/or stateless persons who are arriving or have arrived in the Russian Federation on legal grounds;

3) The temporary refugee is the possibility for a foreign national or a stateless person to stay for the time being on the territory of the Russian Federation in accordance with Article 12 of this Federal Law, other federal laws and other normative legal acts of the Russian Federation, the laws and other normative legal acts of the subjects of the Russian Federation;

4) the place of temporary maintenance is a place of the stay of the person who applies for the recognition as a refugee and that of his family members in the point crossing the border of the Russian Federation;

- the centre of the temporary accommodation of persons who apply for the recognition as refugees is a place of sojourn for the persons who apply for the recognition as refugees or who have been recognized as such and for their family members on the territory of the Russian Federation;
- the housing facilities for the temporary settlement of persons recognized as refugees (hereinafter referred to as the housing facilities for temporary settlement) is a totality of living quarters accorded to persons recognized as refugees and to their family members.

Article 2. The Scope of the Federal Law

1. The provisions of this Federal Law shall not extend to the person:

- 1) in respect of whom there are serious to believe that he has committed a crime against place, perpetrated military offence or an offence against humanity according to the definition given to these deeds by international acts made out for the purpose of adopting measures against similar crimes;
- 2) who has committed a grave crime of a non-political nature outside the territory of the Russian Federation and before this person was admitted to the Russian Federation with his application for the recognition as a refugee;
- 3) who is guilty of perpetrating the deeds which run counter to the goals and principles of the United Nations Organization;
- 4) for whom the competent authority of the State in who he has resided recognize the rights and obligations associated with the citizenship of this State;
- 5) who at the present time enjoys the protection and/or United Nations, except for the UN High Commissioner for Refugees.

2. The present Federal Law shall not extend to foreign nationals and stateless persons who have left the State of their nationality or their former usual place of residence for economic reasons or in consequence of hunger, epidemics or emergency natural or technogenic situations.

Article 3. The Recognition of a Person as a Refugee

1. The recognition of a person as a refugee shall be effected in the order defined by the present Federal Law.

2. The recognition of a person as a refugee provides for:

- 1) the application for the recognition as a refugee (hereinafter referred to as the application);
- 2) the preliminary examination of applications;
- 3) the adopted of a decision on the issue of a certificate of the examination of the application on its merits (hereinafter referred to as a certificate) or in the refusal to examine the application on its merits;
- 4) the issue of a certificate or a notice of the refusal to examine the application on its merits;
- 5) the consideration of the application on its merits;
- 6) the adoption of a decision on the recognition as a refugee or on the refusal to recognize as such refugee.

3. A decision on the issue of a certificate or the recognition as a refugee and a decision on the refusal to examine the application on its merits or the refusal to recognize as a refugee shall be taken as a result of the survey of a person, drawing up a questionnaire on the basis of individual interviews, and also as a result of the verification of the authenticity of information about the given person and his family members, the checking of the circumstances of their arrival in the Russian Federation and of the grounds for their stay on the territory of the Russian Federation after the comprehensive study of the reasons and circumstances which are set forth in the application. Additional interviews may be held in order to clarify the facts related by the person.

A person who files a petition seeking the refugee status and who stays on the territory of the Russian Federation shall undergo personality identification procedures in accordance with the legislation of the Russian Federation, including the mandatory state dactyloscopic registration at the place of submission of the petition.

Federal Law No. 135-FZ of November 7, 2000 reworded paragraph 2 of Item 3 of Article 3 of this Law.

4. The recognition as refugees of the persons who are members of one family shall be effected in respect of each family member who has attained the age of 18 years, subject to the circumstances provided for by Subitem 1, Item 1 of Article 1 of the present Federal Law.

In the absence of circumstances, provided for by Subitem 1, Item 1 of Article 1 of the present Federal Law in respect of one family member who has attained 18 years of age for the purpose of the reunion of the family this family member shall be recognized as a refugee with his consent.

5. The recognition as a refugee who has not attained 18 years of age and who has arrived in the Russian Federation without the accompaniment on the part of his parents or guardians or the definition of his legal status in different terms on the territory of the Russian Federation shall be effected with due account of the interests of the person in conformity with the present Federal Law, other federal laws and other normative legal acts of the Russian Federation, the laws and other normative legal acts of the subjects of the Russian Federation after the receipts of information about the parents or the guardians of this person.

6. If a child is born by a person who is recognized as a refugee, the legal status of this child shall be determined in accordance with the present Federal Law, other federal laws and other normative legal acts of the Russian Federation, the laws and other normative legal acts of the objects of the Russian Federation.

7. The legal status of the person who has arrived in the Russian Federation with his intention to apply for the recognition as a refugee and who has been recognized as legally unfit shall be determined in keeping with the federal laws and other normative legal acts of the Russian Federation, the laws and other normative legal acts of the subjects of the Russian Federation.

Article 4. The Application by a Person for the Status of a Refugee and the Preliminary Examination of This Application

1. The person who has expressed his wish to be recognized as a refugee and who has attained 18 years of age shall be obliged to apply for the status of a refugee personally or through the duly authorized representative in written form:

1) to the diplomatic mission or the consular office of the Russian Federation outside the state of his nationality or his former usual place of residence, if this person has not as yet arrived in the Russian Federation (hereinafter referred to as the diplomatic mission or the consular office);

2) to the point of immigration control of the federal executive body dealing with the migration service and in its absence to the border control agency of the federal executive body in the check-point on the State Border of the Russian Federation when this person crosses the State Border of the Russian Federation in conformity with the legislation of the Russian Federation and its international treaties and agreements.

If a person because of his poor health is unable to apply for the status of a refugee personally, he shall submit his application and a relevant medical document through the duly authorized representative;

3) to the border control agency of the federal executive body dealing with the border service or to the territorial agency of the federal executive body for internal affairs, or to the territorial agency of the federal executive body dealing with the migration service, when he is forced to cross the State Border of the Russian Federation illegally in the check-point or outside it across the State Border of the Russian Federation during 24 hours since the day of crossing the State Border by this person.

In the presence of the circumstances that do not depend on this person and prevent his application, the period of submitting the application may exceed 24 hours but for not more than the period of the action of the emergent circumstances;

4) to the territorial agency of the federal executive body dealing with the migration service in the place of his stay on the territory of the Russian Federation.

2. Information about the family members who have arrived with this person but have not attained 18 years of age shall be included in the application of one of the parents or of the guardian in the absence of the parents, or of one family member who has attained 18 years of age and who has assumed the responsibility for the behaviour, upbringing and maintenance of the family members who have not attained 18 years of age.

3. The application of the person, submitted to the border control agency of the federal executive body dealing with the border service (hereinafter referred to as the border control agency) in the check-point on the State Border of the Russian Federation, shall be passed by this agency in the statutory order to the immigration control post of the federal executive body dealing with the migration service (hereinafter referred to as the immigration control post) during three working days since the receipt of the application.

4. The application of the person, submitted to the border control agency or the territorial agency of the federal executive body for internal affairs, when he illegally crosses the State Border of the Russian Federation, shall be passed by these agencies in the established order to the immigration control post or the territorial agency of the federal executive body dealing with the migration service during three working days since the receipt of the application.

5. The preliminary examination of the application shall be carried out in the following order:

1) the application of the person is to be found outside the territory of the Russian Federation shall be considered in advance by the diplomatic mission or the consular office concerned during one month since the day of the receipt of the application;

2) the application of the person who stays in the check-point on the State Border of the Russian Federation or in the territory of the Russian Federation shall be examined beforehand by the immigration Control post or the territorial agency of the federal executive body dealing

with the migration service during five working days since the day of the receipt of the application.

6. A decision on the issue of a certificate shall be taken by the diplomatic mission or the consular office in the place of the presentation of the application or by the immigration control post or the territorial agency of the federal executive body responsible for the migration service.

The decision of the diplomatic mission or the consular office on the issue of a certificate and the materials of the preliminary examination of the application shall be sent within five working days to the federal executive body responsible for the migration service for the issue of the certificate and the consideration of the application on its merits.

The decision on the issue of a certificate shall be a ground for the granting to the person and his family members of the rights and duties stipulated by Article 6 of this Federal Law in the part that does not contradict the present legal status of these persons.

7. Upon the adoption of the decision on the issue of a certificate the immigration control post or the territorial agency of the federal executive body responsible for the migration service shall prepare a personal file for the person and his family members and during 24 hours since the adoption of the decision shall hand over or send to this person the certificate of the standard from.

The certificate shall be a document that identifies the person who applies for the recognition as a refugee.

Information about the person's family members who have not attained 18 years of age shall be entered in the certificate of one of the parents or in the absence of the parents in the certificate of one of the family members who has attained 18 years of age and who has assumed of his own free will the responsibility for the behaviour, upbringing and maintenance of the family members who have not attained 18 years of age.

A certificate shall be handed over to the person who applies for the status of a refugee, but who has not attained 18 years of age and who has arrived in the Russian Federation without the accompaniment of his parents or guardians, unless this person has been accorded a different legal status on the territory of the Russian Federation.

The certificate shall be ground for the registration in the statutory order of the person who applies for the recognition as a refugee and of his family members by the territorial agency of the federal executive body for internal affairs for the period of the examination of the application on its merits.

The certificate shall also be the ground for the receipt by the person concerned and his family members of the permit for the centre of preliminary accommodation.

The form of the certificate and the procedure for its completion, issue and exchange shall be determined by the Government of the Russian Federation.

8. When the person who is to be found on the territory of the Russian Federation receives the certificate, he shall pass his national (civil) passport and/or other documents identifying him for storage in the immigration control post or the territorial agency of the federal executive body responsible for the migration service for the period of considering his application on their merits.

Article 5. The Grounds for the Refusal to Examine the Person's Application on Its Merits

1. The following circumstances shall be the grounds for the refusal to examine the person's application on its merits:

- 1) if criminal proceedings have been initiated against the person for the commission of a crime on the territory of the Russian Federation;
- 2) if the person was earlier denied the recognition as a refugee in connection with the absence of the circumstances provided for by the present Federal Law, provided that the situation in the State of his nationality or his former usual residence has not changed in the period from the day of the receipt of the refusal to the day of the submission of a new application;
- 3) if the person has received the well-founded refusal to recognize his as a refugee in any State which has acceded to the 1951 UN Convention Relating to the Status of Refugees and/or the 1967 Protocol Relating to the Status of Refugees, provided that the legal norms for the recognition as a refugee in the given State do not contract the legislation of the Russian Federation;
- 4) if the person is a citizen of the third State of whose protection he may avail himself or has the right to stay on the territory of the third State on a legal basis in the absence of a well-grounded fear of persecution in the third State due to the circumstances provided for by Subitem 1, Item 1 of Article 1 of the present Federal Law;
- 5) if the person has arrived from the foreign State on whose territory he had the possibility of being recognized as a refugee;
- 6) if the person has left the state of his nationality or his former usual residence not because of the circumstances, provided for by Subitem 1, Item 1 of Article 1 of the present Federal Law and is unwilling to return to the State of his nationality or his former usual residence out of the fear to be punished in accordance with the legislation of the given State for the illegal departure beyond its territory or for the breach of law committed in it;
- 7) if the person was compelled to cross the State Border of the Russian Federation illegally with the intention of applying for the status as a refugee and has not applied in the order stipulated by Subitem 3, Item 1 of Article 4 of the present Federal Law;
- 8) if the person refuses to inform about himself and/or the circumstances of the arrival in the Russian Federation;
- 9) if the person is married to a citizens of the Russian Federation and in conformity with the legislation of the Russian Federation has the possibility of obtaining the permit for the permanent residence on the territory of the Russian Federation;
- 10) if the person has already the permit for the permanent residence on the territory of the Russian Federation.

2. If the person who applies for the status of a refugee and who stays outside the territory of the Russian Federation has been denied the commission of the application on its merits, the federal executive body responsible for the migration service shall send during five working days its decision on the refusal to consider the application on its merits to the diplomatic mission or the consular office concerned.

If the person who applies for the status of a refugee has been denied the consideration of the application on its merits due to the circumstances provided for Item 1 of this Article, the diplomatic mission or the consular office in the place of the submission of the application, or the immigration control post, or the territorial agency of the federal executive body responsible for the migration service shall hand over or send to this person its notification within three working days since the day of the adoption of a decision on the refusal and shall indicate the reasons for the refusal and the procedure for appealing against the adopted decision, and also explain the legal statuses of the person and his family members on the territory of the Russian Federation.

3. The person who has filed his application with the immigration control post or with the border control agency in the absence of the post in accordance with Subitem 2, Item 1 of

Article 4 of this Federal Law and who has received the notification about the refusal to consider the application on its merits shall be obliged to leave the territory of the Russian Federation upon the proposal of the immigration control post together with his family members during three working days since the day of the receipt of the notification about the refusal.

4. The person who has filed his application with the border control agency or the territorial agency of the federal executive body for internal affairs, or the territorial agency of the federal executive body responsible for the migration service in keeping with Subitem 3, Item 1 of Article 4 of the Federal Law and who has received the notification about the refusal to examine the application on its merits, and also has not used the right to appeal against the decision on the refusal to consider the application on its merits in accordance with Article 10 of this Federal Law, shall be obliged to leave the territory of the Russian Federation upon the proposal of the immigration control post or the territorial agency of the federal executive body responsible for the migration service together with his family members within one month since the day of the receipt of the notification about the refusal.

5. The person who has filed his application with the territorial agency of the federal executive body responsible for the migration service in conformity with Subitem 4, Item 1 of Article 4 of this Federal Law and who has received the notification about the refusal to consider the application on its merits, and also who does not use the right of appeal against the decision on the refusal to examine the application on its merits in accordance with Article 10 of this Federal Law, shall be obliged to leave the territory of the Russian Federation upon the proposal of this territorial agency together with his family members within one month since the day of the receipt of the notification about the refusal, in the absence of other legal grounds for the sojourn of this person on the territory of the Russian Federation.

Article 6. The Rights and Duties of the Person Who Has Received the Certificate

1. The person who has received the certificate and his family members who have arrived together with him shall have the right:

- 1) to make use of the services of an interpreter and receive information about the procedure for the recognition as a refugee and about his rights and duties, and also information in keeping with this Article;
- 2) to receive assistance in his journey and the carriage of luggage to the place of his sojourn in the order defined by the Government of the Russian Federation;

Federal Law No. 122-FZ of August 7, 2000 amended subitem 3 of Item 1 of Article 6 of this Law. The amendments shall come into force as of January 1, 2001.

- 3) to receive a lump-sum grant for every family member in the order and in the amount to be determined by the Government of the Russian Federation not below the minimum amount of the wage or salary, fixed by the federal law;

See the Procedure for the Payment of a Lump-sum Grant to the Person Who Has Received the Certificate of the Registration of the Application for the Recognition of Him as a Forced Resettler, approved by the Decision of the Government of the Russian Federation No. 724 of June 16, 1997;

The Procedure for the Payment of Lump-sum Grants to the Forced Resettlers and Refugees, approved by the Federal Migration Service in its Decision No. 2585 of November 1, 1993

- 4) to receive the placement of the territorial agency of the federal executive body responsible for the migration service in the centre of temporary accommodation;
- 5) to provide the accompaniment on the part of the representatives of the territorial agency of the federal executive body responsible for the migration service and/or the territorial agency of the federal executive body for internal affairs to the centre of temporary accommodation and to be protected by the representatives of the territorial agency of the federal executive body for internal affairs in the centre of temporary accommodation for the purpose of establishing security for the given persons;
- 6) to receive food and to use public utilities in the place of temporary maintenance or the centre of temporary accommodation in the order prescribed by the Government of the Russian Federation;
- 7) to receive medical and medicinal aid in compliance with the present Federal Law, other federal laws and other normative legal acts of the Russian Federation, the laws and other normative legal acts of the subjects of the Russian Federation;
- 8) to receive assistance in sending for vocational training in the centre of temporary accommodation or for job placement in accordance with the present Federal Law, other federal laws and other normative legal acts of the Russian Federation, the laws and other normative legal acts of subjects of the Russian Federation;
- 9) to file a request for the termination of the consideration of the application.

2. The person who has received the certificate and the members of his family shall be obliged:

- 1) to observe the Constitution of the Russian Federation, the present Federal Law, other federal laws and other normative legal acts of the Russian Federation, the laws and other normative legal acts of the subjects of the Russian Federation;
- 2) to observe the established order of residence and to fulfil the requirements of the sanitary and hygienic norms of living in the place of temporary maintenance or the centre of temporary accommodation;
- 3) to undergo compulsory medical checks within the fixed scope of the requirements of the medical certificate.

If the given persons refuse to undergo compulsory medical checks within the fixed scope of the requirements of the medical certificate, their legal status and legal relations with them shall be determined in keeping with the federal laws and other normative legal acts of the Russian Federation;

- 4) to provide the federal executive body responsible for the migration service or its territorial agency with authentic information needed for the adoption of a decision of the recognition of the given persons as refugees.

Article 7. The Examination of Applications on Their Merits

1. Applications shall be examined on their merits by the following bodies:

- 1) the federal executive body responsible for the migration service in respect of the persons to be found outside the territory of the Russian Federation during two months since the day of the adoption of decision on the issue of a certificate;
- 2) the territorial agency of the federal executive body responsible for the migrations service in respect of the persons to be formed in the centre of temporary accommodation or in any other place of stay on the territory of the Russian Federation during three month since the day of the adoption of a decision on the issue of a certificate.

The period of the examination of an application on its merits may be prolonged by the federal executive body responsible for the migration service or by its territorial agency with the

consent of the federal executive body responsible for the migration service for not more than three months.

2. The examination of an application on its merits shall be carried out in the order stipulated by Article 3 of the present Federal Law.

3. A decision of the recognition of a person as a refugee or on the refusal to recognize him as such shall be taken by the federal executive body responsible for the migration service or by its territorial agency on the results of the consideration of his application on its merits.

4. The decision on the recognition of the status of a refugee shall be handed over or sent to the person concerned by the federal executive body responsible for the migration service or by its territorial agency during three working days since the day of the adoption of the decision.

5. The decision on the recognition as a refugee of the person who is to be found outside the territory of the Russian Federation and with an indication of the place of stay of the given person and members of his family on the territory of the Russian Federation shall be sent by the federal executive body responsible for the migration service during three working days to the diplomatic mission or the consular office in the place of the submission of the application for the purpose of completing documents for the entry of these persons of the Russian Federation.

6. The decision on the recognition of the status of a refugee is a ground for the granting of rights to the person and members of his family and for the imposition of the duties on them as provided for by the present Federal Law; other federal laws and other normative legal acts of the Russian Federation, the laws and other normative legal acts of the subjects of the Russian Federation.

7. A certificate of the standard form shall be issued to a person who has been recognized as a refugee and who has attained 18 years of age by the federal executive body responsible for the migration service or by its territorial agency.

See the Regulations for the Procedure of the Drawing up, Issue and Exchange of the Refugee's Certificate, endorsed by the Decision of the Government of the Russian Federation No. 1227 of December 12, 1995

The certificate is a document which identifies the person who has been recognized as a refugee.

Information about the 18 years family members of the person who has been recognized as a refugee shall be entered in the certificate of one their parents and in the absence of the parents - in the certificate of the guardian or in the certificate of one of the family members who has attained 18 years of age and who has assumed of his own free will the responsibility for the behaviour, upbringing and maintenance of the family members who have not attained 18 years of age.

A certificate shall also be handed over to the person who has been recognized as a refugee but who has not attained 18 years of age and has arrived in the Russian Federation without the accompaniment of his parents or guardians, unless a different legal status has been assigned to this person on the territory of the Russian Federation.

The certificate shall be valid throughout the territory of the Russian Federation.

The certificate shall be a ground for the statutory registration of a person recognized as a refugee and of his family members by the territorial agency of the federal executive body for internal affairs for the period of the recognition of the given person as a refugee.

The form of the slip of the certificate, the procedure of its completion, issue and exchange shall be determined by the Government of the Russian Federation.

8. Upon the receipt of a certificate the natural (civil) passport and/or other documents identifying the person who has been recognized as a refugee shall remain in custody in the federal executive body responsible for the migration service or in its territorial agency for the period of the recognition of this person as a refugee.

9. A person shall be recognized as a refugee for a term of up to three years. If a person retains his state nationality or his previous usual place of residence and if the circumstances stipulated by Subitem 1, Item 1 of Article 1 of this Federal Law have not changed, the period of the recognition as a refugee shall be prolonged for this person by the territorial agency of the federal executive body responsible for the migration service for the next year.

10. If the person who is to be found outside the territory of the Russian Federation has been denied the recognition as a refugee, the federal executive body responsible for the migration service shall send this decision during five working days since the day of the adoption of this decision to the diplomatic mission or the consular office in the place of the submission of the application concerned. The diplomatic mission or the consular office shall hand over or send to this person its notice during three working days since the day of the receipt of the decision on the refusal with an indication of the reasons for the refusal and the procedure for appealing against the adopted decision.

If the person who is to be found on the territory of the Russian Federation has been refused to be recognized as a refugee, the territorial agency of the federal executive body responsible for the migration service during three working days since the day of the adoption of the decision on the refusal shall hand over or send to this person in the place of his stay a notice with an indication of the reasons for the refusal and the procedure for the appeal against the adopted decision, and also with an explanation of the legal status of the person and the members of his family.

11. The person who has filed his application with the immigration control post and, in its absence, with the border control agency in accordance with Subitem 2, Item 1 of Article 4 of this Federal Law and who has received the notice about the refusal to recognize him as a refugee, and also who has not used his right of appeal against the decision on the refusal in keeping with Article 10 of this Federal Law, shall be obliged to leave the territory of the Russian Federation on the proposal of the territorial agency of the federal executive body responsible for the migration service together with his family members within one month since the day of the receipt of the notice about the refusal.

12. The person who has filed his application with the border control agency or the territorial agency of the federal executive body for internal affairs, or the territorial agency of the federal executive body responsible for the migration service in conformity with Subitem 3, Item 1 of Article 4 of the Federal Law and who has received the notice about the refusal to recognize him as a refugee, and also does not use the right of appeal against the decision of the refusal to recognize him as a refugee in accordance with Article 10 of the present Federal Law, shall be obliged to leave the territory of the Russian Federation upon the proposal of the territorial agency of the federal executive body responsible for the migration service together with the

members of his family within one month since the day of receiving the notice about the refusal.

13. The person who has filed the application with the territorial agency of the federal executive body responsible for the migration service in accordance with Subitem 4, Item 1 of Article 4 of this Federal Law and who has received the notice about the refusal to recognize him as a refugee, and also does not use the right of appeal against the decision on the refusal to recognize him as a refugee in conformity with Article 10 of this Federal Law, shall be obliged to leave the territory of the Russian Federation together with his family members upon the proposal of the given territorial agency within one month since the day of the receipt of the notice about the refusal, of this person has no other legal grounds for the stay on the territory of the Russian Federation.

Article 8. The Rights and Duties of the Person Recognized as a Refugee

1. The person recognized as a refugee and his family members who have arrived together with him shall have the right:

- 1) to make use of the services of an interpreter and receive information about his rights and duties, and also other information in accordance with this Article;
- 2) to receive assistance in the completion of documents for the entry to the territory of the Russian Federation, if the given persons are outside the territory of the Russian Federation;
- 3) to receive assistance in the travel and carriage of luggage to the place of sojourn in the order determined by the Government of the Russian Federation;

The Decision of the Government of the Russian Federation No. 808 of July 18, 1996 establishes that persons recognized as refugees may bring in and out goods in a simplified and preferential way, without the collection of uniform customs payments, provided such goods are not intended for production or commercial activity.

4) to receive food and make use of public utilities in the centre of temporary accommodation in the order determined by the Government of the Russian Federation before the departure to a new place of residence;

5) to enjoy the protection by the representatives of the territorial agency of the federal executive body for internal affairs in the centre of temporal accommodation for the purpose of providing security to the given persons;

6) to use the living quarters given in the order determined by the Government of the Russian Federation from the housing facilities intended for temporary settlement.

The person recognized as a refugee and the members of his family shall forfeit the right to use the living quarters from the housing facilities for temporary settlement, if he acquires, receives or hires other dwellings;

7) to receive medical and medicinal aid on a par with citizens of the Russian Federation in keeping with the present Federal Law, other federal laws and other normative legal acts of the Russian Federation, the laws and other normative legal acts of the subjects of the Russian Federation, unless otherwise stipulated by the international agreements of the Russian Federation;

8) to receive assistance in sending for vocational training or in job placement on a par with citizens of the Russian Federation in keeping with the present Federal Law, other federal laws and other normative legal acts of the Russian Federation, the laws and other normative legal acts of the subjects of the Russian Federation, except for the cases provided for by the legislation of the Russian Federation and its international treaties and agreements;

9) to receive the work for hire or to carry on business on a par with citizens of the Russian Federation in keeping with the present Federal Law, other federal laws and other normative legal acts of the Russian Federation, the laws and other normative legal acts of the subjects of the Russian Federation, except for the cases provided for by the legislation of the Russian Federation and its treaties and agreements;

10) to receive the social protection and social security on a par with citizens of the Russian Federation in conformity with the present Federal Law, other federal laws and other normative legal acts of the Russian Federation, the laws and other normative legal acts of the subjects of the Russian Federation, except for the cases provided for by the legislation of the Russian Federation and its international treaties and agreements;

11) to receive assistance in the placement of children of the person recognized as a refugee in government or municipal preschool and general educational establishments, primary vocational education institutions, and also in their transfer to the secondary and higher vocational education institutions on a par with citizens of the Russian Federation in accordance with the present Federal Law, other federal laws and other normative legal acts of the Russian Federation, the laws and other normative legal acts of the subjects of the Russian Federation, unless otherwise stipulated by the international agreements of the Russian Federation;

12) to get the assistance from the federal executive body responsible for the migration service in the receipt of information about the relations of the person recognized as a refugee, who reside in the State of his nationality or his former usual place of residence;

13) to apply to the territorial agency of the federal executive body responsible for the migration service in the place of the stay of the person and his family members with the aim of completing the travel document for the departure of these persons from the Russian Federation.

The form of the travel document and the procedure for its completion, issue and exchange shall be determined by the Government of the Russian Federation.

14) to appeal with the application for the granting of the right to the permanent residence on the territory of the Russian Federation or on the acquisition of the citizenship of the Russian Federation in conformity with the legislation of the Russian Federation and its international treaties and agreements.

15) to participate in public activity on a par with citizens of the Russian Federation, except for the cases provided for by the legislation of the Russian Federation and its international treaties and agreements;

16) to return of his own free will to the State of his nationality or his former usual place of residence;

17) to go to a foreign State for his own place of residence;

18) to make use of other rights provided for by the legislation of the Russian Federation and its international treaties and agreements, and also by the legislation of the subjects of the Russian Federation.

2. The person recognized as a refugee and he members of his family shall be obliged:

1) to observe the Constitution of the Russian Federation, the present Federal Law, other federal laws and other normative legal acts of the Russian Federation, and also the laws and other normative legal acts of the subjects of the Russian Federation;

2) to arrive on time to the centre of temporary accommodation or any other place of sojourn determined by the federal executive body responsible for the migration service or by its territorial agency;

3) to observe the established order of residence and to fulfil the sanitary and hygienic requirements of living on the centre of temporary accommodation;

4) to supply within seven days the territorial agency of the federal executive body responsible for the migration service with information about changes in his surname and first name, the family composition and the family status, about the acquisition of the citizenship of the Russian Federation or the citizenship of any other foreign State or about the receipt of a permit for the permanent residence on the territory of the Russian Federation;

5) to inform the relevant bodies about his intention to change the place or residence on the territory of the Russian Federation or to leave the territory of the Russian Federation for a new place of residence;

6) to withdraw from records in the territorial agency of the federal executive body responsible for the migration service in case of changing the place of residence and to get registered within seven days since the days of the arrival at a new place of residence by the federal executive body responsible for the migration service.

The recording of the person recognized as a refugee by the territorial agency of the federal executive body responsible for the migration service shall be a ground for the registration of this person and the members of his family by the territorial agency of the federal executive body for internal affairs in the new place of stay;

7) to undergo the annual reregistration in the time-limits fixed by the territorial agency of the federal executive body responsible for the migration service.

Article 9. The Loss by the Person of the Status of a Refugee and the Deprivation of the Person of the Status of a Refugee

1. The person shall lose the status of a refugee in the following cases:

1) after the receipt of a permit for the permanent residence on the territory of the Russian Federation or after the acquisition of the citizenship of the Russian Federation;

2) when he once again has availed himself of the protection of the State for his nationality of his own free will;

3) when he has acquired the citizenship of his own free will after he lost his citizenship;

4) when he has acquired the nationality of a foreign State and uses the state protection of his new nationality;

5) when he has once again established in the State which he left or stayed outside of which due to the fear of persecution in the circumstances provided for by Subitem 1, Item 1 of Article 1 of the present Federal Law;

6) when he cannot to make use of the protection of his nationality by the State whose territory he was forced to leave due to the circumstances, provided for by Subitem 1, Item 1 of Article 1 of the present Federal Law, in connection with the fact that these circumstances no longer exist.

7) when he has no definite citizenship and can return to the State of his former usual place of residence in connection with the fact that circumstances, provided for by Subitem 1, Item 1 of Article 1 of this Law no longer exist in this State.

2. A person shall be deprived of the status of a refugee by the federal executive body responsible for the migration service or by its territorial agency, if he:

1) has been convicted by a court judgment for the commission of a crime on the territory of the Russian Federation;

2) has given the knowingly false information or has presented false documents, which have served as a ground for the recognition as a refugee, or has committed a different breach of the present Federal Law.

3. The notification about the loss by a person of his status of a refugee or about the deprivation of a person of his status of a refugee with an indication of the reasons for the adoption of the decision on the loss of the status of a refugee or on the deprivation of the status of a refugee and the order of its appeal shall be handed over or sent to the given person by the federal executive body responsible for the migration service or by its territorial agency during three working days since the day of the adoption of the decision.

4. In the event of the loss by a person of the status of a refugee or in the event of the deprivation of a person of the status of a refugee the respective certificate shall be handed over to the federal executive body responsible for the migration service or to its territorial agency and shall be recognized as invalid by the federal executive body responsible for the migration service.

5. A person who has lost his status of a refugee or has been deprived of the status of a refugee due to the circumstances provided for by Item 1 and Subitem 2, Item 2 of this Article and who does not use the right of appeal against the decision on the loss of the status of a refugee or on the deprivation of the status of a refugee in accordance with Article 10 of this Federal Law, and also who does not have any other legal grounds for the stay on the territory of the Russian Federation, shall be obliged to leave the territory of the Russian Federation together with the members of his family upon the proposal of the territorial agency of the federal executive body responsible for the migration service within one month since the day of the receipt of the notification about the loss of the status of a refugee or the deprivation of the status of a refugee.

6. A person who has lost the status of a refugee or has been deprived of the status of a refugee due to the circumstances, provided for by Item 1 and Subitem 2, Item 2 of this Article, and the members of his family shall lose the right to make use of dwellings from the housing facilities for the temporary settlement in the absence of other legal grounds for their presence on the territory of the Russian Federation.

The right to use living quarters from the housing facilities for the temporary settlement shall be retained by the members of the family of the person who was deprived of the status of a refugee in the circumstances provided for by Subitem 1, Item 2 of this Article.

Article 10. Guarantees of the Rights of the Person

1. A person who applies for the recognition as a refugee or who has been recognized as a refugee, or has lost the status of a refugee, or has been deprived of the status of a refugee, may not be returned against his will to the territory of the State of his nationality or his former usual residence with the preservation in the given State of the circumstances provided for by Subitem 1, Item 1 of Article 1 of this Federal Law.

2. Decisions and actions (inaction) of the federal executive bodies and the executive bodies of the subjects of the Russian Federation, the local self-government bodies and of their officials, connected with the execution of this Federal Law, may be appealed against in a higher body or in a court of law.

The Federal Migration Service (FMS) of the Russian Federation in its Order No. 141 of October 3, 1995 set up the FMS Appeal Commission whose terms of reference cover the consideration of the complaints received by the FMS and approved its composition and the Regulations for it

3. The period of filing a complaint shall not exceed:

1) one month since the day of the receipt by the person of the written notice about the adopted decision or since the day of the expiry of one month after the filing of the complaint, unless the person has received a written reply to it;

2) three months since the day when the person has known about the refusal to recognize him as a refugee.

4. Before the adoption of a decision on the complaint concerned the person who has filed his complaint and members of his family shall have the rights and perform the duties, stipulated by Article 6 and Article 8 of this Federal Law in the part that does not contradict the present legal status of these persons.

5. A person who has received a notice about the refusal to consider his application on its merits or about the refusal to recognize him as a refugee, or the person who has received a notice about the loss of the status of a refugee or about the deprivation of the status of a refugee in the circumstances, stipulated by Item 1 and Subitem 2, Item 2 of Article 9 of this Federal Law, and who has used the right of appeal against the decision on the refusal to consider the application on its merits or on the refusal to recognize him as a refugee, or the decision on the loss of the status of a refugee or on the deprivation of the status of a refugee in accordance with the present Article, shall be obliged to leave the territory of the Russian Federation together with his family members during three working days since the day of the receipt of the notice about the refusal in reply to the complaint in the absence of any other lawful grounds for these persons' presence on the territory of the Russian Federation.

Article 11. The Housing Facilities for the Temporary Settlement

1. The housing facilities for the temporary settlement are intended for the residence of persons recognized as refugees and their family members, who do not have dwellings on the territory of the Russian Federation, during the period of their recognition as refugees. The housing facilities for the temporary settlement include houses, apartments, hostels and other living quarters.

2. The construction and acquisition of living quarters for the purpose of forming a housing stock for temporary accommodation, their operation and use and operational management shall be carried out in the order determined by the Government of the Russian Federation.

Living quarters rented by the territorial agency of the federal executive body responsible for the migration service for the temporary settlement of the persons recognized as refugees and their family members shall be used on the basis of the lease agreement concluded with the owner of the living accommodation.

3. The housing stock for temporary accommodation shall be set up from the federal budget resources, and also at the expense of the resources from other sources.

The housing stock for temporary accommodation, except for the rented living quarters, shall be federal property.

4. The living of the housing stock for temporary settlement shall be granted in order of sequence, established by the territorial agency of the federal executive body responsible for the migration service.

5. The living of the housing stock for temporary settlement shall not be subject to privatization, exchange, reservation, and subletting. A person living in said accommodation shall not be allowed to partition the floorspace he occupies and to take in lodgers without the authorized of the territorial agency of the federal executive body responsible for the migration service.

Article 12. The Granting of a Temporary Refugee to a Foreign National or a Stateless Person

1. Temporary refugee shall be granted to a foreign national or a stateless person in the order determined by the Government of the Russian Federation.

A decision on the granting of a temporary refugee shall be taken by the territorial agency of the federal executive body responsible for the migration service in the place of the filing by a foreign national or stateless person of the application for a possible stay on the territory of the Russian Federation on a temporary basis.

2. A temporary refugee may be granted to a foreign national or a stateless person, if they:

1) have the grounds for the recognition as a refugee but restrict themselves to a written application for the granting of the possibility of staying on the territory of the Russian Federation on a temporary basis;

2) have no grounds for the recognition as refugees due to the circumstances, provided for by the Federal Law, but cannot be deported beyond the territory of the Russian Federation from humane motives.

3. A certificate of the standard form shall be issued to the person who has received a temporary refugee and who has undergone a compulsory medical check within the scope of the medical certificate requirements by the territorial agency of the federal executive body responsible for the migration service.

The certificate shall be a ground for the legal stay of the given person on the territory of the Russian Federation and for his registration in the statutory order by the territorial agency of the federal executive body for internal affairs in the place of his sojourn.

The form of the certificate's slip, the procedure for its completion, issue and exchange shall be determined by the Government of the Russian Federation.

Upon the receipt of the certificate, the national (civil) passport and/or other identity documents of the person who has received a temporary refugee shall be handed over by this person for keeping in custody by the territorial agency of the federal executive body responsible for the migration service.

4. The legal status of the person who has received a temporary refugee shall be determined by the present Federal Law, other federal laws and other normative legal acts of the Russian Federation, and also by the laws and other normative legal acts of the subjects of the Russian Federation.

A person who has received a temporary refugee may not be returned against his will to the State of his nationality or his former usual place of residence.

The provisions of Item 1 of Article 6 of this Federal Law shall not be extended to the certificate holder in the part dealing with the use of a lump-sum monetary allowance.

5. A person shall forfeit his temporary refugee in the following cases:

1) when the circumstances which served as a ground for granting a temporary refugee to him have been removed;

- 2) when he has received the right to the permanent residence on the territory of the Russian Federation or when he has acquired the citizenship of the Russian Federation or the nationality of any foreign State;
- 3) when he leaves the territory of the Russian Federation for his place of residence.

6. A person shall be deprived of his temporary refugee by the territorial agency of the federal executive body responsible for the migration service, if he:

- 1) has been convicted by the court's sentence that has come into force for the commission of a crime on the territory of the Russian Federation;
- 2) has given the knowingly false information or has produced the forged documents which served as a ground for granting a temporary refuge to the given person or has violated the provisions of the present of the Federal Law.

7. A person who has forfeited his temporary refugee or has been deprived of his temporary refugee due to the circumstances, provided for by Item 5 and Subitem 2, Item 6 of this Article, and who has no other legal grounds for the sojourn on the territory of the Russian Federation shall be obliged to leave the territory of the Russian Federation within one month upon the proposal of the territorial agency of the federal executive body responsible for the migration service.

Article 13. The Deportation of a Person Beyond the Territory of the Russian Federation

1. A person who has received a notice about the refusal to examine his application on its merits or about the refusal to recognize him as a refugee, or a notice about the loss of the status of a refugee or about the deprivation of the status of a refugee, and also who does not use the right of appeal against the decision concerned and who refuses to depart of his own free will, shall be deported together with his family members beyond the territory of the Russian Federation in accordance with the present Federal Law, other federal laws and other normative legal acts of the Russian Federation and its international treaties and agreements.

2. A person who has appealed against the decision of the refusal to examine his application on its merits or the decision on the refusal to recognize him as a refugee, or the decision on the loss of the status, and who has received the refusal to use his right of filing a complaint, and also who has no other legal grounds for the sojourn on the territory of the Russian Federation and who refuses to leave it of his own free will, shall be deported together with his family members beyond the territory of the Russian Federation in accordance with the present Federal Law, other federal laws and other normative legal acts of the Russian Federation and its international treaties and agreements.

3. A person who has been deprived of the status of a refugee or of his temporary refuge in connection with his conviction for the offence committed on the territory of the Russian Federation shall be expelled or deported beyond the territory of the Russian Federation after he has served his sentence, unless otherwise stipulated by the international treaties and agreements of the Russian Federation.

4. A person who has lost his temporary refugee or has been deprived of his temporary refugee due to the circumstances, provided for by Item 5 and Subitem 2, Item 6 of Article 12 of the present Federal Law, and who has no other legal grounds for the sojourn on the territory of the Russian Federation and who refuses to depart of his own free will, shall be expelled (deported) beyond the territory of the Russian Federation in keeping with the present Federal

Law, other federal laws and other normative legal acts of the Russian Federation and its international treaties and agreements.

Article 14. The Distribution of Persons Among the Subjects of the Russian Federation. The Reception of Persons in Case of Their Extraordinary Massive Arrival in the Russian Federation

1. Persons who have been recognized as refugees or who have received a temporary refugee shall be distributed in accordance with the quota fixed annually by the Government of the Russian Federation for each subject of the Russian Federation.

2. In the event of the extraordinary massive arrival of the persons in the Russian Federation, who apply for the recognition as refugees or for the granting of a temporary refuge due to the circumstances, provided for by Subitem 1 of Item 1 of Article 1 of the present Federal Law, the places of the stay of said persons and the conditions of their maintenance shall be determined by the Government of the Russian Federation.

Article 15. The Financing of Expenditures on the Reception Travel and Accommodation of Persons. The Financing of Expenditures on the Deportation of Persons Beyond the Territory of the Russian Federation

1. Expenditures on the Reception, Travel and Accommodation of persons who apply for the recognition as refugees and of persons who have been recognized as refugees and their family members, and also expenditures on the reception of persons who have received a temporary refuge, shall be financed from the federal budget resources allocated for the realization of the Federal Migration Programme and from the budget resources of the subjects of the Russian Federation allocated for the realization of regional migration programmes, and also from other sources, provided for by the legislation of the Russian Federation.

2. Expenditures associated with the deportation from the territory of the Russian Federation of the persons who have received the refusal to examine their applications on their merits or the refusal to recognize as refugees or who have lost the status of a refugee or have been deprived of the status of a refugee and their family members, and also of the persons who have forfeited their temporary refuge or have been deprived of their temporary refuge, shall be financed from the resources of the deportees and, in the absence of said resources, from the federal budget resources appropriated to the federal executive body responsible for the migration service and to the federal executive body for internal affairs.

Article 16. Funds for Relief to Refugees

1. Funds for relief to refugees (hereinafter referred to as funds) shall be non-profit organisations set up in accordance with the federal laws and/or the laws of the subjects of the Russian Federation both on federal and regional (interregional) level to pursue social, charitable and other socially-useful purposed.

2. The resources of the funds shall be used to finance measures that ensure the social and cultural adoption of, and the provision of living conditions for, the persons who have been recognized as refugees on the territory of the Russian Federation. These funds shall be formed at the expense of the following resources:

1) the resources of the fund participants;

- 2) the donations and voluntary contribution by national and juridical persons;
- 3) the sources, provided for by the legislation of the Russian Federation;
- 4) the resources to be received from foreign States, international and intergovernmental organisations.

3. The funds shall carry out their activity in cooperation with the federal executive body responsible for the migration service or with its territorial agencies in accordance with their charters, the present Federal Law, other federal laws and other normative legal acts of the Russian Federation, the laws and other normative legal acts of the subjects of the Russian Federation.

Article 17. The Authority of the Federal Executive Bodies and Their Territorial Agencies to Realize the Present Federal Law

1. The federal executive bodies shall

- 1) interact with the executive bodies of the subjects of the Russian Federation in the elaboration and implementation of the federal and regional programmes of protecting the rights of the persons who apply for the recognition of the status of refugees and of the persons who have been recognized as refugees and their family members, and also in the reception, accommodation and adaptation of these persons and/or of the persons who have received their temporary refuge in accordance with the present Federal Law, other federal laws and other normative legal acts of the Russian Federation, the laws and other normative legal acts of the subjects of the Russian Federation;
- 2) interact with the local self-government bodies in the reception, accommodation and adaptation of the persons who apply for the recognition of the status of refugees, of the persons who have been recognized as refugees and their family members, and also of the persons who have received the temporary refuge;
- 3) interact with public associations and other organisations in the work of rendering assistance to the persons who apply for the recognition as refugees and refugees and to the persons who have been recognized as such and their family members, and also to the persons who have received their temporary refuge, and ensure the observance of the rights and the lawful interest of the public associations engaged in the solution of the refugees' problems.

2. The federal executive body responsible for the migration service shall:

- 1) exercise control over the activities of its territorial agencies and revise their decisions in case of the disclosure of the breaches of this Federal Law;
- 2) keep a record of the persons who apply for their recognition as refugees or of the persons who have been recognized as refugees and their family members, and also of the persons who have received a temporary refuge, and send information to the central pool of data on foreign nationals and stateless persons in the Russian Federation in keeping with the present Federal Law, other federal laws and other normative legal acts of the Russian Federation;
- 3) receive in the statutory order and transfer to its territorial agencies information about the political, socio-economic and sanitary epidemiological situation in the State of the nationality or the former usual place of residence of the person who applies for the status of a refugee, and also information about changes in the passport and visa treatment of foreign States and about the rules for the stay of foreign nationals and stateless persons on the territory of the Russian Federation;
- 4) receive gratis from natural and juridical persons, institutions and organisations, regardless of their organisational structure and legal status and form of property, information needed for checking the data given by the person who applies for the recognition of his status of a

refugee, except for the cases when federal laws and other normative legal acts of the Russian Federation provide for a different procedure of obtaining said information;

5) assist the person who applies for the recognition as a refugee or the person who has been recognized as such, but has not attained 28 years of age and has arrived in the Russian Federation without the accompaniment of his parents or guardians, in the receipt of information about the presence and the place of residence of his parents and other relatives or guardians;

6) make use of the information and communication system of the Russian Federation in the statutory manner;

7) generalize and send in the statutory order to the federal executive body for internal affairs the materials on the persons subject to deportation beyond the territory of the Russian Federation in accordance with Article 13 of this Federal Law.

3. The federal executive body responsible for the border service and the border control agency shall:

1) transfer in the statutory order to the immigration control post the application of the person who has arrived in the Russian Federation due to the circumstances, provided for by Subitem 2, Item 1 of Article 4 of this Federal Law, during three working days since the day of crossing by him of the State Border of the Russian Federation;

2) transfer in the statutory manner to the immigration control post or the territorial agency of the federal executive body responsible for the migration service the application of the person who has arrived in the Russian Federation due to the circumstances, provided for by Subitem 3, Item 1 of Article 4 of this Federal Law, during three working days since the day of the receipt of the application;

3) send in the statutory manner to the immigration control post or the federal executive body responsible for the migration service or to its territorial agencies information about the persons who have arrived in the Russian Federation due to the circumstances, provided for by Subitem 2 and Subitem 3 of Item 1, Article 4 of the present Federal Law, and who have applied for the status of a refugee during three working days;

4. The federal executive body for internal affairs and its territorial agencies shall:

1) hand over in the statutory order to the post of immigration control or the territorial agency of the federal executive body responsible for the migration service the application of the person who has arrived in the Russian Federation due to the circumstances, provided for by Subitem 3 of Item 1, Article 4 of this Federal Law, during three working days since the receipt of the application;

2) assist the person who has been recognized as a refugee and his family members in the completion of travel documents for the departure beyond the territory of the Russian Federation in keeping with Subitem 13, Item 1 of Article 8 of this Federal Law;

3) submit within the scope of their authority information about the presence of the circumstances, provided for by Article 2 and Article 5 of this Federal Law up on the inquiry of the federal executive body responsible for the migration service or its territorial agency;

4) inform within two weeks the federal executive body responsible for the migration service and its territorial agency about the crime committed by the person applying for the recognition as a refugee or by the recognized refugee on the territory of the Russian Federation;

5) send in the statutory manner to the federal executive body responsible for the migration service and its territorial agency information about changes in the passport and visa treatment and about the rules for the stay of foreign nationals and stateless persons on the territory of the Russian Federation;

6) expel or deport the person beyond the territory of the Russian Federation in accordance with this Federal Law, other federal laws and other normative legal acts of the Russian Federation and/or its international treaties and agreements.

5. The federal executive body for security affairs shall:

1) ensure the entry of a person to the Russian Federation with counter-intelligence means, control the regime of his presence of its territory and the departure from the Russian Federation;

2) submit in two weeks within its authority information about the person to whom the provisions of Article 2 or Article 5 of this Federal Law apply, upon the inquiry of the federal executive body responsible for the migration service or of its territorial agency.

6. The federal executive body for public health shall:

1) determine the procedure for the rendering of medical and medicinal aid to persons in conformity with Subitem 7, Item 1 of Article 6 and Subitem 7, Item 1 of Article 8 of this Federal Law;

2) ensure the sanitary and epidemiological control in the place of temporary maintenance or in the centre of temporary accommodation;

3) send in the statutory order to the federal executive body responsible for the migration service and to its territorial agency information about the sanitary and epidemiological situation in places of temporary maintenance and centres of temporary accommodation.

7. The federal executive body for labour and social development shall:

1) render assistance to the person applying for the status of a refugee or to the recognized refugee in job placement or the receipt of the order for vocational training in accordance with Subitem 8, Item 1 of Article 6, Subitem 8 and Subitem 9, Item 1 of Article 8 of this Federal Law;

2) send information on the employment of the population in the statutory order to the federal executive body responsible for the migration service and to its territorial agencies;

3) to provide the person who has been recognized as a refugee and the person who has not attained 18 years of age and who has arrived in the Russian Federation without the accompaniment of his parents or guardians and who has received a different legal status on the territory of the Russian Federation, with the rights in the sphere of social protection, including the right to social security, in conformity with Subitem 10, Item 1 of Article 8 of this Federal Law;

4) send in the statutory order to the federal executive body responsible for the migration service and to its territorial agencies information about the possibility of the accommodation of the persons recognized as refugee from among single old people and/or invalids and those who are in need on permanent care in the social protection establishments or in the homes of the municipal housing stock for social use for the aged and invalids.

8. The federal executive body for the general education and vocational training shall:

1) assist the recognized refugee and his family members and also the person who has not attained 18 years of age, has arrived in the Russian Federation without his parents or guardians and has been recognized as a refugee, to receive education in conformity with Subitem 11, Item 1 of Article 8 of this Federal Law;

2) send in the statutory order to the federal executive body responsible for the migration service and to its territorial agencies information about the possibility and the conditions of the maintenance and instruction of the children of the recognized refugee in state or municipal preschool and general education establishments, in primary vocational training schools, and

also about the possibility and the conditions of their transfer to the secondary and higher vocational training establishments.

9. The federal executive body for foreign affairs shall:

- 1) ensure the conditions for the uniform policy of the Russian Federation in relations with foreign States and international organisations in the sphere of the protection of the rights of the recognized refugees;
- 2) watch over the implementation of the international treaties and agreements of the Russian Federation in the sphere of the protection of the rights of the recognized refugees;
- 3) assist the persons recognized as refugees and their family members in the completion of documents for the entry to the Russian Federation, if these persons are to be found beyond its territory;
- 4) promote the implementation of this Federal Law within the terms of its reference and assist in the deportation of persons beyond the territory of the Russian Federation.

Federal Law No. 117-FZ of July 21, 1998 supplemented Article 17 of this Federal Law with new Item 10, the former Item 10 shall be deemed to be Item 11, respectively

10. The Ministry of Justice of the Russian Federation, no later than two months before the termination of the term of the punishment of a convicted person who is subject to deportation outside the limits of the territory of the Russian Federation, shall inform the territorial body of the federal body of the executive power on the migration service and the body of internal affairs at the location of the institution or body executing the punishments, about his forthcoming release.

11. The federal executive bodies and their territorial agencies shall exercise other powers in the realization of this Federal Law.

Article 18. Informational Cooperation in the Solution of the Refugees' Problems

1. The Russian Federation shall cooperate with foreign States, the Office of the United Nations High Commissioner for Refugees and other international organisations for the purpose of solving the problems of refugees.

The Russian Federation shall build its relations with foreign States on the basis of its international treaties and agreements.

Where an international treaty or agreement of the Russian Federation provides for rules other than those contained in the present Federal Law, the rules of the international treaty or agreement shall apply.

Article 19. The Responsibility for Breaking the Present Federal Law

1. Officials of the organs of state power of the Russian Federation, the organs of power of the subjects of the Russian Federation and of the local self-government bodies and of the organisations regardless of their form of property and also citizens of the Russian Federation guilty of breaking the present Federal Law shall bear responsibility conformity with the legislation of the Russian Federation.

Article 2. The present Federal Law shall enter into force since the day of its official publication.

The provisions of this Federal Law shall extend to the persons who have been recognized as refugees in conformity with the Law of the Russian Federation No. 4528-1 of February 19, 1993 on Refugees.

The President of the Russian Federation shall be proposed and the Government of the Russian Federation shall be instructed to bring their normative legal acts into conformity with the present Federal Law and to adopt the requisite normative legal acts for the purpose of implementing this Federal Law.

Article 3. In connection with the adoption of this Federal Law it is necessary to recognize as invalid the Resolution of the Supreme Soviet of the Russian Federation on the Procedure for the Enforcement of the Law of the Russian Federation on Refugees (Gazette of the Congress of People's Deputies of the Russian Federation and the Supreme Soviet of the Russian Federation No. 12, 1993, item 426).

President of the Russian Federation

Boris Yeltsin

Moscow, the Kremlin