

Act on the State border of the Russian Federation
1 April 1993(1)

Section I
General provisions

Article 1
State border of the Russian Federation

The State border of the Russian Federation (hereinafter referred to as "the State border", is the line, and the surface perpendicular to this line, defining the boundaries of the State territory (land, water, subsoil and airspace)) of the Russian Federation, that is, the spatial limit of the State sovereignty of the Russian Federation.

Article 2
Principles for establishing and changing the line of the State border and establishing and maintaining legal relations on the State border

The State border of the Russian Federation is the border of the Russian Soviet Federative Socialist Republic (RSFSR), laid down under international treaties in force and the legislative acts of the former Union of Soviet Socialist Republics (USSR). The borders of the Russian Federation with contiguous States which have not been formalized in an international legal relationship shall be laid down in treaties.

In establishing and changing the line of its State border and establishing and maintaining relations with foreign States on the State border and also regulating legal relations in the border areas (waters) of the Russian Federation and on international transport routes situated in Russian territory, the Russian Federation shall be guided by the following principles:

Ensuring the security of the Russian Federation and international security;
Mutually advantageous comprehensive cooperation with foreign States;
Mutual respect for the sovereignty and territorial integrity of States and the inviolability of State borders;
The peaceful resolution of border issues.

Article 3
Protection and guarding of the State border

The protection of the State border as part of the system for ensuring the security of the Russian Federation and conducting the State border policy of the Russian Federation consists in the coordinated activities of federal bodies of the State authorities, the bodies of State authority of the constituent entities of the Russian Federation and local governmental bodies carried out by them within limits of their powers by taking political, organizational and legal, diplomatic, economic, defence, border, intelligence, counter-intelligence, operational-investigatory, customs, environmental-protection, sanitary and epidemiological, ecological and other measures. Organizations and citizens shall participate in these activities in accordance with the established procedure.

Measures to protect the State border shall be taken in accordance with the status of the State border

determined by international treaties concluded by the Russian Federation and the legislation of the Russian Federation.

The Russian Federation shall cooperate with foreign States in protecting the State border on the basis of the

Documents on changes or more precise demarcations of the line of the State border in an area carried out to verify the State border on the basis of international treaties concluded by the Russian Federation shall be implemented in accordance with the legislation of the Russian Federation.

2. The line of the State border, unless otherwise stipulated in international treaties concluded by the Russian Federation, shall be established:

- (a) On land, along distinctive points, relief lines or clearly visible landmarks;
 - (b) At sea, along the outer limit of the territorial sea of the Russian Federation;
 - (c) On navigable rivers, along the middle of the main fairway or thalweg of the river; on unnavigable rivers and streams, along their middle or the middle of the river's main arm; on lakes and other water expanses, along an equidistant, median, straight, or other line joining the points where the State border intersects the shore of the lake or other water expanse. The State border running along a river, stream, lake or other water expanse shall not be shifted as a result of either a change in the contour of the river bank or lake shore or in the water level, or of a deviation of the course of the river or stream in any direction;
 - (d) On the reservoirs of hydraulic centres and other man-made water expanses, in accordance with the line of the State border running through the locality prior to their being filled;
 - (e) On bridges, dams and other structures traversing rivers, streams, lakes and other water expanses, along the centre of these structures or along their structural axis, irrespective of where the State border runs on the water.
3. Deleted.
4. Deleted.

Article 6 Demarcation of the State border

The State border shall be demarcated in areas by clearly visible border markers. The shape and dimensions of border markers and the procedure for placing them shall be determined by international treaties concluded by the Russian Federation and decisions of the Government of the Russian Federation.

Section III State border regime

Article 7 Maintenance and establishment of the State border regime

The State border regime shall include regulations on:

- Maintenance of the State border;
- Crossing of the State border by persons and means of transport;
- Transport of freight, goods and animals across the State border;
- Passage across the State border of persons, means of transport, freight, goods and animals;
- Conducting economic, commercial and other activities on the State border or near it in the territory of the Russian Federation;
- Settlement with foreign States of incidents related to violations of these regulations.

The State border regime shall be established by this Act, other federal laws, and international treaties concluded by the Russian Federation.

With account taken of the mutual interests of the Russian Federation and contiguous States, separate regulations of the State border regime need not be established, and the nature of the regulations laid down may be simplified.

Article 8
Maintenance of the State border

The regulations on maintenance of the State border shall govern the procedure for the establishment,

opened for international flights only with the authorization by the Ministry of Transport of the Russian Federation or the Ministry of Defence of the Russian Federation granted in coordination with the Federal Security Service of the Russian Federation, the Federal Border Service of the Russian Federation, the State Customs Committee of the Russian Federation and the Ministry of Health of the Russian Federation; 72 585.6 TD 0 Tc 0.321 0.1108

(c) Flying into areas prohibited for flights about which notification has been made for general information;
(d) Other actions prohibited under the legislation of the Russian Federation or international treaties concluded by the Russian Federation.

In the interest of ensuring the security of the Russian Federation and also at the request of foreign States, the crossing of the State border at separate sections of it may, through a decision by the Government of the Russian Federation, be temporarily restricted or suspended, with notification given to the authorities of the States concerned.

Federation together with the administration of the airports and airfields or with the command of aviation units of the Armed Forces of the Russian Federation with subsequent notification of the agencies and troops of the Federal Border Service of the Russian Federation and other bodies of the Russian Federation concerned.

Article 11.1
Border-processing fee

1. When border control is carried out in the case of departure from the Russian Federation, a fee shall be collected for border processing, the payment of which is mandatory throughout the territory of the Russian Federation.

The payment of the border-processing fee shall be an essential condition for carrying out border control in the case of departures from the Russian Federation.

2. Payment of the border-processing fee shall be made by:

Physical persons who are crossing the State border of the Russian Federation (with the exception of physical persons who are the owners of means of transport moving across the State border of the Russian Federation) (hereinafter referred to as "physical persons");

Physical and juridical persons who are the owners of means of transport moving across the State border of the Russian Federation (hereinafter referred to as "owners of means of transport").

Any person concerned shall have the right to pay the border-processing fee for another person, unless otherwise stipulated.

The activities referred to in the first paragraph of this article shall be carried out in accordance with international treaties concluded by the Russian Federation or other agreements with foreign States, in conformity with the regulations on crossing the State border and with notification of the agencies and troops of the Federal Border Service of the Russian Federation as to the places and times for crossing the State border and the work to be carried out, the number of participants, and commercial and other vessels, means of transport and other equipment and machinery to be used.

Article 14
Settlement of incidents related to violations of the State border regime

The procedure for settling incidents related to violations of the State border regime, their referral to the jurisdiction of the border representatives of the Russian Federation, the Ministry of Defence of the Russian Federation or the Ministry of Foreign Affairs of the Russian Federation shall be determined by treaties concluded by the Russian Federation with contiguous States on the State border and its regime, other international treaties concluded by the Russian Federation, this Act and decisions by the Government of the Russian Federation.

Persons, aircraft, Russian and foreign marine and river vessels and warships, and other means of transport that have crossed the State border in violation of the regulations set forth under this Act shall be recognized as violators of the State border.

Foreign nationals and stateless persons who do not have the status of persons residing or staying in the territory of the Russian Federation and have crossed the State border from the territory of a foreign State and whose actions constitute a crime or administrative violation shall be held liable as provided under the legislation of the Russian Federation.

Where there are no grounds for instituting criminal proceedings or proceedings for administrative violations in respect of the violators of the State border referred to in the third paragraph of this article and they do not have the right to receive political asylum in accordance with the Constitution of the Russian Federation, the agencies and troops of the Federal Border Service of the Russian Federation shall transfer them, in accordance with the official procedure, to the authorities of the State from whose territory they crossed the State border. If the transfer of violators to the authorities of a foreign State is not provided for under a treaty concluded by the Russian Federation with that State, the agencies and troops of the Federal Border Service of the Russian Federation shall expel them from the Russian Federation at the places determined by the agencies and troops of the Federal Border Service of the Russian Federation. The expulsion of foreign nationals and stateless persons from the Russian Federation through passage points across the State border shall be reported to the authorities of the States to (or through) whose territory they are being expelled, if this is provided for under a treaty concluded by the Russian Federation with the corresponding State. Violators of the State border who have been subjected to administrative proceedings and in respect of whom a decision has been taken on their administrative expulsion shall be expelled from the Russian Federation in accordance with that procedure.

Nationals of the Russian Federation arriving at passage points across the State border who, during their stay abroad, have lost documents on the right to enter the territory of the Russian Federation shall remain at the passage point for the period of time necessary to establish their identity, but no longer than 30 days. The procedure and conditions for their stay at passage points across the State border shall be determined by the Government of the Russian Federation.

the Russian shores of border rivers, lakes and other water expanses and islands on those expanses shall be included in the border zone. The areas belonging to populated areas, health resorts, holiday homes and other health institutions, cultural institutions (sites) and also places for mass recreation, active water use, the holding of religious ceremonies and other places where citizens traditionally spend time in large numbers need not be included in the border zone.

On the basis of the nature of the Russian Federation's relations with a contiguous State, a border zone need not be established on separate sections of the State border.

The boundaries of the border zone shall be determined, and warning signs shall be established through decisions by the executive bodies of constituent entities of the Russian Federation upon submissions by senior officials of the agencies and troops of the Federal Border Service of the Russian Federation in the territory of the constituent entities of the Russian Federation.

The sections (areas) of the internal waters of the Russian Federation within which the border regime is established shall be determined in the same manner.

The specific content and the spatial and temporal limits of the effect of the border-regime regulations provided for under this Act, and the range of persons in respect of whom one or other of those regulations applies shall be determined by decisions of the executive bodies of constituent entities of the Russian Federation in coordination with senior officials of the agencies and troops of the Federal Border Service of the Russian Federation in the territory of the constituent entities of the Russian Federation and shall be published.

Article 17

The entry (passage), temporary stay and movement of persons and means of transport in the border zone

The entry (passage) of persons and means of transport into the border zone shall be carried out in accordance with identity documents and individual or collective passes issued by the agencies and troops of the Federal Border Service of the Russian Federation on the basis of personal applications submitted by citizens or applications by enterprises and their associations, organizations, establishments and public associations. The places of entry (passage) into the frontier zone shall be established. The time of entry (passage), itinerary, length of time and other conditions concerning the stay of persons and means of transport in the border zone may be specified.

Article 18

Economic, commercial and other activities, the holding of mass public political, cultural and other events in the border zone

Economic, commercial and other activities related to the use of land, forests, the subsoil and waters and the holding of mass public political, cultural and other events in the border zone shall be regulated by federal laws and the laws and other normative legal acts of constituent entities of the Russian Federation. Specific work projects and events shall be carried out with the permission of the agencies and troops of the Federal Border Service of the Russian Federation.

Permission to carry out work projects and activities, with the exception of the matters provided for under article 17 of this Act 0 rg BT 230.16 175.68 TD 60 other events in

Section V

Regime at passage points across the State border

Article 22

Content and establishment of the regime at passage points across the State border

The regime at passage points across the State border shall include regulations on the entry into these points and the stay in and departure from them of persons and means of transport, and the import, stay and export of freight, goods and animals, drawn up exclusively in order to create the necessary conditions for carrying out border, customs and other types of control.

Russian Federation; professional military training institutions, and enterprises, establishments and other organizations under the authority of the Federal Border Service of the Russian Federation, in accordance with the legislation of the Russian Federation.

Article 28
Powers of the federal executive bodies

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

On the basis of the decisions of the State bodies of the Russian Federation, conduct negotiations on the establishment and securing of the State border and on the establishment of the State border regime and prepare the necessary documents and materials;

Ensure the protection of the State border in the foreign policy and international-legal fields;

Within the limits of its competence, draw up documents on the right of entry into and departure from the Russian Federation for nationals of the Russian Federation, foreign nationals and stateless persons;

Resolve issues concerning the observance of the State border regime and incidents on the State border not settled by the border representatives of the Russian Federation or the Ministry of Defence of the Russian Federation.

2. The Federal Border Service of the Russian Federation shall:

In conjunction with the federal executive bodies, organize and ensure, within the limits of its powers, the protection of the State border on land, at sea, on rivers, lakes and other water expanses, and at passage points across the State border, the conduct of intelligence, counter-intelligence and operational-investigative activities, and the passage across the State border of persons, means of transport, freight, goods and animals;

Organize and ensure the leadership of the agencies and troops of the Federal Border Service of the Russian Federation;

Coordinate the activities of the federal executive bodies effecting on the State border all types of controls of compliance with the State border regime, the border regime and the regime at passage points across the State border;

Ensure, in conjunction with the Ministry of Defence of the Russian Federation, the coordination by the agencies and troops of the Federal Border Service of the Russian Federation of the activities of the Anti-Aircraft Defence Forces and the Navy with respect to the protection of the State border, and, in conjunction with the other competent federal executive bodies, the coordination by the operational agencies of the Federal Border Service of the Russian Federation of steps taken by the agencies of the law-enforcement system and the special-services system of the Russian Federation at the local level in the interests of protecting the State border;

Participate in the preparation by State bodies of normative and other legal acts concerning activities by juridical and physical persons that affect the interests of protecting the State border;

Participate in the delimitation, demarcation and redemarcation of the State border and in the drafting of the normative legal acts establishing the State border regime;

On instructions from the Government of the Russian Federation, undertake direct leadership of the activities of the border representatives of the Russian Federation;

Ensure the procurement and processing of information on threats to the security of the Russian Federation with respect to the protection of the State border, the submission of such information to the President and Government of the Russian Federation, and the notification of the federal executive bodies concerned, in accordance with the procedure established by federal laws and by the normative legal acts of the President of the Russian Federation;

Cooperate and communicate with relevant agencies of foreign States and with international organizations in

the temporary restriction or prohibition of access by citizens to individual sectors of an area or to installations near the State border during the conduct of border searches and operations, the repulsion of armed incursions into the territory of the Russian Federation and the prevention of illegal mass crossings of the State border;

Maintain public order on the State border and in border districts of the Russian Federation when mass events of a federal or international nature are being held there;

Maintain law and order in districts adjacent to the border in the event of an emergency situation or the imposition of a state of emergency;

Participate in the legal education of the population of districts of the Russian Federation adjacent to the border and, in conjunction with the agencies and troops of the Federal Border Service of the Russian Federation, in the prevention of offences on the State border and at passage points across it.

6. The Federal Security Service of the Russian Federation shall:

Within the limits of its competence, procure, process and analyse information on threats to the security of the Russian Federation with respect to the protection of the State border;

In cooperation with the agencies and troops of the Federal Border Service of the Russian Federation, conduct counter-intelligence and operational-investigative activities in the interests of protecting the State border;

In cooperation with the State Customs Committee of the Russian Federation and the Federal Border Service of the Russian Federation, develop and implement measures to combat smuggling;

Provide counter-intelligence support in relation to the entry into and departure from the territory of the Russian Federation of nationals of the Russian Federation, foreign nationals and stateless persons and the regime for the stay of foreign nationals and stateless persons in the territory of the Russian Federation;

Cooperate with the federal executive bodies and the public associations of the Russian Federation and with foreign special services and organizations in the interests of protecting the State border.

7. The internal intelligence service of the Russian Federation shall, in cooperation with the Federal Border Service of the Russian Federation, conduct intelligence activities in the interests of protecting the State border.

Article 29

Powers of the State bodies of the constituent entities of the Russian Federation

The State bodies of the constituent entities of the Russian Federation shall:

Create conditions for the protection of the State border by the troops and agencies legally empowered thereto and, to that end, adopt laws and other normative legal acts, within the limits established by this Act;

In accordance with the legislation of the Russian Federation, grant plots of land for the needs of protecting the State border and monitor use of the land and the observance on such plots of Russian Federation legislation on the protection of the natural environment;

Inform the agencies and troops of the Federal Border Service of the Russian Federation of issues relating to the situation in districts of the Russian Federation adjacent to the border;

Create conditions for participation by citizens on a voluntary basis in the protection of the State border;

Monitor in their territory the observance by all agencies, enterprises, institutions, organizations, public associations, officials and citizens of Russian Federation legislation on the State border.

Section VII

Powers of the agencies and troops of the federal border service of the Russian Federation, the anti-aircraft defence forces, the navy and other forces and military units of the Russian Federation with respect to the protection of the State border

Article 30

Powers of the agencies and troops of the Federal Border Service of the Russian Federation

The agencies and troops of the Federal Border Service of the Russian Federation shall protect the State border on land, at sea, on rivers, lakes and other water expanses, and at passage points across the State border and effect passage across the State border. To that end, they shall:

Prevent by all available measures the unlawful alteration of the course of the State border on the ground;
Monitor observance of the rules of the State border regime, the border regime and the regime at passage points across the State border that are of a permissive or advisory nature;

Conduct military, intelligence, counter-intelligence, operational-investigative, regime- and passage-related, and military-technical activities;

Conduct proceedings with respect to cases involving administrative offences assigned to their jurisdiction by the legislation of the Russian Federation, and, within the limits of their competence, consider such cases and execute decisions in relation thereto;

Conduct initial inquiries with respect to cases assigned to their jurisdiction by the legislation of the Russian Federation;

Take steps to prevent offences the combating of which falls within the competence of the agencies and troops of the Federal Border Service of the Russian Federation;

Participate in the activities of the border representatives of the Russian Federation and, when necessary, conduct border searches and operations.

Within territory adjacent to the border, the agencies and troops of the Federal Border Service of the Russian Federation shall have the right to:

(1) Erect necessary technical installations, construct lines of communication, and deploy and use equipment and weapons on the land granted to them in accordance with the legislation of the Russian Federation for indefinite (continuous) use, subject to the established norms;

(2) Be present in any sectors of an area and move about them when performing official duties; demand that the owners or users of plots of land in the border zone set aside places for the movement of border details and equipment and maintain in appropriate condition passageways through barriers and other obstacles; escort Russian and foreign vessels and other means of transport and place border details on them; check necessary documents of persons and means of transport and inspect (search) means of transport and freight carried thereon in order to prevent and suppress violations of the State border regime, the border regime and the regime at passage points across the State border;

(3) Have border details arrest individuals whom there are grounds to suspect of violating the State border regime, the border regime and the regime at passage points across the State border, subject such individuals to searches of their person and convey them to the positions of subdivisions or units of the agencies and troops of the Federal Border Service of the Russian Federation or to other places in order to ascertain the circumstances of the

(craft) and vehicles for travelling on ice, exclude citizens from individual sectors of an area, oblige them to remain there or to leave such sectors for the purpose of protecting human life and health during the conduct of border searches and operations and other investigative activities, as well as activities in respect of criminal cases and cases involving administrative offences;

(11) In the event of a threat to the interests of the Russian Federation on the State border, temporarily restrict the performance of various work, with the exception of work for defence purposes and work connected with natural disasters or highly dangerous contagious diseases, subject to notification of the local self-government bodies and the enterprises, institutions and organizations concerned;

(12) Enter at any time of the day or night and search residences or other premises belonging to citizens and land or premises belonging to enterprises, institutions and organizations, with the exception of those having diplomatic immunity, when pursuing individuals whom there are adequate grounds to suspect of violating the State border regime. If a residence is entered without the consent of the persons living therein, the public prosecutor

border;

(18) Use weapons, military equipment, special equipment, physical force and service dogs, in accordance with the procedure and in the instances stipulated in this Act;

(19)

Receive navigational, meteorological, hydrographic and other information;
Receive flight and navigation support.

Other rights may be granted to the agencies and troops of the Federal Border Service of the Russian Federation solely by federal law.

The agencies and troops of the Federal Border Service of the Russian Federation shall not be permitted to use the rights granted to them for the performance of tasks not entrusted to them by federal law.

Article 31
Powers of the Anti-Aircraft Defence Forces

The Anti-Aircraft Defence Forces shall protect the State border in airspace. They shall:

Monitor compliance with the rules for crossing the State border;

Intercept flights and take steps to force down in the territory of the Russian Federation aircraft that cross the State border illegally or violate the procedure for the use of Russian Federation airspace;

Provide assistance to aircraft that cross the State border illegally in cases of force majeure or as a result of unpremeditated acts by the crew by re-establishing their flight direction or leading them to landing fields in the territory of the Russian Federation or outside the airspace of the Russian Federation.

The Anti-Aircraft Defence Forces shall be entitled to:

(1) Use the equipment available to them to identify aircraft in the airspace of the Russian Federation and in the airspace beyond the territorial sea of the Russian Federation up to the borders of foreign States, in the event of a threatened or actual illegal crossing of the State border;

(2) When necessary, enlist the personnel and equipment of other elements of the Armed Forces of the Russian Federation and of State agencies, in accordance with the procedure established by the Government of the Russian Federation, in order to ascertain the situation in airspace and to take steps to prevent or halt the illegal crossing of the State border in airspace;

(3) Prohibit entirely or restrict flights by aircraft in individual areas of the airspace of the Russian

Monitor the crossing of the State border;

Undertake anti-submarine defence, including defence against underwater sabotage, in the interests of the security of the Russian Federation;

protection of the State border or undertaking activities that affect the interests of protecting the State border. The chief of the Federal Border Service of the Russian Federation and the commanders-in-chief of the Anti-Aircraft Defence Forces and the Navy shall, within the limits of their competence, give orders on issues relating to the observance of the regimes on the State border with which all agencies, enterprises, institutions, organizations, public associations, officials and citizens in the territory of the Russian Federation must comply;

Cooperate in the protection of the State border with the relevant agencies, troops and fleets of foreign States, in accordance with the procedure established by international treaties concluded by the Russian Federation, including those of an interdepartmental nature.

Article 35 Use of weapons and military equipment

The agencies and troops of the Federal Border Service of the Russian Federation, the Anti-Aircraft Defence Forces and the Naval forces shall, when protecting the State border within territory adjacent to the border, use weapons and military equipment in order to repel armed incursions into the territory of the Russian Federation and to prevent attempts to hijack and take abroad aircraft, seagoing vessels, river boats and other means of transport not containing passengers.

Weapons and military equipment may also be used against persons, aircraft, seagoing vessels, river boats and other means of transport that have crossed (are crossing) the State border in violation of the rules established by this Act, in response to the use of force by them or in instances where the violation cannot be stopped or the violators cannot be detained by other means; to protect citizens from attacks that threaten their lives and health and to free hostages; to repel attacks on military personnel or persons carrying out official duties or the societal obligation to protect the State border and members of their families, when their lives are in immediate danger; to repel attacks on subdivisions and installations of the agencies and troops of the Federal Border Service of the Russian Federation, the Armed Forces of the Russian Federation and other forces and military units of the Russian Federation participating in the protection of the State border, in order to provide assistance to vessels (launches), aircraft and helicopters in repelling armed attacks on them.

The use of weapons and military equipment must be preceded by a clearly expressed warning of the intention to use them and by warning

Section IX

Legal and social protection of military personnel and other citizens participating in the protection of the State border

Article 39

Legal protection of military personnel participating in the protection of the State border and members of their families

Military personnel participating directly in the protection of the State border shall be accorded the status of military personnel performing special duties established under the Act of the Russian Federation on the status of military personnel. They shall constitute representatives of federal executive power and shall be under the protection of the State. Citizens and officials must comply with their lawful requests. No one, other than persons specially empowered thereto by federal law, shall have the right to interfere in their activities.

Obstructing the performance by military personnel of their duties with respect to the protection of the State border, making an attempt on the lives or health of military personnel or members of their families, and infringing

Section X

Liability for offences on the State border

Article 43

Liability for offences on the State border

Persons guilty of violating the rules of the State border regime, the border regime and the regime at passage points across the State border shall bear criminal liability, as provided by federal laws, or administrative liability, as provided by federal laws or the laws of the constituent entities of the Russian Federation.

Section XI

Provision of resources for the protection of the State border

Article 44

Provision of financial resources for the protection of the State border

Financial resources for the protection of the State border shall be provided fse 1 1 rg0c 0.13Bate border

technical and other reserves of the Russian Federation.

The norms and procedures for the provision of logistic support shall be established by the Government of the Russian Federation.

B. Yeltsin
President of the Russian Federation
Moscow, House of the Soviets
of the Russian Federation
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Endnotes

1 (Note - Note)

Translated from Russian