

RRT RESEARCH RESPONSE

Research Request Number: RUS35467
Country: Russian Federation
RRT File No: 0902233
Date of Request: 15 September 2009
Date of Reply: 8 October 2009

Question

1. How can a foreign citizen obtain right of residency in the Russian Federation?

RESPONSE

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On 15th September 2009 a request was sent to DFAT regarding the above question (RRT Research & Information 2009, *Country Information Request – RUS35467(Russian Federation)*, 15 September – Attachment 1) to which a reply was received on 8th October 2009 (Department of Foreign Affairs and Trade 2009, *DFAT Report 1056 RRT Information Request: RUS35467*, 8 October – Attachment 2).

DFAT provides the following responses to the questions contained in MRT/RRT Information Request: **RUS35467**.

Questions

Post provides the following information in response to the question contained in reftel.

1. How can a foreign citizen obtain right of residency in the Russian Federation?

By way of background, post provides the following information:

A Foreign Citizen can apply for a temporary residence permit (TRP), to live in the Russian Federation for up to three years. A permanent residency permit can be applied for after obtaining the TRP and residing on its basis no less than for a year. TRPs can be obtained on a quota and non-quota category.

Quota categories and limits are issued annually by the Federal Government and relate to the region of residence and types of employment. The quota for 2009 is 200 345 persons (which includes 1500 for Moscow and 2500 for St Petersburg, and the remainder for other federal subjects). Quotas for professions/trades have not been published for 2009, but were in 2008. The procedure for issuing a TRP under a quota category, including the documents required for the application, is determined by the Government Decree dated 1 November 2002 <http://www.fms.gov.ru/upload/iblock/83b/1.pdf>.

The Federal law on *Legal Status of Foreign Citizens in Russia* (25 July 2002) determines conditions for temporary residence of foreign citizens in Russia (art.6) <http://www.rg.ru/2002/07/31/inostr-dok.html>. According to this law, the government must respond to applications for a TRP within six months. TRPs are issued following consultation with security agencies, health authorities, migration agencies and other bodies which must provide information about the lack of circumstances which would prevent the foreign citizens from issue of permit for temporary residence.

Below are the grounds on which an application may be dismissed:

Grounds For Dismissal Of Application And Extinguishing Of The Earlier issued Permit For Temporary Residence:
Actions aimed at violent change in the constitutional fundamentals of the power in the Russian federation, other actions which menace security of the Russian Federation or the citizens of the Russian federation.
Funding, planning terrorist (extremist) or direct involvement into committing such action as well as other actions which support terrorist (extremist) activities.
In course of five years prior to submission of application for issue of permit for temporary residence, there was an administrative exclusion out of the Russian Federation or deportation.
Presentation of foul or forged documents or presented false facts about himself/herself.
Convicted by effective decision of the court for committing serious or especially serious crime or offence, repetition of which is acknowledged to be dangerous.
Has an outstanding convictions or rehabilitation from serious and especially serious crime on the Territory of the Russian Federation or abroad which are acknowledged by the Federal Law of the Russian Federation to be such crimes.
Repeatedly (two and more times) during one year was liable to administrative proceedings for violation of the applicable law of the Russian Federation in provision of the requirements of stay (residence) of foreign citizens in the Russian Federation.
Cannot provide any evidence of ability to sustain himself/herself and his/her family in the Russian Federation within the limits of minimum sustenance without requesting for Government aid, except from those cases when a foreign citizen is acknowledged to be disabled.
After three years passed from exit from the Russian Federation does not have a living area in accordance to the applicable law of the Russian Federation.
Exit from the Russian Federation to any foreign state for permanent residence.
Is out of the territory of the Russian federation for more than six months.
Married a citizen of the Russian Federation which was a basis for permit for temporary residence, but marriage is acknowledged by court to be ineffective.
Suffers from drug abuse or does not have certificate of lack of disease provoked by HIV or suffers from one of the infectious diseases which present danger for people around. List of such diseases and procedure of confirmation of their presence or their lack is approved by the Government of the Russian Federation.

A TRP from the non-quota category can be issued to persons in the following situations:

1. To a person that was born in USSR and was a citizen of USSR or to the person that was born in the Russian Federation.
2. To a person declared disabled, who has a son or a daughter – citizens of Russia.
3. To a person who has at least one disabled parent – citizen of Russia.
4. To a person married to a citizen of Russia, who resides in Russia.
5. To a person investing in Russia.

List of Attachments

1. RRT Research & Information 2009, *Country Information Request – RUS35467 – Russian Federation*, 15 September.

2. Department of Foreign Affairs and Trade 2009, *DFAT Report 1056 RRT Information Request: RUS35467*, 8 October.