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Limitations on the Period of Stay for Foreign Citizens in the Russian Federation

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The period of stay for foreign citizens in Russia is, as a general rule, limited.

Citizens of countries from within the CIS and who are visiting Russia via a visa-free regime are permitted to remain in Russia for personal reasons for a period of up to 90 days, but are required to exit the country before the expiration of this 90-day period. The number of times they are permitted entry into Russia over the course of a year is not limited.

If a citizen from one of the countries comprising the CIS is in Russia seeking employment, he or she is permitted to remain in Russia without exiting for the period up to three years or the period of validity of his/her work permit. Prior to the expiration of this three-year period the foreign citizen is required to exit the country and upon departure can at that point obtain a new work permit.

In case of foreigner from the CIS is dismissed from his or her position, he has the right to use his existing work permit to secure a new employment agreement with a different employer. The period for which he is permitted to seek a new employer is 15 working days. If he is not able to conclude a new employment agreement with a different employer within this given 15 day period, he can extend his stay on the territory of the Russian Federation, not as a foreign employee but simply as a private citizen. In turn, and was mentioned earlier, citizens from the CIS in Russia for personal reasons can remain in the country for a period not exceeding 90 days. Thus, if the day on which a foreigner is dismissed from his position exceeds the 90-day period from the date of entry into the country, then he must exit from Russia by the 15th working day from the date of dismissal.

Foreign citizens arriving in Russia via a visa regime are limited in the period of validity of the given visa. It should be remembered that in the presence of a multi-entry business visa, which is valid for a period from six to 12 months, a foreign citizen can remain on the territory of the

Russian Federation in total only 90 days out of 180 days. On the 90th day within the 180 day period, the foreign citizen is required to exit the country.

If a foreigner fails to meet this obligation to depart from Russia prior to the expiration of the aforementioned 90-day period or before the visa's expiration, then it is incumbent on the foreigner to make an application to the regional department of the Federal Migration Service for the obtaining an exit (transit) visa. This type of visa is issued for a period of 10 days. In order to obtain the exit visa, a foreigner must provide the state authority with written confirmation of the reasons for remaining in Russia beyond the allowable period are legitimate. For example, the fact of a foreign citizen's illness should be confirmed with medical treatment from health facility verified with a chief medical officer's signature. Without legitimate grounds for a foreigner to extend his or her stay in Russia, an exit visa also can be issued, but the foreigner may be subject to fines for violating migration law of the Russian Federation.

In additions to limitations on the period of stay on the territory of the Russian Federation, legislation also restricts travel to certain areas of Russia. Federal Law No. 115-FZ, dated July 25, 2002, "On the Legal Status of Foreign Citizens in the Russian Federation" states that a foreign citizen has the right to free movement for personal and business reasons while on the territory of the Russian Federation except for travel to various territories within the country.

Trips for personal reasons to other areas can include those that are related to study tours and that are done in their spare time away from their employment obligations, for example on holidays or vacations. With regards to business, this may include attending conferences, forums or seminars, conducting negotiations, as well as providing services to a client. However, when a foreigner has an employment agreement and is residing in Russia either temporarily or has temporary residency status, a foreign citizen does not have the legal right to engage in labor activity outside the territorial areas for which a work permit and temporary residency was issued.

Notwithstanding, this given prohibition does come with one exception. Foreign employees who are temporary residents in Russia can be sent on business travel assignments to other regions in the country with the appropriate travel documents for a total of 10 calendar days within the period of validity of their work permit. If we are speaking about a foreign employee who is temporarily residing in Russia, then the period of a business trip can total not more than 40 days in aggregate per year. Highly qualified specialists can be on business trips continuously for a period not exceeding 30 calendar days per year. With this, the total number of business trips to which a highly qualified specialist can take within a year as well as within the period of validity of his or her work permit is unlimited.

If, however, a foreign citizen's employment has by it's very nature a traveling element to it and it is a requirement by the terms of the employment agreement, the total period of work outside the areas of his or her work permit is not to exceed 60 calendar days for those temporarily residing in the Russian Federation and 90 calendar days for those with temporary residency status. Highly qualified specialists whose work has a traveling requirement can travel and work in other regions without restrictions in term.

These exceptions were approved by order of the Health and Social Development Ministry from July 28, 2010, No. 564n. With this given order, a list was established identifying the professions and work by which a foreign citizen can for the purposes that are directly related to business travel to other regions of the Russian Federation.

For foreign citizens traveling within Russia, it should be noted that access granted to foreigners to certain organizations, facilities and territories is limited. The list of such places where access is restricted has been established by Federal Law No. 754, dated October 11, 2002. They include military towns, restricted zones, territories on which there is an emergency or a state of declared martial law, for example zones where there is on ongoing ecological disaster. In order for a foreigner to travel to these areas, special permission needs to be granted.

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