



GES Legislative News

Disclosure of foreign citizenship (residency)

We would like to draw your attention to some recent information regarding the application of the Federal Law [1] obliging Russian citizens to notify the local Federal Migration Service authorities (“the FMS authorities”) if they hold citizenship of another state or a residence permit/any other document that authorizes them to reside abroad permanently (for more detail, see ProsperoScope [19 June 2014](#) and [7 August 2014](#) editions). This Law has raised a lot of questions, particularly a request to clarify who is obliged to provide notifications.

Unfortunately, the Law does not clarify which documents, apart from a foreign passport and residence permit, oblige an individual to notify the FMS authorities. Thus, on the basis of information procured from various sources, we conclude that, with regard to Russian citizens in possession of residence permits in Schengen member-states, potentially any document beside the standard Schengen visa (with a residence limit of 90 days) authorizing a Russian citizen to reside abroad for an extended period (e.g. student residence permit, work permit) may require the holder to notify the FMS authorities.

Obtaining of the written explanations from the migration authority of the country of residence on whether a work/student visa or other document possessed by the Russian citizen entitles him/her to permanently reside in this country, in our opinion, will help to decrease the risk of bringing to responsibility. If the fact of the entitlement to permanently reside in a foreign country is confirmed by the competent authorities of that country, the Russian citizen will be obliged to notify the FMS authorities of the relevant document. Thus, until the FMS authorities release official clarifications on this issue, it is recommended that each individual case be considered separately with

involvement, where possible, of the competent authorities of the foreign country. We would be glad to provide you with our assistance in this respect, should it be required.

At the same time, in view of administrative and criminal liability stipulated for failure to comply with the notification procedure, the safest approach would be to notify the FMS authorities about any document authorizing the Russian citizen to permanently reside in a foreign state.

[1] Federal Law No. 142-FZ of 4 June 2014 "On amending Articles 6 and 30 of the Federal Law 'On Russian citizenship'" ("the Law")

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