

EMIGRATION LAWS AND POLICIES  
OF THE RUSSIAN FEDERATION

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MESSAGE

FROM

**THE PRESIDENT OF THE UNITED STATES**

TRANSMITTING

AN UPDATED REPORT CONCERNING THE EMIGRATION LAWS AND  
POLICIES OF THE RUSSIAN FEDERATION, PURSUANT TO 19  
U.S.C. 2432(b)



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U.S. GOVERNMENT PRINTING OFFICE

*To the Congress of the United States:*

On September 21, 1994, I determined and reported on the Congress that the Russian Federation is in full compliance with the freedom of emigration criteria of sections 402 and 409 of the Trade Act of 1974. This action allowed for the continuation of most-favored-nation (MFN) status for Russia and certain other activities without the requirement of an annual waiver.

As required by law, I am submitting an updated report to the Congress concerning the emigration laws and policies of the Russian Federation. You will find that the report indicates continued Russian compliance with U.S. and international standards in the area of emigration.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *December 29, 1995.*



REPORT ON PROGRESS CONCERNING EMIGRATION LAWS AND  
POLICIES OF THE RUSSIAN FEDERATION

This report is submitted pursuant to sections 402 and 409 of the Trade Act of 1974, as amended ("the Act"), following Presidential Determination Number 94-51 of September 21, 1994, and the accompanying report to Congress, that the Russian Federation is not in violation of paragraphs (1), (2) or (3) of sections 402(a) and 409(a) of the Act.

All current information indicates that the emigration laws and practices of the Russian Federation continue to satisfy the criteria set forth in sections 402(a) and 409(a) of the Act in respect of all matters covered in those subsections.

The Russian Constitution adopted by referendum on December 12, 1993 guarantees all Russian citizens the right to emigrate. A new procedure in line with international standards governing citizens' travel abroad came into force in Russia on January 1, 1993. The Russian Duma, the lower house of the Russian Parliament, recently heard the first reading of new legislation governing exit and entry procedures. The time for processing passport applications is three months on average. Cases involving applicants who had or have access to secret information usually take at least four months to process. Russia does not impose more than nominal taxes or fees on emigration.

Consistent with international legal standards, the government of Russia established a body in June 1993 chaired by a Deputy Foreign Minister to hear appeals of cases in which permission to emigrate is refused on the basis of access to state secrets. The Commission has met over 30 times and has heard over 500 cases since its inception. According to an advocacy group, from June 1995 (when the last report was submitted to Congress) to November 1995, the Interagency Commission met seven times and reviewed 195 cases—181 of these cases were decided in favor of the applicant, one applicant will be granted permission to travel in January 1996, seven applicants were refused permission to travel until the expiration of the five-year period of prohibition against travel abroad due to an individual's previous access to sensitive secrets, and decisions on six cases were postponed pending the receipt of additional information. Because there is currently a backlog of 200 to 250 cases before the Commission, it can take more than six months to have a case heard.

The United States has consistently urged the Russian government to resolve so-called "poor relative" cases in which permission to emigrate is refused on the basis of unresolved financial obligations to immediate relatives. A draft law on poor relatives recently had its first reading in the Russian Duma. We have received encouraging reports that some Russian courts are now hearing these "poor relative" cases, and in two instances courts in St. Petersburg

decided in favor of the applicants seeking to emigrate. We will continue to follow closely the progress of the Russian courts on this issue to determine if they provide an effective mechanism for resolving these cases.

As a result of such progress, tens of thousands of Russian citizens emigrate annually. In 1994, 25,198 Russian citizens emigrated to Israel. The number of cases on the listings of refuseniks maintained by American Jewish organizations has decreased from over 1,000 in the late 1980's to a much smaller number today. Russian and American human rights groups, leaders of Jewish communities in Russia, and officials of third governments have told us repeatedly in the past year and a half that freedom of emigration is a reality in Russia.

Moreover, the Russian government has made firm public statements against anti-Semitism and intolerant behavior. During the May 9 events commemorating the 50th anniversary of the end of World War II in Europe, President Yeltsin highlighted the need to prevent the rise of fascism in Russia. In March, the President issued a decree "On Measures to Ensure Coordinated Activities of State Power Bodies in Fighting Fascism and Other Forms of Political Extremism in the Russian Federation." During the January 1994 Moscow Summit, President Yeltsin joined President Clinton in condemning anti-Semitism and all forms of ethnic and religious intolerance. This marked the first public denunciation of anti-Semitism by Moscow's top leader in Russian history.

Prime Minister Chernomyrdin has also expressed concern about anti-Semitism. In September 1994, he sent an unprecedented Rosh Hashanah greeting to Russian Jews. Within hours of his arrival in the United States in June 1994, Prime Minister Chernomyrdin met with American Jewish leaders at his official residence to hear their concerns about human rights and the treatment of Russian Jews. He later visited the Holocaust Museum, an event which was widely reported in the Russian media.

We recognize that actions and statements by Russian leaders cannot by themselves eradicate the roots of intolerance. But they constitute a crucial step forward toward that goal. We commend Russian government authorities at all levels for efforts they have made to discourage such behavior and will continue to work with Russian officials to ensure such efforts continue and are strengthened.

In addition to having made great progress in its emigration practices, the Russian Federation has productive relations with the United States and has taken steps necessary for transition to a democratic, free market society.