

# **FEDERAL CONSTITUTIONAL LAW**

**NO. 3-FKZ OF 30 MAY 2001**

## **ON THE STATE OF EMERGENCY**

[translated as of 6 August 2020]

Adopted by the State Duma on 26 April 2001

Approved by the Federation Council on 16 May 2001

### **Chapter I. General Provisions**

#### **Article 1. State of Emergency**

1. The State of Emergency means a special legal regime of operation of the bodies of state authority, bodies of local self-administration, organizations regardless of their organizational form, legal status and forms of ownership, of their officials and societal associations, introduced in accordance with the Constitution of the Russian Federation and this Federal Constitutional Law throughout the territory of the Russian Federation or within its individual localities which allows for individual restrictions of the rights and freedoms of citizens of the Russian Federation, foreign citizens, persons without citizenship, the rights of organizations and societal associations and also the placing on them of additional obligations.

2. The introduction of the State of Emergency is a temporary measure applied exclusively to ensure the security of citizens and the protection of the constitutional system of the Russian Federation.

#### **Article 2. Objectives of Introduction of the State of Emergency**

The introduction of the State of Emergency has the objectives of eliminating the circumstances which served as the grounds for its introduction, safeguarding the rights and freedoms of people and citizens, and protecting the constitutional system of the Russian Federation.

### **Chapter II. Circumstances and Procedure for Introduction of the State of Emergency**

#### **Article 3. Circumstances of Introduction of the State of Emergency**

The State of Emergency is introduced only in the presence of circumstances which pose a direct threat to the life and security of citizens or the constitutional system of the Russian Federation, the elimination of which is not possible without the application of emergency measures. Such circumstances shall include:

a) attempts to alter by force the constitutional system of the Russian Federation, to seize or take over power, an armed uprising, mass riots, acts of terrorism, blockade or taking over of

especially important installations or individual areas, training and operation of illegal armed formations, ethnical, interconfessional and regional conflicts accompanied by acts of violence which create a direct threat to the life and security of citizens, the normal functioning of the state authorities and bodies of local self-administration;

b) nature or technology-induced states of emergency, emergency ecological situations, including epidemics and epizootics occurring as a result of accidents, hazardous natural phenomena, calamities, natural and other disasters which entailed (which may entail) human casualties, the infliction of damage to the health of people and the environment, considerable material losses and disturbance to vital activities of the population which require the carrying out of major emergency, rescue and other urgent operations.

#### **Article 4. Introduction of the State of Emergency**

1. The State of Emergency throughout the territory of the Russian Federation or within its individual localities shall be introduced by a decree of the President of the Russian Federation by giving an immediate notification thereon to the Federation Council of the Federal Assembly of the Russian Federation and the State Duma of the Federal Assembly of the Russian Federation.

2. The decree of the President of the Russian Federation on the introduction of the State of Emergency shall be immediately submitted for approval to the Federation Council of the Federal Assembly of the Russian Federation.

#### **Article 5. The Content of the Decree of the President of the Russian Federation on the Introduction of the State of Emergency**

The decree of the President of the Russian Federation on the introduction of the State of Emergency shall specify:

a) the circumstances which served as the grounds for the introduction of the state of emergency;

b) arguments to justify the introduction of the state of emergency;

c) borders of the territory in which the state of emergency is imposed;

d) forces and means to ensure a regime of the state of emergency;

e) a list of emergency measures and limits of their operation, an exhaustive list of temporary restrictions of the rights and freedoms of citizens of the Russian Federation, foreign citizens and persons without citizenship, the rights of organizations and societal associations;

f) state bodies (officials) responsible for the implementation of measures to be applied in the conditions of the state of emergency;

g) effective date of the decree and also the effective period of the state of emergency.

#### **Article 6. Publication of the Decree of the President of the Russian Federation On the Introduction of a State of Emergency**

The Decree of the President of the Russian Federation On the Introduction of a State of Emergency shall be immediately released through radio and television channels and shall also be immediately published in the press.

## **Article 7. Approval by the Federation Council of the Federal Assembly of the Russian Federation of the Decree of the President of the Russian Federation On the Introduction of a State of Emergency**

1. Upon publication of a Decree of the President of the Russian Federation on the introduction of a state of emergency, members of the Federation Council of the Federal Assembly of the Russian Federation are obligated to arrive at the place of meeting of the Federation Council of the Federal Assembly of the Russian Federation within the shortest possible time without a special summons.
2. The approval of a decree of the President of the Russian Federation on the introduction of a state of emergency shall be considered by the Federation Council of the Federal Assembly of the Russian Federation as a priority issue.
3. The Federation Council of the Federal Assembly of the Russian Federation shall within a time not exceeding 72 hours as of the publication of a decree of the President of the Russian Federation on the introduction of a state of emergency consider the issue of approval of that decree and take a corresponding decision.
4. A Decree of the President of the Russian Federation on the introduction of state of emergency that is not approved by the Federation Council of the Federal Assembly of the Russian Federation shall become invalid upon the expiration of 72 hours as of the time of its release, of which the population of the Russian Federation or of its respective individual localities shall be informed in the same manner as it was employed for the introduction of the state of emergency.

*For the Procedure of Approval of Decrees of the President of the Russian Federation on the Introduction of the Marshal Law and the State of Emergency see the Regulations of the Federation Council of the Federal Assembly of the Russian Federation approved by Decision of the Federation Council of the Federal Assembly of the Russian Federation No. 42-SF of 6 February, 1996*

## **Article 8. Peculiarities of Operation of the Federal Assembly of the Russian Federation During the Effective Period of a State of Emergency Throughout the Territory of the Russian Federation**

Upon the introduction of a state of emergency throughout the territory of the Russian Federation, the Federation Council of the Federal Assembly of the Russian Federation and the State Duma of the Federal Assembly of the Russian Federation shall continue their work throughout the effective period of the State of Emergency.

## **Article 9. Effective Period of the State of Emergency**

1. The effective period of the state of emergency introduced throughout the territory of the Russian Federation may not exceed 30 days while that introduced within its individual localities - 60 days.
2. Upon the expiration of the period specified in Part One of this article, the state of emergency shall be regarded as terminated. In the event if within that period the objectives of the introduction of the state of emergency are not achieved, its effective period may be extended by a decree of the President of the Russian Federation subject to compliance with the requirements established by this Federal Constitutional Law with respect to the introduction of the state of emergency.

## **Article 10. Revocation by the President of the Russian Federation of a State of Emergency**

Upon removal of the circumstances that served as the grounds for the introduction of the state of emergency ahead of the date fixed under Article 9 of this Federal Constitutional Law, the President of the Russian Federation shall revoke the state of emergency either wholly or in part; of which the population of the Russian Federation or of its respective individual localities shall be informed in the same way as of the introduction of the state of emergency.

## **Chapter III. Measures and Temporary Restrictions Applied in the Conditions of a State of Emergency**

### **Article 11. Measures and Temporary Restrictions Imposed Upon the Introduction of a State of Emergency**

The Decree of the President of the Russian Federation on the introduction of a state of emergency may for an effective period of the state of emergency provide for the imposition of the following measures and temporary restrictions, viz.:

- a) total or partial suspension in the territory in which the state of emergency is introduced, of the powers of executive authorities of the subject (subjects) of the Russian Federation and also of local self-administration bodies;
- b) imposition of restraints on the freedom of travel throughout the territory in which the state of emergency is introduced and also the introduction of a special regime of entry into and exit from that territory, including the establishment of restrictions on the entry into and stay within that territory of foreign citizens and persons without citizenship;
- c) strengthening of law and order, enhancement of security of installations subject to state protection and also of facilities providing for the vital activities of the population and the operation of transport;
- d) imposition of restraints on individual types of financial and economic activities, including the transfer of goods, services and financial means;
- e) establishment of a special procedure for sale, acquisition and distribution of food products and objects of everyday necessity;
- f) ban on or restriction of meetings, rallies, demonstrations, marches, picketing and other mass events;
- g) ban on strikes or other methods of suspension or termination of activities of organizations;
- h) restriction of traffic and performance of inspection of transport vehicles;
- j) suspension of operation of hazardous production facilities and the activities of organizations using explosives, radioactive, chemically and biologically hazardous agents;
- i) evacuation of material and cultural values to safer areas in case there exists a real danger of them being destroyed, misappropriated or damaged in connection with emergency circumstances.

**Article 12. Measures and Temporary Restrictions Imposed in the Conditions of a State of Emergency Introduced In the Presence of Circumstances Specified under Item "a" of Article 3 of this Federal Constitutional Law**

In the event of introduction of a state of emergency in the presence of circumstances specified under Item "a" of Article 3 of this Federal Constitutional Law, the Decree of the President of the Russian Federation on the introduction of a state of emergency may provide, over and above the measures and temporary restrictions specified in Article 11 hereof, with respect to the territory in which the state of emergency is introduced, also for the following measures and temporary restrictions, viz.:

- a) introduction of a curfew, that is a prohibition on being at a specified time of the day outdoors and in other public places without specially issued passes and identification papers;
- b) restriction of freedom of the press and other media of mass information by introduction of prior censorship, indicating conditions and procedure for carrying out of same and also temporary confiscation or arrest of printed matter, radio-transmitting, sound-amplifying technical facilities, duplicating machines, establishment of a special procedure for the accreditation of journalists;
- c) suspension of the activities of political parties and other societal associations that may hamper the elimination of circumstances which served as grounds for the introduction of the state of emergency;
- d) checks of identification papers of citizens, personal inspection, inspection of their things, dwellings and cars;
- e) restriction or ban on the sale of weapons, ammunition, explosives, special devices, poisonous substances, establishment of a special regime for the sale of medicines and drug-containing preparations, psychotropic agents, potent agents, ethyl alcohol, alcoholic drinks, alcohol-containing products. In exceptional cases it is allowed to carry out temporary confiscation from citizens of weapons, ammunition, poisonous substances and from organizations, regardless of their organizational form, legal status and forms of ownership, temporary confiscation along with weapons, ammunition and poisonous substances also of combat and military training hardware, explosive and radioactive substances;
- f) deportation in the prescribed manner of persons violating the regime of the state of emergency who are not residents of the territory in which the state of emergency is introduced, beyond its boundaries, either at their own expense or if they have insufficient money - by using the funds of the federal budget to be subsequently compensated for through a court procedure;
- g) extension of a term in custody of persons detained in compliance with the criminal procedural legislation of the Russian Federation on suspicion of having committed acts of terrorism or other especially grave crimes, for the duration of the effective period of the state of emergency, however for not more than three months.

**Article 13. Measures and Temporary Restrictions Imposed in the Conditions of a State of Emergency Introduced in the Presence of Circumstances Specified in Item "b" of Article 3 of This Federal Constitutional Law**

In the event of the introduction of a state of emergency in the presence of circumstances specified in Item "b" of Article 3 of this Federal Constitutional Law, a Decree of the President of

the Russian Federation on the introduction of a state of emergency may provide, over and above the measures and temporary restrictions specified in Article 11 hereof, with respect to the territory where the state of emergency is introduced, also for the following measures and temporary restrictions, viz.:

- a) temporary resettlement of residents to safer areas by providing those residents in an obligatory manner with stationary or makeshift living accommodation;
- b) imposition of a quarantine, implementation of sanitation, anti-epidemic, veterinary and other activities;
- c) utilization of the governmental material reserves, mobilization of the resources of organizations regardless of their organizational form, legal status and forms of ownership, alteration of their work regime, reorientation of the said organizations towards the manufacture of products essential in the conditions of the state of emergency and also other changes in the production and commercial activity as may be necessary in the conditions of the state of emergency;
- d) suspension from work during the effective period of the state of emergency of directors of governmental organizations in connection with the improper performance by those directors of their obligations and appointment of other persons to act temporarily for those directors;
- e) suspension from work during the effective period of the state of emergency of directors of non-governmental organizations in connection with the failure to perform or improper performance by them of measures envisaged under Item "h" of Article 11 hereof and Item "c" of this Article and appointment of other persons to act temporarily for those directors;
- f) in exceptional cases associated with the necessity to carry out and provide for emergency, rescue and other urgent operations, the mobilization of the able-bodied population and utilization of transport vehicles of citizens to execute said operations subject to obligatory compliance with labour safety requirements.

#### **Article 14. Restriction of the Right of Citizens of the Russian Federation to Participate in Elections and Referendums in the Conditions of a State of Emergency**

In the territory where the state of emergency is introduced, elections and referendums shall not be held throughout the effective period of the state of emergency. In the event of expiration during the effective period of the state of emergency of a term in office of relevant elected bodies of state authority, local self-administration bodies and officials, the term in office of those bodies and persons shall be extended until the expiration of the effective period of the state of emergency, unless their powers are to be suspended in the manner prescribed under this Federal Constitutional Law.

#### **Article 15. Suspension of Legal Acts of State Authorities of the Subjects of the Russian Federation and Acts of Local Self-Administration Bodies**

The President of the Russian Federation shall have the right to suspend any legal acts of state authorities of the subjects of the Russian Federation, legal acts of local self-administration bodies that are valid in the territory where the state of emergency is introduced, in the event those acts contradict the decree of the President of the Russian Federation on the introduction of a state of emergency within the given territory.

## **Chapter IV. Forces and Means Ensuring the Regime of the State of Emergency**

*Federal Constitutional Law No. 6-FKZ of 3 July 2016 amended Article 16 of this Federal Constitutional Law*

### **Article 16. Forces and Means to Ensure the Regime of the State of Emergency**

In order to ensure the regime of the state of emergency use shall be made of forces and means of internal security bodies, of the penitentiary system, federal security bodies, troops of the National Guard of the Russian Federation and also forces and means of agencies for civil defence, emergency situations and liquidation of consequences of natural calamities.

*Federal Constitutional Law No. 1-FKZ of 7 March 2005 and Federal Constitutional Law No. 6-FKZ of 3 July 2016 amended Article 17 of this Federal Constitutional Law*

### **Article 17. The Use of Additional Forces and Means to Ensure the Regime of the State of Emergency**

1. In exceptional cases, on the basis of a Decree of the President of the Russian Federation, over and above the forces and means specified in Article 16 of this Federal Constitutional Law in order to ensure the regime of the state of emergency use may be made of the Armed Forces of the Russian Federation, other troops, military formations and bodies. The border bodies carrying out the defence and safeguarding of the State Border of the Russian Federation, shall be used to ensure the regime of a state of emergency only for purposes of security of the state border of the Russian Federation.

2. The Armed Forces of the Russian Federation, other troops, military formations and bodies shall be used to fulfil the following tasks:

- a) maintenance of a special regime of entry in the territory where the state of emergency is introduced and exit therefrom;
- b) guarding of installations providing for the vital activity of the population, the functioning of transport and also of installations presenting an enhanced danger to the life and health of people and the environment;
- c) disengagement of opposing parties involved in conflicts accompanied by acts of violence with the use of arms, combat and special-purpose equipment;
- d) participation in curbing the activity of illegal armed formations;
- e) participation in the liquidation of emergency situations and salvation of human lives as part of the forces of the combined state system for prevention and liquidation of emergency situations.

3. The tasks stated in Items "a" - "d" of Part Two of this Article shall be implemented by the servicemen of the Armed Forces of the Russian Federation, other troops, military formations and bodies jointly with the officials of internal security bodies, of the penitentiary system, federal security bodies and the servicemen of the National Guard of the Russian Federation. Herewith, the servicemen of the Armed Forces of the Russian Federation, of other troops, military formations and bodies shall be subject to the provisions of the federal legislation on the troops of

the National Guard of the Russian Federation insofar as it concerns the conditions, procedure and limits of use of physical force, special means, arms, combat and special-purpose equipment, guarantees of personal security of servicemen and members of their families, guarantees of their legal and social protection.

### **Article 18. Commandant of the Territory Where the State of Emergency Is Introduced**

1. To exercise uniform command and control of forces and means ensuring the regime of the state of emergency, the President of the Russian Federation by his decree shall appoint a commandant of the territory where the state of emergency is introduced.
2. The commandant of the territory where the state of emergency is introduced shall:
  - a) give, within his respective powers, orders and directives related to ensuring a regime of the state of emergency, which are binding for execution in a respective territory upon all organizations regardless of organizational form, legal status and forms of ownership and officials of those organizations, citizens and also heads (commanders) of internal security bodies, agencies for affairs of civil defence, emergency situations and liquidation of consequences of natural calamities and military formations located (deployed) in the territory where the state of emergency is introduced whose services are additionally engaged to ensure a regime of the state of emergency;
  - b) fix hours and duration of a curfew;
  - c) determine a special regime of entry into the territory where the state of emergency is introduced and exit therefrom;
  - d) institute a special regime for the sale of arms, ammunition, medicines and preparations containing narcotic drugs, psychotropic substances, potent substances, ethyl alcohol, alcoholic drinks and alcohol-containing products;
  - e) determine the procedure for and designate places for storage of confiscated weapons, ammunition, substances and military hardware specified in Item "e" of Article 12 of this Federal Constitutional Law;
  - f) carry out the deportation in the established manner beyond the boundaries of the territory where the state of emergency is introduced of persons violating the regime of the state of emergency;
  - g) make proposals to the President of the Russian Federation on the necessity to apply in the territory where the state of emergency is introduced, measures and temporary restrictions envisaged by Articles 11-13 of this Federal Constitutional Law;
  - h) notify the population through the mass media of a respective territory of the procedure for imposition of individual measures applicable in the conditions of the state of emergency;
  - i) institute a special procedure for the accreditation of journalists in the territory where the state of emergency is introduced and the procedure for their work.
3. The commandant of the territory where the state of emergency is introduced shall have the right to take part in all the meetings of the state authorities and the meetings of the local self-administration bodies operating in the territory where the state of emergency is introduced and



put forward proposals on issues assigned by this Federal Constitutional Law and other statutory acts of the Russian Federation to his/her competence.

4. The commandant of the territory where the state of emergency is introduced shall exercise control over of the commandant's office of said territory. The activity of the commandant's office shall be subject to the regulations approved by the President of the Russian Federation.

5. The setting up of the commandant's office in the territory where the state of emergency is introduced shall not suspend the activity of the state authorities of the subjects of the Russian Federation and the local self-administration bodies operating within said territory.

#### **Article 19. Coordination of Forces and Means of Ensuring the Regime of the State of Emergency**

1. To coordinate the forces and means ensuring the regime of the state of emergency and incorporated as part of the commandant's office of the territory where the state of emergency is introduced, a combined operational staff comprising representatives of the bodies ensuring the regime of the state of emergency may be created by a decree of the President of the Russian Federation.

2. The combined operational staff shall be controlled by the commandant of the territory where the state of emergency is introduced.

#### **Article 20. Peculiarities of Operational Subordination of Troops and Military Formations In the Case of Introduction of a State of Emergency Throughout the Territory of the Russian Federation**

In the case of introduction of a state of emergency throughout the territory of the Russian Federation all the troops and military formations shall be placed under the operational subordination of a federal executive authority to be designated by the President of the Russian Federation.

*Federal Constitutional Law No. 6-FKZ of 3 July 2016 amended Article 21 of this Federal Constitutional Law*

#### **Article 21. Additional Guarantees and Compensations to Persons Involved in Ensuring the Regime of the State of Emergency**

1. The officials of internal security bodies, of the penitentiary system, federal security bodies, servicemen of the National Guard of the Russian Federation, agencies for affairs of civil defence, emergency situations and liquidation of consequences of natural calamities, the Armed Forces of the Russian Federation, other troops, military formations, bodies and also other persons involved in ensuring the regime of the state of emergency shall have the right to additional guarantees and compensations envisaged under the legislation of the Russian Federation.

2. The registration of persons specified in Part One of this Article shall be effected in the manner established by the Government of the Russian Federation.

### **Chapter V. Special Administration of the Territory Where a State of Emergency Is Introduced**

## **Article 22. Bodies of special administration of the territory where a state of emergency is introduced**

The territory where a state of emergency is introduced may, by a decree of the President of the Russian Federation, be subject to a special administration of that territory through the setting up of:

- a) a temporary special administrative body of the territory where the state of emergency is introduced;
- b) a federal body of administration of the territory where the state of emergency is introduced.

## **Article 23. Address of the President of the Russian Federation Upon the Introduction of Special Administration of the Territory Where the State of Emergency Is introduced**

If it is necessary to introduce a special administration of the territory where the state of emergency is introduced, the President of the Russian Federation shall address the population of the territory where the state of emergency is introduced and the officials of state authorities of the subject of the Russian Federation and local self administration bodies operating in that territory notifying them of a possibility of introduction of a special administration of the territory where the state of emergency is introduced by setting up a temporary special administrative body of the territory where the state of emergency is introduced or a federal administrative body of the territory where the state of emergency is introduced. The said address shall be brought to the notice of the population of the territory where the state of emergency is introduced through the mass media.

## **Article 24. Temporary Special Administrative Body of the Territory Where the State of Emergency Is Introduced**

1. The temporary special administrative body of the territory where the state of emergency is introduced shall operate on the basis of regulations to be approved by the President of the Russian Federation.
2. The temporary special administrative body of the territory where the state of emergency is introduced may receive wholly or in part the powers of the executive authorities of the subject of the Russian Federation and local self-administration bodies operating in the territory where the state of emergency is introduced.
3. The head of the temporary special body of administration of the territory where the state of emergency is introduced shall be appointed by the President of the Russian Federation. The commandant of the territory where the state of emergency is introduced shall be subordinate to the head of the temporary special administrative body of the territory where the state of emergency is introduced and shall ex officio act as his first deputy.

## **Article 25. Federal Administrative Body of the Territory Where the State of Emergency Is Introduced**

1. In the event, that in the territory where the state of emergency is introduced, the setting up of a temporary special administrative body of said territory fails to achieve the objectives pursued by the introduction of the state of emergency, a federal administrative body of the territory where the state of emergency is introduced may be created. In so doing, the temporary special

administrative body of the territory where the state of emergency is introduced shall cease to exercise its powers.

2. The head of the federal administrative body of the territory where the state of emergency is introduced shall be appointed by the President of the Russian Federation. The regulations on the federal administrative body of the territory where the state of emergency is introduced shall be approved by the President of the Russian Federation.

3. In the event of introduction of special administration of the territory where the state of emergency is introduced by setting up a federal administrative body of the territory where the state of emergency is introduced, the exercise of powers of state authorities of the subject of the Russian Federation and the local self-administration bodies operating in said territory shall be suspended while their functions shall be entrusted to the federal administrative body of the territory where the state of emergency is introduced.

4. The commandant's office of the territory where the state of emergency is introduced, in the case of institution of the given form of special administration of the said territory, shall be incorporated as part of the federal administrative body of the territory where the state of emergency is introduced. The commandant of the said territory shall ex officio act as the first deputy of the head of the federal administrative body of the territory where the state of emergency is introduced.

#### **Article 26. Legal Acts of the Special Administrative Bodies of the Territory Where the State of Emergency Is Introduced**

1. The administrative bodies of the territory where the state of emergency is introduced specified in Articles 24 and 25 hereof shall be entitled to publish within their respective powers orders and directives binding for execution in the respective territory regarding issues of ensuring the regime of the state of emergency.

2. Organizations, officials and citizens staying in the territory where the state of emergency is introduced shall be obligated to give every support to agencies for special administration of the territory where the state of emergency is introduced and fulfil all orders and directives concerning the maintenance of the regime of the state of emergency.

#### **Article 27. Financing Operations of Elimination of Causes and Consequences of Circumstances That Served as the Ground for the Introduction of a State of Emergency**

1. The scope of the mobilized state reserves, the amount of and procedure for the financing of and the material and technical support for operations of elimination of circumstances that served as the grounds for the introduction of the state of emergency, including the procedure for the financing of social payments and compensations to citizens who suffered damage as a result of the circumstances that served as the ground for the introduction of the state of emergency, measures of temporary resettlement of residents to safer areas, in connection with the application of other measures envisaged by Chapter III hereof and also a procedure for payment of compensation to organizations which sustained damage in connection with the application of measures envisaged by Chapter III hereof shall be such as determined by the Government of the Russian Federation. In the event of insufficiency of budgetary allocations set aside to finance the said costs, the Government of the Russian Federation shall submit to the State Duma of the Federal Assembly of the Russian Federation a draft federal law providing for additional financing.

2. The financing of costs specified in Part One of this Article, shall be effected by using the funds of the federal budget. To carry out the said financing, use shall be made of field institutions of the Bank of Russia to be set up in accordance with the legislation on the Bank of Russia.

3. The bodies for special administration of the territory where the state of emergency is introduced may, during the effective period of the state of emergency, be vested with functions to dispose in the established manner of budgetary allocations used to restore the installations of vital activities, social sphere and the housing stock located in said territory.

## **Chapter VI. Guarantees of the Rights of Citizens and Responsibility of Citizens and Officials in the Conditions of a State of Emergency**

### **Article 28. Limits of Application of Measures and Temporary Restrictions in the Conditions of a State of Emergency**

1. Measures applied in the conditions of a state of emergency entailing the alteration (limitation) of powers of federal executive authorities, legislative (representative) and executive bodies of authority of the subjects of the Russian Federation, local self-administration bodies, the rights of organizations and societal associations, the rights and freedoms of people and citizens established by the Constitution of the Russian Federation, federal laws and other statutory acts of the Russian Federation shall be carried out within such limits as may be required by the seriousness of a given situation.

2. Measures specified in Part One of this Article shall correspond to the international obligations of the Russian Federation ensuing from international agreements of the Russian Federation in the field of human rights and shall not entail any discrimination against individual persons or groups of the population exclusively on the basis of sex, race, nationality, language, origin, property and official position, place of residence, attitude towards religion, convictions, affiliation with societal associations and also by virtue of other circumstances.

### **Article 29. Guarantees of Property and Social Rights of Citizens and Organizations During the Effective Period of the State of Emergency**

1. Persons mobilized to carry out and provide emergency, rescue and other urgent operations in accordance with Item "f" of Article 13 hereof shall be guaranteed payment for their labour as is envisaged under the legislation on labour of the Russian Federation.

2. Persons who suffered as a result of the circumstances that served as the grounds for introduction of the state of emergency or in connection with the application of measures towards the elimination of such circumstances or the liquidation of their consequences shall be provided with dwelling premises, receive compensation for inflicted material damage, be assisted with employment and be provided with necessary assistance on the conditions and according to the procedure established by the Government of the Russian Federation.

3. Organizations whose property and resources were used in accordance with Item "c" of Article 13 hereof shall have the right to receive compensation for the inflicted damage in the manner and the amounts as prescribed by the Government of the Russian Federation.

### **Article 30. Procedure for and Conditions of Application of Physical Force and Special Means**

The procedure for and conditions of application of physical force, special means, weapons, combat and special-purpose equipment established by the federal laws and other statutory acts of the Russian Federation shall not be subject to alteration in the conditions of a state of emergency.

### **Article 31. Procedure for Detention of Citizens Who Violate Curfew Rules**

1. Citizens who violate the curfew rules laid down in accordance with Item "a" of Article 12 hereof shall be detained by the forces ensuring the regime of the state of emergency until the ending of the curfew, while citizens who do not have on them identification papers shall be detained pending the establishment of their identity, for not more, however, than three days by decision of the head of an internal security body or his deputy. By court decision said period may be extended for not more than ten days. Detained persons, things found on them and their cars may be subject to inspection.

2. The decision of the head of an internal security body or his deputy on detention may be appealed against before a superior official or in court.

3. In the event of introduction of a quarantine as a consequence of a threat of dissemination of infectious diseases dangerous to people, animals and plants in the territory where the state of emergency is introduced, citizens to be deported beyond its boundaries in accordance with Item "f" of Article 12 hereof, shall be detained on equal terms until the expiration of the pre-set term of observation over such citizens.

### **Article 32. Responsibility for Violation of the Requirements of the Regime of a State of Emergency**

Citizens, officials and organizations in consideration of violation by them of the requirements of the regime of a state of emergency established in keeping with this Federal Constitutional Law shall be responsible under the legislation of the Russian Federation.

### **Article 33. Legal Consequences of Termination of the Effective Period of a State of Emergency**

1. The decrees of the President of the Russian Federation and other statutory acts of the Russian Federation, statutory acts of the subjects of the Russian Federation adopted for the purposes of ensuring the regime of a state of emergency and associated with the temporary curtailment of rights and freedoms of citizens and also the rights of organizations shall become invalid simultaneously with the termination of the effective period of the state of emergency without any special notification thereof.

2. The termination of the effective period of the state of emergency shall entail the termination of administrative proceedings in cases on violation of the regime of the state of emergency and immediate liberation of persons subjected to administrative detention or arrest for the said grounds.

*Federal Constitutional Law No. 6-FKZ of 3 July 2016 amended Article 34 of this Federal Constitutional Law*

### **Article 34. Responsibility of Persons Involved in Ensuring the Regime of a State of Emergency**

The unjustified use of physical force, special means, weapons, combat and special-purpose equipment by officials of internal security bodies, of the penitentiary system, federal security bodies, by servicemen of the Armed Forces of the Russian Federation, of the National Guard of the Russian Federation, of other troops, military formations and bodies and also the abuse by officials of the forces ensuring the regime of a state of emergency of official powers, including the violation of guarantees of the rights and freedoms of people and citizens as established by this Federal Constitutional Law shall entail responsibility in accordance with the legislation of the Russian Federation.

*Federal Constitutional Law No. 5-FKZ of 12 March 2014 amended Article 35 of this Federal Constitutional Law*

### **Article 35. Administration of Justice in the Territory Where a State of Emergency Is introduced**

1. Justice in the territory where a state of emergency is introduced shall be administered only by court of law. Said territory shall fall under the jurisdiction of all the courts set up in accordance with Chapter 7 of the Constitution of the Russian Federation.
2. The institution of any forms or types of emergency courts and the application of any forms and types of summary or emergency judicial proceedings shall not be allowed.
3. In the event it is not possible to administer justice in the courts operating in the territory where the state of emergency is introduced, then by decision of the Supreme Court of the Russian Federation the territorial jurisdiction over cases considered in courts may be altered.

### **Article 36. Activity of the Prosecutor's Office in the Territory Where a State of Emergency Is introduced**

1. The activity of the prosecutor's office of the Russian Federation in the territory where the state of emergency is introduced shall be conducted in the manner established by federal law.
2. In case of introduction of the state of emergency in territories of several subjects of the Russian Federation the General Prosecutor of the Russian Federation shall have the right to set up an interregional prosecutor's office for the territory where the state of emergency is introduced.

## **Chapter VII. Final Provisions**

### **Article 37. Notification of and Giving Information to the Organization of the United Nations and the Council of Europe of the Introduction of a State of Emergency and Termination of Its Effective Period**

1. In the case of introduction of a state of emergency in compliance with this Federal Constitutional Law, the federal executive authority in charge of foreign affairs shall, in accordance with the international obligations of the Russian Federation ensuing from the International Pact on Civil and Political Rights and the Convention on the Protection of Human

Rights and Basic Freedoms, within a three day period notify the General Secretary of the Organization of the United Nations and inform the General Secretary of the Council of Europe of temporary restrictions of rights and freedoms of citizens constituting a deviation from the obligations under the said international agreements, of the scope of those deviations and the causes of such a decision.

2. The federal executive authority in charge of foreign affairs shall inform of the termination, in accordance with this Federal Constitutional Law, of the effective period of the state of emergency and the full resumption of the validity of provisions of the International Pact on Civil and Political Rights and the Convention on the Protection of Human Rights and Basic Freedoms, the General Secretary of the Organization of the United Nations and the General Secretary of the Council of Europe respectively.

### **Article 38. Notification of Neighbouring States of the Introduction of a State of Emergency**

In the event of the introduction of a state of emergency in individual localities of the Russian Federation the federal executive authority in charge of foreign affairs shall within twenty four hours as of the adoption by the Federation Council of the Federal Assembly of the Russian Federation of a decision to approve the decree of the President of the Russian Federation on the introduction of a state of emergency notify neighbouring states of the circumstances that served as the grounds for the introduction of the state of emergency.

### **Article 39. International Humanitarian Aid**

International humanitarian aid in the territory where the state of emergency is introduced shall be provided in accordance with international agreements of the Russian Federation in the manner established by the Government of the Russian Federation.

### **Article 40. Invalidation of Individual Legislative Acts In Connection with the Adoption of This Federal Constitutional Law**

In connection with the adoption of this Federal Constitutional Law the following are declared null and void:

- a) Law of RSFSR No. 1253-1 of 17 May 1991 on the State of Emergency (Gazette of the Congress of the People's Deputies of the RSFSR and of the Supreme Soviet of the RSFSR, 1991, No. 22, Art. 773);
- b) Decision of the Supreme Soviet of RSFSR No. 1254-1 of 17 May 1991 On the Procedure for Putting Into Effect of Law of RSFSR on the State of Emergency (Gazette of the Congress of the People's Deputies of the RSFSR and of the Supreme Soviet of the RSFSR, 1991, No. 22, Art. 774).

### **Article 41. Statutory Acts To Be Brought into Accord with This Federal Constitutional Law**

It is proposed that the President of the Russian Federation, and required that the Government of the Russian Federation, bring their statutory acts into line with this Federal Constitutional Law.

### **Article 42. Individual Legislative Acts of the Soviet Union to Be Declared Invalid and Inapplicable In the Territory of the Russian Federation**

In connection with the adoption of this Federal Constitutional Law the following are declared to be invalid and inapplicable in the territory of the Russian Federation:

a) Law of the USSR No. 1407-1 of 3 April 1990 On the Legal Regime of the State of Emergency (Gazette of the Congress of the People's Deputies of the RSFSR and of the Supreme Soviet of the RSFSR, 1990, No. 15, Art. 250);

b) Decision of the Supreme Soviet of the USSR No. 1408-1 of 3 April 1990 On the Putting Into Effect of the Law of the USSR On the Legal Regime of the State of Emergency (Gazette of the Congress of the People's Deputies of the RSFSR and of the Supreme Soviet of the RSFSR, 1990, No. 15, Art. 251).

**Article 43. Entry Into Effect of This Federal Constitutional Law**

This Federal Constitutional Law shall take effect as of the day of its official publication.

President of the Russian Federation

V.Putin

Moscow, the Kremlin