

Russia* – national procedures for extradition

States Parties are requested to fill in this table with the necessary information and return it to the Secretariat of the PC-OC. The information contained in this table should be updated on a yearly basis.

<p>The competent authority (name of the institution, address, telephone, fax and e-mail where available) responsible for extradition:</p>	<p>The Prosecutor General's Office of the Russian Federation Main Department for International Legal Co-operation, Extradition Department. 15A Bolshaya Dmitrovka Moscow, GSP-3, 125993, Russia Tel. 8-495-692-03-40 Fax. 8-495-692-29-79 e-mail: genproc@gov.ru</p>
<p>Language requirements:</p>	<p>Certified translation into Russian language of the documents concerning extradition is required when they are forwarded to Russia</p>
<p>Time limits:</p>	<p>In accordance with the European Convention on Extradition the provisional arrest of a person shall not exceed 40 days from the date of such arrest. For purposes of extradition of a person in connection with receiving of a request, this person may be subjected to arrest as provided in the Criminal-procedure Code of the Russian Federation for crime investigations. Generally arrest in the course of crime investigations shall not exceed 2 months. In case investigation can not be finished and there are no grounds for change or abolition of preventive measures arrest can be prolonged by judge to 6 months. Further prolongation to 12 months can be made in respect of persons charged with commission of grave¹ or especially grave² crimes, only in especially complex cases where grounds for the choice of this preventive measure. Arrest for a term more than 12 months (but not more than 18 months) can be prolonged only in exclusive cases, in respect of persons charged with commission of especially grave crimes³.</p>
<p>Documentation required:</p>	<p>Article 460 of the Criminal-procedure Code of the Russian Federation, which regulates forwarding of a request to extradite a person, duplicates the provision of Article 12 of the European Convention on Extradition and provides that the request to extradite shall contain name and address of the requesting body, full name of the person, date of birth of the person, nationality of the person, residency of the person, description of the person, photo of the person, statement of facts and legal interpretation of an act enclosing text of law and sanctions of an Article, information about place and time of imposition of sentence, which has entered into force, or of Resolution on Making Answerable as an Accused enclosing certified copies of relevant documents, as well as certified copy of judicial</p>

* Please indicate your State.

¹ Grave crimes are intentional acts for the commission of which the maximum punishment provided for by the Criminal Code of the Russian Federation does not exceed ten years of imprisonment.

² Especially grave crimes are intentional acts for the commission of which the maximum punishment provided for by the Criminal Code of the Russian Federation in the form of imprisonment for a term exceeding 10 years or a more severe punishment.

³ For definition of especially grave crimes see footnote 2.

	<p>Resolution to choose arrest as a preventive measure.</p> <p>Certified copy of sentence which has come into force and Certificate on the Remainder Sentence to be served shall be attached to the request to extradite for execution of sentence.</p>
Statutes of limitation for special offences:	<p>According to Article 78 of the Criminal Code of the Russian Federation a person is relieved from criminal responsibility if the following periods have elapsed from the day of commission of the crime:</p> <p>2 years after the commission of a crime of minor gravity⁴;</p> <p>6 years after the commission of a crime of average gravity⁵;</p> <p>10 years after the commission of a grave crime⁶;</p> <p>15 years after the commission of an especially grave crime;</p> <p>According to Article 83 of the Criminal Code of the Russian Federation a person convicted for the commission of a crime shall be relieved from serving punishment if the sentence was not brought into execution within the following periods from the date of entry thereof into force:</p> <p>2 years in the event of conviction for a crime of minor gravity;</p> <p>6 years in the event of conviction for a crime of average gravity;</p> <p>10 years in the event of conviction for a grave crime;</p> <p>15 years in the event of conviction for a especially grave crime.</p> <p>The running of the periods of limitation shall be suspended if the convicted person evades serving punishment and reinstated from the moment of detention of the convicted person or his appearance with acknowledgement of guilt.</p> <p>The period of limitation which expired at the moment of the convicted person evading the serving of punishment shall be subject to set off.</p> <p>The periods of limitation shall not apply to persons convicted for the commission of crimes against the peace and security of mankind provided for by the Criminal Code of the Russian Federation.</p>
Double criminality requirement:	<p>According to part 2 of Article 63 of the Constitution of the Russian Federation extradition to other states of persons for acts (omission) that are not recognized in the Russian Federation as a crime is not allowed</p>
Provisions concerning extradition of nationals:	<p>According to Article 61 of the Constitution of the Russian Federation, and part 1 of Article 464 of Criminal-procedure Code of the Russian Federation extradition of nationals of the Russian Federation is not allowed.</p>
Possibility and requirements for simplified extradition:	<p>There are no provisions regulating simplified extradition in legislation of the Russian Federation. However in fact simplified extradition exists, because decision to extradite a person who is located on the territory of the Russian Federation and is requested to extradite, is taken by the General Prosecutor of the Russian Federation or by his Deputy. This decision may be appealed in court.</p>
Means of communication:	<p>For states-members of the Second Additional Protocol to the European Convention on Extradition request to extradite is</p>

⁴ Crimes of minor gravity are intentional and negligent acts for the commission of which the maximum punishment provided for by the Criminal code of the Russian Federation does not exceed 2 years of imprisonment.

⁵ Crimes of average gravity are intentional acts for the commission of which the maximum punishment provided for by the Criminal code of the Russian Federation does not exceed 5 years of imprisonment.

⁶ For definition of a grave crime see footnote 1.

	<p>provided in written form and is forwarded by the Prosecutor General's Office of the Russian Federation to the competent authority of the requesting party or from competent authority of the requesting party is forwarded to the Prosecutor General's Office of the Russian Federation.</p> <p>Other types of relations may be agreed upon in a treaty between two or more states.</p> <p>In respect of states which do not participate in the above Protocol provisions of Article 12 of the Convention are applied.</p> <p>In respect of states-members of the Convention on Legal Assistance in Civil, Family and Criminal Matters of 1993, concluded within the framework of the Commonwealth of Independent States a procedure of forwarding of requests to extradite provided by in these international agreements.</p> <p>Request concerning provisional arrest are forwarded by competent authority or via diplomatic channels, or directly by mail or by cable, or by fax, or through Interpol.</p>
<p>Other particularly relevant information (such as national legislation, national guides on procedure, links to national web sites...):</p>	<p>In the Russian Federation procedure of extradition of a person for criminal prosecution or serving of a sentence is regulated by provisions of the Criminal-procedure Code of the Russian Federation (translation of these statements will be provided later).</p>

Translated into English by H. Horn