

demographic and other effects of migration. Federal laws have been adopted that provide for the streamlining of the structure and activities of the Federal Migration Service, improve migration accounting and employment procedures for immigrants, protect their rights, and improve state regulation of the foreign labor force market. This legislation includes the following federal laws: «On Making Changes to Individual Legislative Acts of the Russian Federation in Connection with the Improvement of State Administration in the Migration Sphere», «On Migration Accounting of Foreign Citizens and Persons Without Citizenship in the Russian Federation», «On Making Changes to the Federal Law «On the Legal Status of Foreign Citizens in the Russian Federation»», and on the recognition of the expiration of individual statutes in the Federal Law «On Making Changes and Additions to Certain Legislative Acts of the Russian Federation». A State Program assisting the voluntary relocation of countrymen to the Russian Federation has been approved, and preparations are being completed on the Conception of the state's migration policy.

At the same time, adoption has dragged over laws making changes to certain significant federal laws: «On the Procedure for Exit From and Entry To the Russian Federation» and «On the Legal Status of Foreign Citizens in the Russian Federation». These changes are aimed at establishing a procedure for deporting illegal migrants outside the boundaries of the Russian Federation, which will help fight illegal migration more efficiently.

Article 2 of the Constitution of the Russian Federation proclaims: «Man, his rights and freedoms shall be the supreme value. The recognition, observance and protection of human and civil rights and freedoms shall be an obligation of the State». The principle of the priority of human and civil rights and freedoms is fundamental to the activities of the state in all spheres of public life, including in the sphere of the national security of the Russian Federation. The Conception on the national security of the Russian Federation explicitly states that the provision of the national security of the Russian Federation implies the provision of protection for the individual, society and the state against foreign and domestic threats in all spheres of life.

Without a doubt, the provision of protection for the individual, society and the state requires the establishment of a certain balance of interests of these legal entities, and the conduct of a certain harmonization in this process. This long-term goal must be resolved by the legislator in the federal law «On the National Security of the Russian Federation». An important part of the law must become a prioritized, balanced identification of the boundaries of human and civil rights and freedoms in the sphere of provision of the national security of the Russian Federation, and in corresponding obligations of the state. Without the recognition and implementation of these interconnected rights and obligations of the citizen and the state, it would be impossible to ensure the national security of the Russian Federation on the whole.

An analysis of the state of legislation in the area of national security has shown that despite a clear understanding of the priorities and problems in this sphere, principles changes have been made to the legislative frameworks promoting the country's national security. Not only is the elimination of loopholes in federal legislation required, but also the drafting of fundamental legal acts such as the federal law on the national security of the Russian Federation, on whose basis the Strategy of national security for the Russian Federation could be formulated.

### **1.5. Foreign policy strategy**

As is noted in the Address of the President to the Federal Assembly for 2006, modern Russian foreign policy is based on the principles of pragmatism, predictability and the supremacy of international law. The domestic priorities of development of society and the state make up the determining factors of its formation. The strategic goals of the Russian Federation's foreign policy are represented by the provision of border security and the creation of favorable external conditions for resolving domestic Russian problems.

The modern world, thanks to the ongoing process of globalization, is becoming ever more interlinked and vulnerable to the manifestations of new threats and challenges, which have already crossed the state borders and become transnational in form and global in content. The top spot among these threats has been occupied by the threat of terrorism. The Russian Federation, fully recognizing international terrorism as one of the most serious threats to peace and security, has come forward with the initiative to develop a Convention on the Suppression of Acts of Nuclear Terrorism, which was adopted by the 59th session of the General Assembly of the United Nations on April 12, 2005. The Convention is the first universal agreement adopted by the United Nations under Russia's initiative, and is aimed at preventing acts of terrorism that use weapons of mass destruction. The Convention was ratified by the Russian Federation on October 2, 2006. It is aimed at supplying additional legal means for international cooperation in the fight against both terrorism and the proliferation of weapons of mass destruction, including against acts of terrorism staged on nuclear sites.

According to the Convention, member states recognize as criminally punishable activity the illegal preparation of radioactive materials or manufacture of nuclear devices, as well as their possession and use as a threat for inflicting death or serious damage to the health of people, destruction or damage of property or pollution to the environment, in order to force a physical or legal entity, international organization, organization or a state, to take any sort of action or to refrain from taking an action. Also recognized as criminal are attempts to carry out the above-described actions, and to extort radioactive materials, devices or nuclear objects.

According to the Convention, member states are bound to assist each other through an exchange of information about measures being implemented both inside and outside their borders on detecting, preventing, precluding and investigating crimes, pursuing criminal prosecution and punishing the guilty, including information on measures that ban the activities of individuals, groups and organizations that cultivate, engineer, organize, deliberately finance, provide technical assistance for or take part in the perpetration of crimes. The Convention clearly defines the frameworks of international cooperation, particularly the jurisdictions of member states concerning these listed crimes, and regulates issues concerning the preservation of the information's confidentiality, the return of stolen radioactive materials and nuclear devices, the extradition, handover and protection of the rights of inmates, and also defines the procedures for resolving disputes.

A significant international legal act aimed at stepping up member states' efforts at averting terrorism and its negative effects on the promotion of human rights, including the most important right — the right to life, is the Council of Europe Convention on the Prevention of Terrorism of May 16, 2005, which was ratified by the Russian Federation on April 20, 2006 through a corresponding federal law. This Convention is an efficient legal instrument of international anti-terrorism cooperation between its member states, aimed at counteracting terrorist ideologies and propaganda.

The Council of Europe Convention determines the sides' responsibilities on averting terrorism, and provides for measures aimed at developing tolerance and easing tensions by encouraging interfaith and intercultural dialogue, which also includes non-governmental organizations and other elements of civil society. The sides have assumed the responsibility of taking measures to step up the training of law enforcement officials, as well as on ensuring the suppression of terrorism through adoption of measures in the spheres of education, culture, the media, and through public education.

The main innovations of the May 16, 2005 Convention are: criminalizing the public incitement to commit terrorist crimes, and the recruitment and training of terrorists. According to the Convention, member states must take part in international cooperation that provides for joint preventive measures (exchange of information, preparation of staff) and ensures the obligation to prosecute those linked to terrorist crimes.

As was indicated in the previous section, in order to implement the Convention's statutes, changes were introduced to the Criminal Code of the Russian Federation, the federal law «On Criminal Investigations», «On Security», and other normative legal acts of the Russian Federation that regulate counter-terrorism issues. In particular, the Criminal Code of the Russian Federation was appended with an article recognizing as criminal the public call to commit terrorist activity and the public justification of terrorism, as well as by a new chapter that secures confiscation of property provisions.

In addition, a package of interrelated changes were introduced to the legislation of the Russian Federation concerning media activities, the bodies of state power of the constituent entities of the Russian Federation and the bodies of local self-government, and agencies in the Federal Security Service. They also concern measures on counteracting the legalization of money earned through criminal activity, terror financing, and measures of administrative responsibility for violations to the legal regimes of counter— terrorism operations.

In connection with ratification of the May 16, 2005 Convention, a need arose for the Russian Federation's participation in the Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters, and the Protocol amending the European Convention on the Suppression of Terrorism (herewith — the Protocol).

The Protocol, developed and adopted by member states of the Council of Europe with the active participation of Russia, narrows the array of political crimes to which «political reservations» may be applied as grounds for denial of an extradition request. The Protocol also introduces new grounds for refusing extradition, for example due to the application of the death sentence or the use of torture in the state petitioning for the extradition.

In the Address to the Federal Assembly for 2006, the head of state identified corruption as the most serious barrier blocking the path to Russia's development. The world community has developed clear definitions of criminal manifestations of corruption. International legal documents contain general understandings of corruption: it threatens the supremacy of the law, democracy and human rights, undermines efficient state administration, violates the principle of equality and social justice, leads to the distortion of competitive conditions, hinders economic development, and threatens the stability of democratic institutions and the moral principles of society.

On March 8, 2006, a federal law was adopted in the Russia Federation «On the Ratification of the United Nations Convention Against Corruption», which marked a significant step in the fight against corruption. It envisions a wide spectrum of measures on preventing and counteracting corruption, and regulates in detail issues of mutual legal assistance, extradition of individuals involved in corruption, measures on freezing transactions, arrest and confiscation of proceeds from crime, including that of property, equipment and other assets involved in criminal activity, cooperation between law enforcement agencies, including the exchange of information and experience, joint investigations, preparation of staff retraining aimed at improving their qualification, and cooperation in the material and technical provision for law enforcement activity.

The United Nation Convention Against Corruption also views as a criminally punishable offense the bribery of national and foreign public officials, staff within international organizations, the theft, illegal acquisition or other unauthorized use of property by a public official, undue influence with corrupt motives, misuse of public office, bribery and theft of property in the private sector, money laundering and impeding justice.

The participation by the Russian Federation in the United Nations Convention will require changes to a whole series of legislative acts that regulate the corresponding aspects of the fight against corruption, particularly to the Criminal Code of the Russian Federation, the Administrative Offenses Code of the Russian Federation, the Civil Code of the Russian Federation, the federal law «On Criminal Investigations», and «On State Civil Service of the Russian Federation».

In order to develop international cooperation in the fight against corruption, a federal law was adopted on July 25, 2006 «On the Ratification of the Convention on Criminal Responsibility for Corruption», which was signed in Strasburg on January 27, 1999 (herewith — Convention of January 27, 1999). According to this Convention, each of the ratifying states assumes the responsibility of bringing its national criminal legislation in line with its provisions.

The Convention of January 27, 1999 envisions the need to review a range of crimes of corrupt nature, changing the definition of bribe-taking and commercial bribery, and changing the approach to how these crimes are qualified by moving the point of their commitment to that of when the attempt to present a bribe was made. According to its rules, the perpetrators of corruption crimes, on a national level, must be identified as state officials, members of national state assemblies, international state officials, members of international state assemblies, international organization officials, members of international parliamentary assemblies, judges and international court officials, and individuals who manage and work at private sector enterprises. Work on implementing the Convention's provisions will continue in Russia in 2007.

The Address to the Federal Assembly for 2006 noted that Russia's successful economic development under conditions of tough international competition depends on its place in the world economy, determined first and foremost by scientific and technological advantages — Russia must realize itself full potential in the high technologies sphere.

The Russian Federation must maintain its real competitive advantages in the sphere of space exploration. In 2006, federal laws ratified agreements between the Russian Federation and the republics of Korea, India and Chile on cooperation in the area of peaceful space exploration and utilization. These agreements aim to develop political bases and create international legal frameworks for scientific, technological and private sector cooperation in space exploration and the practical application of space equipment and technology for peaceful purposes. The agreements identify the fields and forms of cooperation, the state bodies responsible for developing and coordinating issues of joint of peaceful-purposes space exploration and utilization. They further regulate issues of protection and rights allocation to intellectual property gained from joint ventures, protection of objects of cooperation, resolution of disputes, exchange of information and data, conditions for favorable customs agreements on a specially agreed category of space-use goods, responsibilities and damages compensation.

The Address to the Federal Assembly for 2006 especially underlined the need for provision for the unimpeded access of Russian production to international markets. It was for this purpose that negotiations continued in 2006 over Russia's membership in the World Trade Organization. In order to join the WTO, Russia needs to adopt regulations and rules on international trade that have been operating in WTO member states for the past 50 years. A country joining the WTO assumes the obligation of a full set of multilateral agreements, regulations and principles that regulate more than 90 percent of all world trade.

Russia must guarantee access to its markets to the goods and services of other member states, and they, for their part, must guarantee the access of our goods and services to their markets. Conditions on joining the WTO are subject to both multilateral and bilateral negotiations on market-access issues with the WTO member states concerned. The main principle of this organization's work is the liberalization of international trade, primarily through customs and tariffs regulations that significantly reduce the customs duty levels and eliminate numerical and other non-tariff trade barriers.

The Russian policy at WTO membership negotiations consists of a defense of the following issues: receiving nondiscriminatory access conditions for Russian products to WTO member states' markets; access to the international mechanism for resolving international trade disputes; the creation of a favorable climate for foreign investments as a result of bringing Russia's legislative system in line with WTO norms; expansion of opportunities for Russian investors in WTO member states; creation of conditions for the improved quality and competitive advantage of Russian goods as a result of a greater inflow of foreign goods, services and investments

to the Russian market; participation in the development of rules to international trade that take Russia's national interest into account; and the improvement of Russia's image in the world as a full-fledged participant in international trade.

At the present moment, it may be asserted with some firmness that creation has been completed of the WTO body of law, which represents a large regulatory package of modern international trade rights. WTO laws work in direct cooperation with the domestic legislation of the WTO member states. In addition, the WTO directly dictates what the internal legislation should be on corresponding issues, and thus acts as a mechanism for unifying domestic legal systems and institutes. At the same time, an ever-larger number and new types of domestic jurisdictions of the state are being pulled into the «whirlpool» of regulations falling under the WTO mechanism. In other words, it may be acknowledged that WTO law has become an integrated system of universal regulations of international trade rules, which has priority over the domestic legislations of its member states.

An important step aimed at integrating the country's economy into the global economy was marked by the federal law «On the Adoption by the Russian Federation of the Statute of the Food and Agricultural Organization of the United Nations». The Food and Agriculture Organization of the United Nations (FAO) is one of the most respected and specialized agencies within the United Nations. The Russian Federation's membership in the agency will permit the development of the Russian economy's integration into the global economy and improve the efficiency of the defense of interests of Russian producers and exporters of agricultural, forestry and fishing goods, which is particularly relevant in view of Russia's expected membership in the WTO in 2007. The Russian Federation's membership in this organization will launch the process of implementing FAO recommendations into Russian legislation.

Evidence of stronger foreign trade activity by the Russian Federation on the African continent was served by the July 6, 2006 ratification of the Agreement Between the Government of the Russian Federation and Government of the Democratic People's Republic of Algeria on trade, economic and financial relations, and the regulation of Democratic People's Republic of Algeria's debt to the Russian Federation for previously issued credits (herewith — Agreement).

The Agreement provides for the write-off of the entire sum of obligations of the Democratic People's Republic of Algeria for earlier issued credits, in the amount of more than 4.7 billion dollars. The Algerian side undertakes to purchase Russian goods and services in the amount equal to or higher than the write-off total. The implementation of the Agreement not only allows to regulate the problem of Algerian debt to the Russian Federation, but also to open the Algerian market to the goods and services of high technology Russian enterprises, which will secure domestic enterprises with significant orders for several years to come.

Further development of Russian-Mongolian bilateral relations was promoted by the July 3, 2006 adoption of a federal law that creates conditions for Mongolia to access the financial resources of the European Bank of Reconstruction and Development, which will promote the development of the Mongolian economy and strengthen Russian-Mongolian ties.

One of the most important directions of Russian foreign policy was determined by the goal set in the Address to the Federal Assembly for 2006 on the search and creation of the best-possible economic system for securing the efficient development of each of the Commonwealth of Independent States (CIS) member states.

The 15-year anniversary of the CIS is a meaningful occasion to analyze the functionality of the legal framework for the Commonwealth of Independent States, and to set the course for its improvement. The search for a new form economic cooperation within the CIS is also being pushed forward by external factors, for the most part by the globalization and regionalization of the world economy.

These tendencies are also clearly evident in the international acts signed within CIS frameworks, which made efforts to regulate the Commonwealth's activities based on principles and norms current to world practice. However, the CIS states have still been unable to achieve their

set goals and challenges, first and foremost, concerning the creation a full-fledge multilateral free trade zone and customs union, not to mention the deeper types of integration — a common market and economic union.

As experience of CIS development shows, it is best to develop this type of economic cooperation in a more tight-knit group, particularly within the frameworks of other international organizations established by the individual CIS member states. It is easier to find efficient mechanisms for implementing adopted decisions in such a format. The most intensely developing regional interstate structure has been the Eurasian Economic Community (herewith — EurAsEC), whose frameworks could be used for implementing a pilot project for creating the best-possible economic system. The EurAsEC member states have already created a free trade zone, without exceptions or limits, and creation of a customs union is underway. The EurAsEC member states are improving their custom legislation, whose most important component is the single customs tariff. Within EurAsEC frameworks, work is proceeding on preparation of dozens of documents that will soon receive the status of legislative frameworks and practically turn into direct-action normative acts. Russia has never before tied itself to such obligations in the modern history of legal enforcement practice.

As of today, the Eurasian Economic Community has adopted the Fundamental Principles of transportation legislation, the Fundamental Principles of energy legislation, and the Fundamental Principles of budget legislation of the EurAsEC member states. Within the frameworks of the EurAsEC Inter-Parliamentary Assembly (IPA) on customs regulation, work is being completed on the Fundamental Principles of EurAsEC customs legislation. The permanent IPA EurAsEC commission is developing draft Fundamental Principles of tax legislation, Fundamental Principles of legislation on near-border cooperation, and the Fundamental Principles of land legislation of the EurAsEC member states.

Of key importance to harmonizing legislations of EurAsEC member states was the July 3, 2006 ratification of the Agreement on the Status of the Fundamental Principles of Legislation of the EurAsEC Economic Community, including the procedure for their development, adoption and implementation, since after its ratification by all states, the Fundamental Principles of legislation will face mandatory implementation on the territories of each member state.

The Fundamental Principles of customs legislation regulate the legal relations in the customs sphere of EurAsEC member states, establishes procedures and rules regulating the free-trade regime within the frameworks of the Agreement on a Customs Union and Single Economic Space, provides for the implementation of international agreements operating within EurAsEC frameworks and decisions of the Inter-Governmental Council.

The Fundamental Principles of transportation legislation of the EurAsEC establish a single starting point for legal regulation of relations between its member states during the conduct of transportation activity, and are aimed at creating conditions for integrating EurAsEC member state transportation entities into the international market of transportation works and services.

The Fundamental Principles of EurAsEC legislation on energy determine the fundamental principles of organization and regulation of EurAsEC member-states' energy sector business activities, establish the legal norms of implementing state policy for improving energy-use efficiency, as well as the legal norms for the creation and functioning of institutional, economic and information mechanisms for implementing this policy, taking the interests of each state into account.

The IPA EurAsEC plans include dozens of similar documents. The bodies of state power of the Russian Federation must conduct work required for implementing these documents into Russian legislation. In addition, an important sphere of activity must become the improvement and provision of regular monitoring of not only the legal documents implemented within the frameworks of the EurAsEC, but also the current national business legislation of its member states.

An especial role in the job of constructing the best-possible model for CIS economic cooperation is delegated to pre-border cooperation between the constituent entities of the Russian

Federation and the contiguous regions bordering the Russian Federation. Monitoring of proposals made by the bodies of legislative and executive power of the pre-border constituent entities of the Federation on the legal enforcement of resolutions aimed at resolving the most pressing current problems of pre-border ties will help take account the recommendations submitted by more than 43 pre-border constituent entity of the Federation. These were included to their utmost in the draft federal law «On Pre-Border Cooperation in the Russian Federation», which was submitted to the State Duma on the Council of Federation's legislative initiative in July 2004. At the same time, work on the draft law showed that many of the statutes current in the constituent entities of the Russian Federation may not be fully included in one legislative act.

In the opinion of the absolute majority of regions (the Republic of Karelia, the Bryansk, Kaliningrad, Kurgan, Pskov, Kursk and Novosibirsk oblasts, and many others), the most serious obstacle to the development of pre-border contacts is the insufficient flexibility of customs legislation, which does not provide for simplified methods for transporting goods, equipment and work force within the frameworks of pre-border cooperation. Especial acute is the problem of legal regulation of pre-border trade. Many of the proposals concern the simplification of the procedure for border crossings by permanent residents of the pre-border territories.

Gaining principle importance is the solution to the problem of increasing these regions' interest in pre-border cooperation. The pre-border constituent entities of the Federation, while solving the broader national goals of expanding foreign trade and international ties, also earn no benefit to their budgets from this type of activity. The constituent entities of the Russian Federation are offered to resolve this issue through means most suitable to them. Among the proposals — presenting regions the right to offer preferential taxes on enterprises that take part in pre-border cooperation, the allocation of a part of customs payments and fees to regional budgets, and others. However, federal level bodies of state power have refused to move in favor of these proposals.

Of course, proposals made by the pre-border regions on the development of legislation are not faultless and require serious elaboration. Nevertheless, the main directions of creating a comprehensive legal system in the area of pre-regional cooperation involves the introduction of changes to the Customs and Tax Codes, as well as the conclusion of corresponding international agreements. But it will only be possible to make amendments to federal legislation with the adoption of a framework law on pre-border cooperation, which determines such categories as the group of participants in this activity, and many others. Using its foundation, development would be possible of a number of other new laws focused on more specific areas of activity, first and foremost a federal law on the particular characteristics of local self-government in pre-border territories.

The Address to the Federal Assembly for 2006 once again focuses attention on the need for a core improvement to migration legislation, which must correspond to basic international standards, establish firm control over migration flows, and promote the formation of a civilized labor market in the Russian Federation.

Migration problems are closely interlinked with work involving the Russian diaspora. The Address accents attention on the fact that «attracting our countrymen from abroad remains a priority. At the same time, it remains essential to more strongly stimulate the flow into our country of a qualified migration force — educated and law abiding people». Confirmed by a Decree of the President of the Russian Federation on June 22, 2006, the State Program for Assisting the Voluntary Resettlement of Countrymen to Russia (herewith — program) works primarily with this purpose in mind.

The Program provides for resettlement and initial settlement assistance, as well as employment and social services. A legal and social status has to be formalized to assist the process through corresponding legislative support. The Program's implementation will require even more focused efforts on improving migration legislation.

Priority measures for improving legislation aimed at attracting a foreign labor force to the Russian Federation, and in fighting illegal migration, may include the following: developing

special programs within the Program's framework aimed at attracting countrymen from the CIS states to regions that experience a shortage of labor resources, foreign workers, and also on adopting economic incentive measures for employers; changing the quota invitation procedure for foreign citizen entering the country for labor purposes (introduction of quotas for individual states); implementing measures on stimulating the process of assimilating ethnic Russians in Russia, including the issue of mortgage credits for housing, so as to reduce the drop in migration activity of the population observed over the past two or three years; and others.

In this connection, it would be expedient to improve the mechanism for regulating the migration flows in the Russian Federation. In the nearest future, it will be essential to develop a draft law that provides for the legal regulation of private employment agency activities. Coordinating their work with the Federal Labor and Employment Service, the private employment agencies could help implement a reasonably selective policy concerning working migrants, first and foremost concerning migrants who arrive in the Russian Federation from the CIS member states. According to statistics, these states are responsible for some 90 percent of all migrants who enter our country from abroad. Private employment agencies could use economic levers and employer demand to promote attracting labor migrants to the labor-deficient regions of Russia.

Legislative provision of migration policy should be examined on two levels. On the one hand, it is the need to attract young qualified foreign workers and businessmen to the Russian Federation, and on the other — to prevent illegal migration. Several steps in this direction have already been taken. On the Council of Federation's initiative, changes were adopted to article 18.8 of the Administrative Offenses Code of the Russian Federation, which stipulate for stricter enforcement of violations by foreign citizens of rules concerning their stay in Russia. As part of the legislative initiative of the Council of Federation, a draft law was submitted to the State Duma whose main goal is a more efficient legal regulation of the procedure of administrative expulsion and deportation, and the provision and protection of the rights and legal interests of foreign citizens on Russian territory.

July 18, 2006 saw the adoption of the federal law «On Migration Accounting of Foreign Citizens and Persons Without Citizenship in the Russian Federation», with changes made to a number of other laws that simplify the procedure of registration accounting. Migration accounting assumes a notification status, the practice of annual re-registration of foreign citizens is halted, and their registration procedure is simplified, up to the use of notifications sent by mail. Work permits will be issued directly to the foreign citizens and not to their employers, as is current practice.

The complexity of migration process regulation also requires more vigorous work on issues of observing the priority rights of Russian citizens to assume vacant and newly-created jobs, adjusting and improving the efficiency of attracting foreign workers, observing the labor rights of worker migrants, strengthening the roles of agencies authorized to carry out state oversight and control over the adherence to labor legislation, and other normative legal acts containing labor law regulations.

The second World Congress of countrymen living abroad, held on October 24, 2006, underlined that the support of countrymen and protection of their legal rights and interests is one of our national priorities, and an important goal for all institutes of state power and civil society. However, as practice shows, a systemic state policy focused on the return of countrymen to Russia has not yet been formed. The free emigration from Russia grew sharply in the post-Soviet period. Today, more than 25 million people born in Russia live in other states.

Existing legislation on countrymen requires serious improvements, since it fails to answer our countrymen's interests or stimulate work in their support. The legal status of countrymen who are not official citizens staying in Russia in no way differs from the legal status of other foreign citizens in Russia.

Because the Constitution of the Russian Federation only firmly expresses positions concerning citizens of the Russian Federation who are living outside its borders, issues that regulate

relations with our countrymen must be reflected in a corresponding law. However, the current federal law «On the State Policy of the Russian Federation Concerning Countrymen Living Abroad», for the large part only outlines the political vector of state policy, leaving many key questions concerning its practical implementation unresolved.

The given law has failed to resolve uncertainties concerning the content of the term «countryman». In it, countrymen first and foremost include countrymen — citizens of Russia, who assume the right of protection by the Russian Federation in accordance with international law, and also countrymen who are not citizens. And it is the legal status of the latter that raises numerous questions. The other uncertainty concerns the expression «living abroad», which always accompanies the term «countrymen».

Legislation must draw the rights of countrymen nearer to those of Russian citizens. First of all, it is essential to clarify the very notion of «countryman», and to introduce the term «Russian diaspora» to legislation. One of the principle issues concerns the legislative provision for the rights of countrymen to obtain Russian citizenship through a simplified procedure. Today, procedures for obtaining a residence permit and Russian citizenship are the same for all, and no exceptions are made for «countrymen». Countrymen who live abroad, enter the Russian Federation and move about its territory must have rights equal to those of Russian citizens.

Another important issue concerns granting concessions and benefits to countrymen and their organization, physical and legal entities of the Russian Federation, and foreign citizens and organizations that provide support for our countrymen.

With the adoption in 2006 of the federal law «On Making Changes to Individual Legislative Acts of the Russian Federation on Issues of Improving States Administration in the Migration Sphere», the constituent entities of the Russian Federation received the right to use their own resources to finance state programs in support of countrymen. But the legislation must be made more precise concerning the authority of the Russian Federation, and of its constituent entities, to provide support for countrymen. The legislation must also establish the authority of bodies of local self-government, including in the pre-border municipal districts, on countrymen support issues.

The international legal framework also requires serious improvement. The principles applied to countrymen on the territory of the Russian Federation often do not apply outside its boundaries. Our countrymen only enjoy those rights that are secured by international agreements, since Russia observes the principle of noninterference in the internal affairs of other states. These international acts only secure and guarantee the rights of ethnic minorities, which does not fully correspond with the Russian understanding of the term «countryman». The interests of countrymen must be taken into account when concluding international agreements on humanitarian cooperation. Special agreements on the protection of rights and legal interests of countrymen must be signed with countries that have especially large Russian diasporas.

Here, support could be offered to efforts by the Inter-Parliamentary Assembly of the Commonwealth of Independent States member states to develop a draft of a corresponding convention, which would be implemented based on recommendations offered in the previous report of the Council of Federation on the state of legislation and legal enforcement practice in the Russian Federation.

Work is being stepped by the highest education institutions of Russia on preparing staff for foreign countries and exporting education services. The goal of such a partnership is to develop equitable, mutually beneficial, socially and economically expedient cooperation of the education institutions of the Russian Federation with similar organizations in the CIS states, as well as the European, Asian and Pacific, and other regions. Positive elements of such cooperation include the accumulation of practical experience in the international sphere of work, development of joint education and scientific programs, access to information, the opportunity to engage in academic exchanges, and the expansion of the export of Russian education.

The Russian Federation holds real potential that allows it to occupy a respectable place in the global education community. In 2002, the President of the Russian Federation and Government of the Russian Federation both approved a Conception of state policy in the area of training national staff for foreign states in Russian education institutions. For its implementation, a package of measures has been carried out on expanding the acceptance of foreign students to the universities of the Russian Federation, including on a commercial basis, increasing the number of students from CIS member states, and developing Russian education institution activities. Some 25,000 foreign citizens are studying in Russian university at the expense of the federal budget, including 15,700 citizens from CIS states. Some 80,000 foreign citizens are studying in Russia with the help of compensation payments.

Branches of Russian universities — both state and non-state — are popular in the CIS. Russian citizens (students, graduate students, instructors and scientific researchers) annually pursue their studies in more than 30 countries of the world on the basis of international agreements with the Russian Federation, and also within the frameworks of ties between Russian and foreign education institutions. In recent years, intergovernmental agreements have been signed with Germany and Italy on cooperation in the sphere of Russian language study. Agreements on mutual recognition of each other's education documents and academic degrees have been signed with the Republic of Moldova, France and Mongolia.

In the strategic future, a positive effect on the policy of return of Russian countrymen may be achieved through the creation of a single education space between the member states of the Commonwealth of Independent States.

The main directions of state policy in this area must become: the development and adoption of normative legal acts aimed at: creating mutual approaches toward educating the young generations of CIS member state in the spirit of tolerance, mutual respect and friendship between the peoples; the creation of a single (mutual) education space for the Commonwealth; creation of a regulatory framework on issues of support and development of integration processes in the area of education; agreement of state education standards of all levels of education, and requirements for training and certification of scientific and scientific research personnel; provision within CIS frameworks of mutual recognition and equivalency of education documents, scientific degrees and titles; agreement of a certification and accreditation procedure for education institutions; meeting the education requirements of countrymen; assisting the promotion of the preservation of Russian culture and the Russian language, opportunity to receive an education in Russian, supplying education institutions in the CIS member states where classes are taught in Russian with textbooks and courseware, expansion of opportunities for scientific pedagogical workers of CIS member states to receive qualification training in Russian education institutions; cooperation in the creation of Russian-national (Slavic) education institutions, branches of leading Russian universities in CIS member states, and improving the quality of education-scientific work; assistance in developing direct partnership ties between education institutions of CIS member states; and the expansion of acceptance of CIS member-state citizens in the education institutions of the Russian Federation. Much has been implemented in 2006, but a lot of work is in store for 2007.

These efforts are already raising the authority of the Russian Federation on the international arena, demonstrating the advantages of the Russian Federation to our countrymen living abroad, and helping to instill patriotic feelings in the younger generations. On the whole, all of these measures combined will undoubtedly lead to an influx of Russian countrymen who had left the country in previous years. However, an essential condition for ensuring that this process is irreversible involves further improvement of Russian legislation, and the Russian Federation's more forceful presence on the international arena in the area of countrymen support and provision of their rights and interests.

A solid legal system adding up to more than 1,500 documents has been created within the frameworks of the CIS. However, in reality, no more than 10 percent of these are operational. The largest share of signed but non-ratified international agreements falls on Russia. Russian

legislation fails to even provide a procedure for implementing international organizations' decisions. Thus, all resolutions reached by the councils of the heads of state and governments of the CIS are in essence advisory in nature, and no constructive steps are being envisioned for rectifying this situation in the future.

The legal groundwork for the Russian Federation's external economic activities must also be improved, an issue that is especially relevant to the constituent entities of the Russian Federation. The Federal Law «On Coordination of International and Foreign Economic Relations of the Constituent Entities of the Russian Federation» has never been changed since entering into force, even though, as the regions believe, the application of its regulations in practice leads to certain difficulties.

Of even greater importance are issues on providing the supremacy of the principles and norms of internal law, and their implementation in federal legislation. As is known, the Russian Federation has signed a series of international agreements containing obligations to bring the Russian legal system in line with general European standards. In this context, Russia must develop a specific strategy for improving Russian legislation according to Council of Europe requirements and the particular characteristics of Russia's legal culture. At the same time it should be kept in mind that unlike laws that comprise the legal space of domestic legislation, international agreements that the Russian Federation must ratify are the product of political-legal intergovernmental compromise.

A thought-through implementation of the legal standards of the Council of Europe and other international organizations, including those created in the space of the CIS, in Russian legislation is also required. The lag of entry into force of documents already signed in the name of Russia at times leads to a delay in the implementation of essential reforms, which is especially important amid Russia's integration into global economic relations and its need to adopt decision of near-European standards. Characteristically, these issues were posed by the constituent entities of the Russian Federation in their responses to the 2005 report.

An analysis of the legislative groundwork for foreign policy activity in 2006 leads to the general conclusion that despite the enumerated problems, legislative activity on providing the foreign policy of the Russian Federation reached positive results in its defense of national interests on the international arena.

#### **1.6. Legal groundwork for resolving national problems**

The practice of implementing state policy ever more broadly relies on the use of comprehensive approaches to improving and developing legislation. Previous reports of the Council of Federation «On the State of Legislation in the Russian Federation» also underlined the need to implement integrated approaches to creating legislative frameworks on complex national problems resolution. This section examines the current state and potential development of legislation in such integrated areas of state policy as the solution to the problem of poverty, youth policy, policy concerning the North, and maritime policy.

One of the most important national problems is provision for the stable development of the northern territories. The President of the Russian Federation V. V. Putin has repeatedly underscored the special roles played by Russia's North and the Arctic in the country's economy, and their importance to defense. Without doubt, the North's importance will grow in Russia's future. This is not only due to the growing demand for raw material resources, but also by its transit-transportation potential.

The accumulation of unresolved problems in northern regions, their disproportionate economic development and poor social infrastructures, demonstrate how the absence of a clear state «northern» policy or efficient development strategy for the North prevent the full utilization of the northern territories' potential, which had been vested there by nature and many generations of toil by northerners.