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## **IE University Legal Clinic guide for citizens of the Russian Federation**

Q&A on topics affecting ordinary Russian citizens in and outside Russia<sup>1</sup>

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<sup>1</sup> This document has been prepared by students and does not constitute legal advice.

## I. FINANCIAL ISSUES

### **Can I transfer money from a bank account in Russia to a foreign bank account held by the person?**

In accordance with rules of the Russian Federation, from the 1st of March, Russian residents, including natural persons and legal entities, are not permitted to transfer money in foreign currency to their personal bank accounts outside of the Russian Federation.<sup>2</sup> It is important to note, the regulation is applicable to residents which is defined in the Federal Law No. 173-FZ as natural persons who are citizens and are residing in the Russian Federation, non-citizen natural persons holding a residential permit, and legal entities established in compliance with laws of the Russian Federation.<sup>3</sup> Nevertheless, legal entities and residents of the Russian Federation are permitted to put real estate and shares for sale in the countries which have imposed sanctions against the Russian Federation.<sup>4</sup> As for non-residential juridical and natural persons of countries who have imposed sanctions on Russia, a complete prohibition of transfers of money to foreign banks is in place.<sup>5</sup> On the other hand, juridical and natural persons holding citizenship in countries which have not imposed sanctions against Russia are permitted to carry out transfers up to a limit of 5000 US dollars per month.<sup>6</sup>

### **How can money be transferred from Russian bank accounts to a bank account of another person in the European Union?**

Due to sanctions, the following banks are completely banned from completing operations with European Union banks due to suspension from the SWIFT system: VTB, Rossiya Bank, Promsvyaz, Sovcombank, Nevikombank, PSB, VEB.RF, Otkritie.<sup>7</sup> Therefore, the transfer of money from and to bank accounts issued by these banks are

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<sup>2</sup> Central Bank of Russia [information](#)

<sup>3</sup> Federal [Law No. 173-FZ](#) of December 10, 2003 on Currency Regulation and Currency Control

<sup>4</sup> Central Bank of Russia [information](#)

<sup>5</sup> Central Bank of Russia [information](#)

<sup>6</sup> Central Bank of Russia [information](#)

<sup>7</sup> Article 5h, Council Regulation (EU) 2022/345 of 1 March 2022 amending Regulation (EU) [No 833/2014](#)

not permitted in any EU member state. It is important to note, the transfer of USD has been observed successfully, yet the transfer of Euro has been frequently failing after delays. These transfers are only possible from bank accounts not affected by full suspension of operations via sanctions of the European Union and the US.<sup>8</sup>

Moreover, according to the regulations of the Central Bank of Russia, transfers from non-sanctioned Russian bank accounts to another person's bank account are limited to 5000 USD per month each year.<sup>9</sup> In addition, the Central Bank of Russia notes the transfer of money to another legal person's bank account is valid as long as the bank account was created before the 1st of March.<sup>10</sup> The new regulation imposed inside the Russian Federation obligates transfers to indicate the purpose of the transactions, for which it is recommended to include reasons such as payment of rent, education, medical payments.<sup>11</sup>

### **How to obtain a bank account in Spain? (IEU student specific)**

The following banks are the major banks in Spain: BBVA<sup>12</sup>, Santander<sup>13</sup>, Caixabank<sup>14</sup>, Sabadell<sup>15</sup>, Unicaja<sup>16</sup>, Bankinter<sup>17</sup>, Abanca<sup>18</sup>, Kutxabank<sup>19</sup>, Ibercaja bank<sup>20</sup>. Due to the continuously changing state of the situation, it is recommended to call the bank to find bank-specific information for Russian citizens. Nevertheless, no national regulations restricting the issuance of bank accounts for Russian citizens are in place, apart from the European Union regulations.

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<sup>8</sup> Central Bank of Russia [information](#)

<sup>9</sup> Central Bank of Russia [information](#)

<sup>10</sup> Central Bank of Russia [information](#)

<sup>11</sup> Central Bank of Russia [information](#)

<sup>12</sup> BBVA [website](#)

<sup>13</sup> Santander [website](#)

<sup>14</sup> Caixabank [website](#)

<sup>15</sup> Sabadell [website](#)

<sup>16</sup> Unicaja [website](#)

<sup>17</sup> Bankinter [webiste](#)

<sup>18</sup> Abanca [website](#)

<sup>19</sup> Kutxabank [website](#)

<sup>20</sup> Ibercaja bank [website](#)

## **What are the restrictions for Russian passport holders obtaining a bank account in the European Union?**

The European Commission has imposed a limit of 100,000 Euro on deposits from Russian citizens, residents and legal entities.<sup>21</sup> However, the limitation is not applicable for Russian passport holders who are residents of an EU member state nor persons holding dual citizenship.<sup>22</sup> Moreover, Switzerland followed the EU's decision with a limitation of 100,000 Swiss francs for Russian citizens and legal entities, as well as a requirement for banks to report on existing deposits from Russian clients above 100,000 Swiss francs.<sup>23</sup>

## **Within which countries in Europe can Russian passport holders obtain a bank account?**

The European Union permits Russian juridical and natural persons to obtain bank accounts, as long as the limitation of 100,000 Euro on deposits is not exceeded.<sup>24</sup> The European Central Bank has issued a surveillance of bank accounts held by Russian and Belarusian residents in the European Union.<sup>25</sup> The surveillance aims to put on alert large payments and deposits, as well as new credit applications within the European Union.<sup>26</sup>

## **What are the European Union restrictions on Russian banks?**

As of 12th of March 2022, the European Council Regulation prohibits access to the SWIFT system to Bank Oktritie, Novikombank, Promsvyazbank, Bank Rossiya, Sovcombank, Vnesheconombank (VEB), VTB Bank.<sup>27</sup> Furthermore, legal bodies in

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<sup>21</sup> EU extends scope of [sanctions](#)

<sup>22</sup> EU extends scope of [sanctions](#)

<sup>23</sup> Switzerland adopts further [sanctions](#) imposed by the European Union against Russia

<sup>24</sup> EU extends scope of [sanctions](#)

<sup>25</sup> EU extends scope of [sanctions](#)

<sup>26</sup> EU extends scope of [sanctions](#)

<sup>27</sup> Article 5h, Council Regulation (EU) 2022/345 of 1 March 2022 amending Regulation (EU) [No 833/2014](#)

Russia whose proprietary rights are directly or indirectly owned for more than 50% by the listed entities are excluded from the specialised financial messaging services (such as the SWIFT system).<sup>28</sup> Furthermore, the European Council Regulation has prohibited the sale, supply, transfer or export of the Euro banknotes to Russia if the purpose is not for personal use of natural persons travelling to Russia or members of their immediate families travelling with them, or official purposes of diplomatic missions, consular posts, or international organisations in Russia.<sup>29</sup> Furthermore, the European Council Regulation prohibits the participation, knowingly and intentionally, in activities to circumvent the prohibitions.<sup>30</sup> Additionally, the European Council has prohibited, as of 15th of April 2022, to provide credit rating services to any Russian national or natural person residing in Russia, or any legal person, entity or body established in Russia.<sup>31</sup>

### **What are the restrictions within the Russian Federation on juridical persons in the withdrawal of foreign currencies?**

Following the regulations of the Central Bank of Russia, until the 9th of September 2022, juridical persons are permitted to withdraw USD, Pound sterling, Euro, and Japanese yen up to 5000 USD per month, while all other currencies face no limitations.<sup>32</sup> Additionally, non-residential juridical persons are completely prohibited from obtaining USD, Pound sterling, Euro, and Japanese yen until the 10th September 2022 under the current regulations.<sup>33</sup> However, deposits and bank accounts which have been previously holding the mentioned currencies, face no novel restrictions.<sup>34</sup>

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<sup>28</sup> Article 5h, Council Regulation (EU) 2022/345 of 1 March 2022 amending Regulation (EU) [No 833/2014](#)

<sup>29</sup> Article 5i, Council Regulation (EU) 2022/345 of 1 March 2022 amending Regulation (EU) [No 833/2014](#)

<sup>30</sup> Article 12, Council Regulation (EU) 2022/350 of 1 March 2022 amending Regulation (EU) [No 833/2014](#)

<sup>31</sup> Article 1g, Council Decision (CFSP) 2022/430 of 15 March 2022 amending Decision 2014/512/CFSP

<sup>32</sup> Central Bank of Russia [information](#)

<sup>33</sup> Central Bank of Russia [information](#)

<sup>34</sup> Central Bank of Russia [information](#)

## **What are the restrictions within the Russian Federation on natural persons in the withdrawal of foreign currencies?**

The Central Bank of Russia states, from the 9th of March until the 9th of September 2022, only resident natural persons are permitted to withdraw up to 10,000 USD per month in accordance with the currency conversion value of the day of withdrawal.<sup>35</sup> It is important to note the Russian Federal Law No. 173-FZ of December 10th, 2003, defines residents as natural persons who are citizens and are residing in the Russian Federation, non-citizen natural persons holding a residential permit, and legal entities established in compliance with laws of the Russian Federation.<sup>36</sup> The value of 10,000 USD per month may be withdrawn in as many separate withdrawals as desired until the limitation is reached.<sup>37</sup> All clients' funds on foreign currency accounts or deposits are kept and accounted for in the deposit currency. However, the Russian Federation permits further deposits to be made onto accounts holding foreign currency, interest rate remains the same, and conversion from foreign currencies into the Russian Ruble is permitted.<sup>38</sup>

## **Are there extraordinary regulations for the purchase of foreign currencies within the Russian federation?**

The Russian Central Bank states no extraordinary regulations apply for banks, and the imposition of commissions for the purchase of foreign currency by commercial banks is prohibited until the 9th of September 2022.<sup>39</sup> However, the Central Bank of Russia notes a commission of 12% applies for the purchase of foreign currency through a broker in the foreign exchange market.<sup>40</sup>

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<sup>35</sup> Central Bank of Russia [information](#)

<sup>36</sup> Federal [Law No. 173-FZ](#) of December 10, 2003 on Currency Regulation and Currency Control

<sup>37</sup> Central Bank of Russia [information](#)

<sup>38</sup> Central Bank of Russia [information](#)

<sup>39</sup> Central Bank of Russia [information](#)

<sup>40</sup> Central Bank of Russia [information](#)

## Are there restrictions on loans in the form of foreign currency for legal entities in the Russian Federations?

As a counter sanction, there is a prohibition on the receipt of loans in the form of Euro, US dollar, and other foreign currencies of the countries which have imposed sanctions on Russia.<sup>41</sup> Nevertheless, legal entities in the Russian Federation are permitted to receive loans from such countries in the form of the Russian ruble.<sup>42</sup>

## What does the suspension of operations by financial service providers within the Russian Federation mean for citizens?

Visa<sup>43</sup>, Mastercard<sup>44</sup>, PricewaterCoopers<sup>45</sup>, KPMG<sup>46</sup>, American Express<sup>47</sup>, Westernunion<sup>48</sup>, and MoneyGram<sup>49</sup> have suspended all operations in Russia. Therefore, all transactions initiated through these payment systems using cards issued by Russian banks, will no longer work outside of the Russian Federation. Moreover, online banking systems of Apple Pay<sup>50</sup>, PayPal<sup>51</sup>, and Google Pay<sup>52</sup> have suspended operations in the Russian Federation. Samsung Pay continues operations in Russia, however operations using MasterCard and Visa are suspended, while cards issued by Mir continue to operate with Samsung Pay.<sup>53</sup> Nevertheless, cards operating through the suspended payment systems are functional within the Russian Federation until the date of expiry of the card due to the National Payment Card System's support of transactions.<sup>54</sup> Thus, only after the date of expirations will bank cards need to be

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<sup>41</sup> Central Bank of Russia [information](#)

<sup>42</sup> Central Bank of Russia [information](#)

<sup>43</sup> Visa suspends all Russia operations [statement](#)

<sup>44</sup> Mastercard statement on suspension of Russian [operation](#)

<sup>45</sup> Statement on PwC [Russia](#)

<sup>46</sup> KMPG [statement](#)

<sup>47</sup> American Express suspends operations in Russia [statement](#)

<sup>48</sup> Western Union suspends operations in Russia [statement](#)

<sup>49</sup> MoneyGram suspension of operation in Russia Facebook [statement](#)

<sup>50</sup> Reuters [informs](#) of Apple Pay suspension of operations in Russia

<sup>51</sup> Paypal CEO Dan Schulman's [statement](#)

<sup>52</sup> Google Pay [statement](#) on the pausing billing system for users in Russia

<sup>53</sup> Samsung Pay [continues](#) operations in Russia

<sup>54</sup> Central Bank of Russia [information](#)

changed to be supported through the MIR financial operator. The Russian banks are expected to utilise domestic financial operators such as MIR supported by the National Payment Card System<sup>55</sup>, and can turn towards UnionPay, a payment system of the People's Republic of China.<sup>56</sup>

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<sup>55</sup> Central Bank of Russia [information](#)

<sup>56</sup> Union Pay [continues](#) operations in Russia

## II. IMMIGRATION

### How are Russians currently leaving the country?

#### A) Flights

Due to the EU's sanctions against Russia, there are no direct flights to any member state of the European Union, including Spain. In order to leave, you need to travel via one of the countries that still receives flights from Russia. Unfortunately, it is not possible to predict when direct flights to EU countries will resume.

However, there are still flights to Turkey, certain countries in the Middle East, the Caucasus, among others. Several of these destinations are very popular with Russians leaving the country as they are visa-free. It is advised to be up-to-date on the availability of these flights given the high demand and unpredictability.

Although it is not very common, keep in mind that there are testimonies of Russian citizens who were asked for their mobile devices by authorities at the airport in search of any sort of anti-government activity.<sup>57</sup>

#### B) By Land

There are also options for departure by land. One can travel by car, however, Russians need a Schengen visa to be able to enter the Schengen area (most EU countries belong to the Schengen area).

There is also a bus route from Saint Petersburg to Tallinn in Estonia:

<https://luxexpress.eu/en/routes/st-petersburg-tallinn/>

(Lux Express is a commercial transport service company)

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<sup>57</sup> The Guardian article on Russians fleeing the country:  
<https://www.theguardian.com/world/2022/mar/03/people-leaving-russia-ukraine-war>

## Who has restrictions in the EU?

Travel restrictions have been introduced for diplomats, politicians and businesspeople. They no longer have privileged access to the European Union. Ursula von der Leyen, the President of the European Commission, has stated that visa policy limitations will be included among the sanctions that the EU will implement on Russia.<sup>58</sup>

Individual EU Member States may decide to suspend Schengen visas to Russian citizens, including tourism, work visas, and student visas. (Mateusz Morawiecki, Poland's Prime Minister, proposed this at a press conference in Warsaw on Monday, April 4). At the moment, the Czech Republic is reported to have ceased to issue visas to Russian citizens (except for humanitarian reasons). Lithuania, Estonia, and Latvia have apparently also adopted similar measures.<sup>59</sup>

## Are there any precautions to take regarding travel to the EU?

The Interior Minister of the Czech Republic has called on the European Union to impose a rule whereby Russian passport holders will be allowed into the Schengen Area only with a biometric passport.<sup>60</sup> Thus, to be prepared for such an eventuality, students should ensure their passport is biometric.

## What is the importance of verifying the status of airline companies before travelling?

Due to the sanctions with respect to the Russian aviation industry<sup>61</sup>, it is possible that many aviation companies will suspend flights to Russia even if that would not be required under applicable law. Additionally, Aeroflot Airline has suspended all

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<sup>58</sup> Shengen visa info news February 25, 2022: <https://www.schengenvisainfo.com/news/russian-envoy-to-eu-says-all-member-states-may-ban-issuance-of-schengen-visas-for-russians/>

<sup>59</sup> Shengen visa info news April 5, 2022: <https://www.schengenvisainfo.com/news/poland-calls-on-eu-to-completely-halt-issuance-of-schengen-visas-to-russians/>

<sup>60</sup> Shengen visa info: <https://www.schengenvisainfo.com/news/czechia-urges-eu-to-tighten-passport-rules-for-russian-citizens/>

international flights effective 8<sup>th</sup> of March, 2022 with the exception of flights to Belarus.<sup>62</sup>

### **Which countries' airlines have been banned from entering Russia?**

As a counter-sanction by the Russian Federation, airlines established in Albania, Anguilla, Austria, Belgium, Bulgaria, British Virgin Islands, Germany, Gibraltar, Hungary, Greece, Denmark, Canada, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Jersey, Ireland, Iceland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, and the United Kingdom are not allowed to enter the Russian Federation airspace.<sup>63</sup>

### **What documents do I have to prepare in case I want to leave Russia?**

Russian citizens can only stay for 90 days in a 180-day period in the Schengen area (The date of entry is considered as the first day of stay in the Schengen territory and the date of exit is considered as the last day of stay in the Schengen territory). This means that if they are staying on a tourist visa, they must leave the Schengen area after the first three months. They cannot just register or do anything else to stay for a longer period under a tourist visa.

For longer stays, Russian citizens need a residence permit (such as a work permit or study permit). These are given based on national immigration laws in each EU country and are typically subject to long and complicated procedures. When applying for a work or study related residence permit it is possible that you will be asked for the following documents: All your personal documents and diplomas with apostilles. You can also do translations in another country, but you can obtain an apostille for your documents only in Russia.<sup>59</sup>

## Is it possible for me to use my right to asylum in the EU?

Russian citizens, like citizens of any country, have the right to make an application for asylum in any EU country. In addition, individuals are protected from being deported according to Article 18 of the European Union's Charter of Fundamental Rights.

Any proof that can somehow show persecution (such as court orders or other legal documents, letters, photos, videos) should be kept as they can be of help in the process of demonstrating one's fear of persecution in Russia. You have the right to ask for asylum with your entire family if you enter the EU with your family members.

Application for asylum is a complex process and the success rate is low. However, one may get asylum in an EU country if one has a well-founded fear of being persecuted in one's home country or country of permanent residence because of one's:

- origin
- religion
- nationality
- membership in a certain social group
- political opinions

Another requirement is that one cannot rely on the protection of the authorities of one's home country or country of permanent residence because of the persecution one fears.<sup>61</sup>

### III. VISA APPLICATIONS FOR RUSSIAN STUDENTS

#### Renewing NIE in Spain

According to the information received from the university there have not been any changes made to the procedure for Russian citizens.

#### Visa application in Russia

For students applying for a student Visa in Russia (Type D visa) no changes have been made in accordance with the Spanish Embassy in Moscow.

#### VISA applications to the UK

The same applies for Russian students studying a double degree with 'The University of Law' in the UK. After contacting the UK Embassy in Madrid it became clear that the process has not changed.

### V. SOCIAL MEDIA & CONNECTIVITY

#### Are VPNs legal in Russia?

Yes, VPNs are legal in Russia<sup>62</sup>. Nevertheless, it is evident that the Kremlin is taking all the possible measures to control the internet activity and therefore, although the use

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<sup>61</sup> EU's Refugee Qualification Directive 2011/95/EU, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32011L0095#d1e881-9-1>. More information on the asylum process is available at: [https://ec.europa.eu/home-affairs/policies/migration-and-asylum/common-european-asylum-system\\_es](https://ec.europa.eu/home-affairs/policies/migration-and-asylum/common-european-asylum-system_es)

<sup>62</sup> [Article 34.1](#), Chapter 2, Russian Federation's Constitution concerning right to free use of abilities and property not prohibited by law

of VPN is legally allowed, it is not something to be public about if using them. The Government may use this information against Russian citizens. VPNs and internet anonymizers are not banned in Russia, but the country does block URLs of VPN providers that give access to blocked content or websites on Russia's "reject list."<sup>63</sup>

The process to set up VPNs varies from device to device but can be easily looked up.

### VPN & social media restrictions and solutions

Restrictions:

- The "Russian island", that put the Russian internet beneath state control, has been official since May 1, 2019, when Putin signed the law.<sup>64</sup>
- RuNet allows for the internet to continue working in the country, redirecting all traffic to national servers controlled by state authorities – meaning that the Kremlin determines what can be accessed.<sup>65</sup>
- Meta social networks (Facebook, Instagram and Twitter) and independent outlets have been banned or retracted their business from Russia.<sup>66</sup>

Solutions:

Both the Internet Protection Society<sup>67</sup> and Roskomsvoboda<sup>68</sup> have offered citizens "legal alternatives to unblock blocked websites."

Methods:

- 1- Install Virtual Private Network (VPN) applications and extensions, which encrypt and resend content using private networks located in other countries. By replacing their Russian IP address with that of the remote server, which will typically be in another country, using a VPN means

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<sup>63</sup> Federal Service for Supervision in the Sphere Of Communications, Information Technologies And Mass Communications [information](#) regarding blocked internet sites

<sup>64</sup> Duman Government [publication](#) on the 'sovereign internet' law

<sup>65</sup> El País [article](#) on the Kremlin's first steps to isolate the Russian internet

<sup>66</sup> SocialMediaToday [article](#) on Russia's social media bans

<sup>67</sup> Internet protection society [website](#)

<sup>68</sup> Roskomsvoboda [website](#)

Russians can access internet services that are blocking Russian traffic. However, many of those have been eliminated or fined by authorities due to a 2018 law that punishes VPN services for allowing access to prohibited portals.<sup>69</sup>

2- Install a series of applications that mask users' IP address and encrypt information:

- ExpressVPN<sup>70</sup>
- NordVPN<sup>71</sup>
- Surfshark<sup>72</sup>
- AtlasVPN<sup>73</sup>
- IP Vanish<sup>74</sup>
- Cyber Ghost<sup>75</sup>

Russian authorities banned one of such services, Tor, in February.<sup>76</sup>

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<sup>69</sup> Federal Law No. 155-FZ of June 27, 2018 "On Amendments to the Code of Administrative Offenses of the Russian Federation" [information](#)

<sup>70</sup> Express VPN [website](#)

<sup>71</sup> NordVPN [website](#)

<sup>72</sup> Surfshark VPN [website](#)

<sup>73</sup> AtlasVPN [website](#)

<sup>74</sup> IP Vanish [website](#)

<sup>75</sup> Cyber Ghost [website](#)

<sup>76</sup> El País [article](#)