MOVEMENTS OF RUSSIAN DIPLOMATS

RELATED PROVISION: ARTICLEs 5v AND 5w OF COUNCIL REGULATION 833/2014

FREQUENTLY ASKED QUESTIONS – AS OF 25 SEPTEMBER 2026

I. Notification scheme (Art. 5v of Regulation 833/2014)

1. What are the penalties in case of a violation of the obligation to notify?

Last update: 17 December 2025

Diplomatic and consular agents are in principle protected in the Receiving State (State where they are accredited) by the rules of international law on diplomatic immunity, in particular the 1961 Vienna Convention on Diplomatic Relations and the 1963 Vienna Convention on Consular Relations:

- Diplomatic agents are in particular immune from criminal, civil and administrative jurisdiction of the Receiving State where they are accredited.
- Consular agents enjoy a more limited immunity related to the performance of their official consular duties (cf notably the exceptions under Articles 41 and 43(2) of the 1963 Vienna Convention on Consular Relations)

Diplomatic and consular agents also enjoy protection when travelling through a territory of a third country when taking up or returning to their post in the Receiving State and when returning to their own country (Sending State). When diplomatic and consular agents are travelling through a territory of a third country, where they have no official status or post (countries where they are not accredited), the level of the protection under international law thus depends on the concrete circumstances (for example whether diplomatic and consular agents are travelling in the framework of their official functions or whether they are travelling for personal or other non-official purposes).

Where diplomatic and consular agents, administrative and technical staff or members of their family are not protected by diplomatic immunity, they could be subject to penalties set up by the Member States in accordance with Article 8 of Reg. 833/2014. According to this provision, Member States shall lay down the rules on penalties, including as appropriate criminal penalties, applicable to infringements of the provisions of this Regulation in their jurisdiction.

Furthermore, according to the 1961 Vienna Convention on Diplomatic Relations (Article 9) and the 1963 Vienna Convention on Consular Relations (Article 23), the Receiving State where the agent has been accredited may at any time and without having to explain its decision, notify the Sending State that the agent is persona non grata or that any other member of the staff of the mission is not acceptable. In such a situation, the Sending State is obliged either to recall the person concerned or terminate his function in the Receiving State. If the Sending State does not comply with this obligation within a reasonable period, the Receiving State may refuse to recognise the person as a member of the mission.

2. To whom is the notification to be made?

Last update: 17 December 2025

The notification is to be addressed to the Member State whose territory will be entered into on

the basis of an accreditation / residence permit or diplomatic visa granted by another Member State.

In case of a travel crossing several Member States' territories, the notification is to be made to each and every relevant Member State whose territory will be entered into on the basis of an accreditation / residence permit or diplomatic visa granted by another Member State. For instance, a Russian diplomat accredited in Member State A (and in Member State A only) and traveling to Member State D via the territories of Member States B and C has to notify Member States B, C and D. On the way back, if the return travel from Member State D entails entry and transit through Member States B and C, the notification should be filed to Member States B and C.

Information-sharing from the notified Member States to the Member States of accreditation is encouraged as the information on relevant traveling persons can be of mutual interest.

3. **How is the notification to be made**?
   Last update: 06 May 2026

It is the competence of Member States to implement Article 5v appropriately. It is recommended that Member States require that the notification be made through diplomatic channels i.e. by Note Verbale addressed to the Ministry of Foreign Affairs of the 'Member State concerned by the travel' (the Member State where the diplomats are travelling to or through, ie the visited Member States) by the Russian diplomatic mission accredited to the visited Member State(s).

The content of the notification is set out in article 5v(4) of Regulation 833/2014 and the notification shall be made not later than on the last working day in the visited Member State(s) and, in any case, not later than 24 hours before that intended date of entry in the visited Member State(s). Working day is to be understood as meaning within the working hours of that day.

Member States could use the following template for a TRAVEL NOTIFICATION FORM:

From	Embassy of Russia to the Member State concerned by the travel
Date of notification	
Destination	
Surname (including patronym)	
First Name	
Date of birth	
Gender	
Embassy / Consulate of Russia where the person is working:	
Position	
Number of ID card (accreditation card) / visa	
Point of entry into the territory	

Date of entry into the territory	
Point of exit from the territory	
Date of exit from the territory	
Means of transport	
If PRIVATE VEHICLE	
Make	
Type	
Licence Plate number	
IF PUBLIC TRANSPORT	
Name of the carrier	
Station/airport of departure	
Time of departure	
Station/airport of arrival	
Time of arrival	

Within this framework, it is recommended that Member States require an e-mail notification of the Note Verbale referred above.

Since the amendment in article 5v(1a) of Reg.833/2014 on 23 April 2026, Russian nationals subject to the notification obligation must carry a copy of the notification and present it, upon request, to the authorities of the visited Member State(s).

4. **Does a Russian diplomatic agent with multiple accreditations have to notify travel between the various Member States of accreditation?**
   Last update: 17 December 2025

No. Russian diplomatic and consular agents in such a situation can travel to and from the territories of the Member States where they are accredited without prior notification (e.g. accreditation in both Member States A and B entails that travelling between A and B does not require prior notification). However, the travel has to be notified in case it involves transit through a Member State to which the person is not accredited (in the example above, if travel between Member States A and B requires the transit through Member State C, a notification must be sent to Member State C).

5. **How does a Member State notify the Council of cases of violation?**
   Last update: 17 December 2025

Member States that apprehend a person subject to the notification requirement on their territories and who did not comply with such requirement can use the Coreu/Cortesy system to inform the Council of such cases.

6. **Does the notification requirement apply to family members?**
   Last update: 17 December 2025

Yes, with the exception of minors or family members who are not part of the household of members of the diplomatic or consular post.

7. **Does the notification requirement apply to Russian diplomatic and consular agents accredited to an EU Member States traveling to a non-EU Schengen Member State?**
   Last update: 17 December 2025

In this case, the legislation of the said non-EU Schengen Member State will apply. The answer depends on whether that non-EU Schengen Member State has implemented the notification requirement at national level.

8. **Do Art. 5v and 5w apply to Russian diplomatic and consular agents traveling from an EU Member State part of the Schengen area to/through a non-Schengen EU Member State or vice versa?**
   Last update: 17 December 2025

The answer depends on whether travel would be possible based on the valid residence permit, including diplomatic identification documents, or the valid visa issued by the accrediting Member State. If the individual in question is allowed to cross into the Member State to / through which he or she is traveling based on his/her accreditation or diplomatic visa, the relevant provisions in art. 5v and 5w apply. If travel based on such documents is not legally possible, the provisions of art. 5v and 5w do not apply. The same consideration applies to travels from a non-Schengen EU Member State to another non-Schengen EU Member State.

9. **Do art. 5v and 5w apply also to Russian diplomatic and consular agents accredited to a country which is not part of the EU nor the Schengen Area?**
   Last update: 06 May 2026

The answer depends on whether travel within the EU would be possible based on a valid residence permit or a valid visa issued by a Member State. If the individual in question, based on such a valid residence permit or a valid visa issued by a Member State, is allowed to travel to/ transit through another Member State, the relevant provisions of art. 5v and 5w apply.

For instance, if a Russian diplomat or consular agent accredited to a third country holds a Schengen visa (without limitations of territorial validity) issued by Member State A, and on the basis of the said Schengen visa travels to / or transits through Member State B, art. 5v and 5w would apply with reference to the travel to / transit through Member State B.

II. Authorisation scheme (Art. 5w of Regulation 833/2014)

1. **How should the authorisation requirement be implemented at national level?**
   Last update: 17 December 2025

Article 5w(1) of Regulation 833/2014 give Member State the right to adopt measures at national level, requiring Russian diplomatic and consular agents, as described by that provision, to ask for an authorisation if they intend to travel to its territory based on the accreditation or visa issued by another State. In addition to ensuring respect for international law, national measures shall also be in line with a number of limitations set out in Article 5w(2).

The right to adopt national measures in Article 5w(1) refers only to travel based on the accreditation or visa issued by another State. Accordingly, any national measure adopted on the basis of Article 5w(1) is without prejudice to the right of a Russian diplomatic or consular agent to request a visa (irrespective of type) from a Member State that decides to adopt such a measure. In case a visa is issued, a Russian diplomatic or consular agent traveling to that Member State based on that visa does not have to request an authorisation.

2. **How should the authorisation requirement under article 5w of Regulation 833/2014 be brought to the attention of the Russian authorities when imposed by a Member State?**
   Last update: 17 December 2025

Under article 5w(3) of Regulation 833/2014, a Member State imposing an authorisation requirement shall inform the Council, at least 5 days before the entry into force of the national measures providing for that requirement.

The Member State imposing the authorisation requirement is responsible to inform relevant stakeholders about the measure regulating travel to or transit through its territory. Decisions by a Member State to introduce an authorisation requirement and the latter's implementation do not give rise to any additional obligations on the part of the accrediting Member State.

In this sense, a Member State adopting such national measures should inform the Russian Federation, through diplomatic channels. This information to the Russian Federation may be made at the same time the Council is informed (i.e. at least 5 days before the entry into force) or, at the latest, on the date of their entry into force. It should also contain the necessary practical details on the authorisation process (application, timelines, supporting documentation required etc.).

3. **How is the authorisation be requested? How should a Member State reply to a request for authorisation?**
   Last update: 17 December 2025

It is recommended that Member States require to use similar diplomatic channels as provided for the travel notification under art. 5v of Regulation 833/2014. A similar template as foreseen for the travel notification may be used in that case.

4. **Are Russian diplomats and consular agents, or members of the administrative and technical staff or of the service staff of diplomatic missions or consular posts of**

Russia, who intend to travel across the territories of one or several Union Member States, based on their accreditation from the receiving state, in order to accompany the diplomatic pouch, required to ask for an authorisation, in case they transit through a Member State that has imposed such an authorisation requirement on the basis of art. 5w?
Last update: 17 December 2025

If such individuals would be accompanying the diplomatic pouch when proceeding to take up or to return to their post, or when returning to Russia, they would fall under the exception provided by art 5w(2)(c), and only a travel notification would then be required.

III. Horizontal points

1. **Do Member States need to reintroduce internal border controls in connection with art. 5v and 5w?**
   Last update: 17 December 2025

No. The obligation to notify under art. 5v of Regulation 833/2014 or be authorised under art.5w gives the Member States concerned by the travel (where the individual is traveling to) the possibility to follow the movements of the individuals subject to the requirement in question in their territories.

2. **Do the references to transit also cover overflight?**
   Last update: 17 December 2025

No. The aim of the measures is ensuring the awareness of Member States or their control over the movements of relevant individuals on their respective territories, against a backdrop of increasing hostile intelligence activities that support Russia's aggression against Ukraine. Overflight does not result in territorial presence for the overflown Member States.

3. **Do the references to transit also cover transit through an airport in the EU?**
   Last update: 05 May 2026

The references cover transit through the Schengen Area of an airport (i.e. the Schengen terminal, separate from the international transit area).

Example: a Russian diplomat accredited in an EU and Schengen Member State A travels to an EU and Schengen Member State C but, to this end, will have a connecting flight in EU and Schengen Member State B. In this case, the Russian diplomat is required to notify Member State B (in addition to notifying Member State C). If Member State B has imposed an authorisation requirement, prior authorisation must be requested (similarly for Member State C).

The references do not cover transit **solely** through the international transit area of an airport (onward journey to a non-Schengen State, where the individual does not leave the international transit area of the airport). However, if such transit implies transit to the Schengen terminal first before reaching the international transit area, articles 5v and w apply.

Examples:

- *A Russian diplomat accredited to an EU and Schengen Member State A is flying from a non-Schengen third country to another non-Schengen third country via transit in an EU and Schengen Member State B. In that case, the Russian diplomat will only transit the international transit area of Member State B and articles 5v and w do not apply.*

- *A Russian diplomat accredited to an EU and Schengen Member State A is flying from Member State A to a non-Schengen third country but with a connecting flight in EU and Schengen Member State B. In this case, the Russian diplomat will first transit the Schengen terminal in Member State B before reaching the international transit area. In this case, the Russian diplomat is required to notify Member State B. If Member State B has imposed an authorisation requirement, prior authorisation must be requested.*

4. What happens if travel plans are affected by events of force majeure?
Last update: 25 September 2026

The notification requirement is without prejudice to cases of force majeure – abnormal and unforeseeable circumstances beyond the control of the individual concerned and the consequences of which could not have been avoided in spite of the exercise of all due care (e.g., an emergency landing, unplanned flight / carrier rerouting with a stopover in another State, or a road or rail accident necessitating rerouting through another State), objectively preventing the timely submission of an updated notification with relevant changes. However, the individual shall notify the changes as soon as practically possible. To this end, email notification is advisable where available.