TREATY

BETWEEN

THE STATE OF ISRAEL

AND

THE RUSSIAN FEDERATION

ON COOPERATION IN THE FIELD OF SOCIAL SECURITY

The State of Israel and the Russian Federation, hereinafter referred to as "the Contracting Parties",

guided by the desire to develop and deepen the friendly relations between the two States and regulate cooperation in the field of social security (insurance),

have agreed as follows:

PART I. GENERAL PROVISIONS

Article 1

Definitions

1. For the purposes of implementation of this Treaty the following definitions shall mean:

1) "legislation" - laws, regulations and other statutory acts of the Contracting Parties that regulate the fields specified in Article 2 of this Treaty;
2) "authorized authority" - the authority authorized to determine the order of application of the present Treaty in the territory of the Contracting Party concerned, which shall be:
in the State of Israel - The Minister of Social Affairs and Services of the State of Israel,
in the Russian Federation - Ministry of Labour and Social Protection of the Russian Federation;
3) "competent institution" - the institutions of the Contracting Parties which are responsible for implementing the legislation in the fields specified in Article 2 of this Treaty:

In the Russian Federation:

Pension Fund of the Russian Federation and its regional branches - in so far as relevant to the matters of confirming the collection of insurance contributions for compulsory pension insurance, determination of entitlement, calculation of the rates and payment of insurance and social pensions and payment of social burial grants for pensioners who were not entitled to mandatory social insurance for temporary incapacity to work and due to maternity at the time of death;

Social Insurance Fund of the Russian Federation and its regional branches - in terms of the following issues:

-the provision of social security benefits for compulsory social insurance for temporary disability and maternity, including social benefits on burial of the deceased citizens subject to compulsory social insurance in cases of temporary disability and maternity at the date of death and the deceased minors who are insured persons' family;

-the provision of social security under compulsory social insurance against work injuries and occupational diseases;

-confirmation of paying the insurance contributions for compulsory social insurance for temporary disability and maternity and compulsory social insurance against work injuries and occupational diseases;

The Federal government institution of medical and social examination "The Federal Bureau of Medical and Social Examination" of the Ministry of Labour and Social Protection of the Russian Federation in regard to the issues of:

-Conducting examination of citizens for the purposes of determining the cause and category of disability, degree of loss of the capacity for work and need for medical, social and vocational rehabilitation.

In the State of Israel - The National Insurance Institute of the State of Israel;

4) "insured persons" - persons as defined in Article 3 of the Treaty, in accordance with the legislation of the Contracting Parties;
5) "family members"- persons defined or recognized as such by the relevant legislation of the Contracting Parties;
6) "residence":

In respect of the Russian Federation - permanent or temporary lawful residence in the territory of the Russian Federation, determined as such by the law of the Russian Federation;

In respect of the State of Israel - habitual residence, which is lawfully established in accordance with the legislation of the State of Israel.

7) "pensions and benefits"- cash benefits under the legislation referred to in Article 2 of this Treaty, including pension's benefits and their increase under the legislation of the Contracting Parties;
8) "periods of insurance":

In respect to the Russian Federation - periods of employment and (or) other activity for which contributions have been paid, as well as other periods which are taken into account in accordance with the legislation of the Russian Federation in the determination of eligibility for pensions and benefits and calculation of their amount;

In respect to the State of Israel - periods of employment and/or self-employment, payment of insurance contributions and/or residence in accordance with the legislation of the State of Israel.

9) "personal data"- any information relating, directly or indirectly, to an identified or identifiable natural person (personal data owner);
10) "processing personal data"- any activity (operation) or set of activities (operations) which are performed upon personal data, whether or not by automatic means, such as collection, recording, organization, storage, adaption, elaboration (update, alternation), retrieval, use, transmission (dissemination, making available), data anonymization, blocking, erasure or deletion of personal data.

2. Other definitions or expressions used in this Treaty shall have the meanings assigned to them by the legislation of each Contracting Party.

Article 2

Material Scope

1. This Treaty shall apply to relations, regulated by the legislation of each Contracting Party in the following fields of social security (insurance):

1) In the Russian Federation:

insurance old-age pensions, insurance invalidity pensions, and insurance survivor's pensions, as well as fixed payment to the insurance pension, raise and/or increase of fixed payment to the insurance pension and supplement payment to the insurance pension, unless otherwise is specified hereby;

social pensions;

funded pension and payments at the cost of pension savings;

benefits for temporary disability, and in connection with the maternity;

children's benefits to persons not subject to compulsory social insurance;

social burial benefits;

provision of compulsory social insurance for work injuries and occupational diseases to the insured person or to the persons entitled to receive insurance benefits in the event of his/her death.

2) In the State of Israel:

old age and survivor's insurance;
invalidity insurance (excluding child invalidity);
work injury insurance;
children's insurance;
maternity insurance;
one-time payment at death.

2. Unless otherwise indicated in paragraph 3 of this Article, this Treaty shall also apply to relations, regulated by any legislation on social security (insurance), amending or complementing the provisions mentioned in paragraph 1 of this Article.

3.This Treaty does not apply to the new legislation that amends or supplements what is set forth in paragraph 1 of this Article in regard to extending the personal scope as well as establishing new types of social security (insurance), unless the authorized agencies of the Contracting Parties agree otherwise.

4. This Treaty does not apply to special legislation of the Contracting Parties governing the issues of pension coverage of the members of the armed forces of the Contracting Parties and other military formations created according to the legislation of the Contracting Parties, officers and junior enlisted personnel of the internal affairs bodies, members of their families, other persons similar to the specified military personnel in terms of pension coverage under specific legislation of the Russian Federation as well as civil servants.

Article 3

Personal Scope

This Treaty shall apply to insured persons who fulfill the following conditions at the same time:

1) nationals of either Contracting Party;
2) residents of either Contracting Party;
3) subject or have been subject to the legislation of the Contracting Parties.

This Treaty shall also apply to family members and survivors of the above mentioned insured persons, who are or have been subject to the legislation of the Contracting Parties.

Article 4

Equal Rights

1. Unless otherwise provided for in this Treaty, the following persons during their residence within the territory of a Contracting Party shall have the same rights and obligations in regard to what is set forth in Article 2 of this Treaty as citizens of this Contracting Party:

1) citizens of the other Contracting Party;
2) refugees according to their status specified in the Convention relating to the Status of Refugees dated July 28, 1951;
3) members of the families of the persons specified in subparagraphs 1 and 2 of this paragraph.

2. If the corresponding circumstances, which occurred on the territory of one of the Contracting Parties, affect the entitlement for pension and allowance and their payment under the legislation of the other Contracting Party, this Contracting Party shall regard these circumstances, as if they had taken place on its own territory.

Article 5

Payment of the Pensions and Benefits

Subject to the request of the persons mentioned in Article 3 of this Treaty, the sums of the granted pensions or benefits may be paid to them in the territory of the Contracting Party that has granted them or may be transferred to the territory of the other Contracting Party according to the procedure mentioned in the Administrative Agreement referred to in Article 17 of this Treaty.

Article 6

Relocation Payments

1. Unless otherwise specified in this Treaty, pensions and benefits referred to in Article 2 of this Treaty, granted by Contracting Parties shall not be subject to reduction, suspension or cancellation due to the residence of the insured person in the territory of the other Contracting Party.

2. When an insured person that was granted a pension relocates from the territory of one Party of the Treaty to the territory of the other Party of the Treaty for residence the pension shall continue to be paid in the same amount by the Party of the Treaty that granted the pension.

3. In respect of the Russian Federation, the provisions of paragraphs 1 and 2 of this Article shall not apply to the payments of pensions, benefits, and other supplemental payments which entitlement and amount of in accordance to the legislation of the Russian Federation are conditional upon residence of the insured persons within its territory, as well as to social (federal or regional) pension supplement.

Social pension in the Russian Federation shall be paid in accordance with the legislation of the Russian Federation.

PART II. APPLICABLE LEGISLATION

Article 7

General Rule

Unless otherwise specified in this Treaty, insured persons who are subject to this Treaty shall be subject only to the legislation of that Contracting Party in whose territory they are engaged in labour activity, unless the Treaty provides otherwise.

Article 8

Exceptions to the General Rule

The provisions of Article 7 of this Treaty establish the following exceptions:

1) Insured persons who are employed in the territory of both Contracting Parties shall be subject to the legislation of the Contracting Party within whose territory those persons permanently reside;

2) The insured persons employed within the territory of one Contracting Party with the organization in which they normally work and sent by that organization to the territory of the other Contracting Party to work for a certain period of time are subject to the legislation of the first Contracting Party for the period of such assignment but for not more than two years. By agreement between the authorized agencies or other specified by them (institutions), the said period of being subject to the legislation of the Contracting Party, which has given that assignment, may be extended on a case by case basis, but not more than for two years;

3) In respect to the personnel of diplomatic missions and consular offices of the Contracting Party as well as private domestic workers should be applied the provisions of Vienna Convention on Diplomatic Relations of April 18, 1961 and Vienna Convention on Consular Relations of April 24, 1963, accordingly;

4) Crew members of a vessel are subject to the legislation of the Contracting Party within whose territory the hiring organization is registered.

The persons hired to perform loading, unloading and repairs of vessels or hired as port security personnel are subject to the legislation of the Contracting Party within whose territory the port is located;

5) The mobile personnel of transportation organizations engaged in international forwarding within the territories of both Contracting Parties is subject to the legislation of the Contracting Party within whose territory the relevant organization is registered.

Article 9

Family Members

1. Family members who live with the insured person shall be subject to the legislation of the same Contracting Party, as the insured person in accordance with Articles 7 and 8 of this Treaty.

2. Paragraph 1 of the present Article shall not apply if the family members are subject to the legislation of the other Contracting Party on the basis of their own labour activity.

PART III. PAYMENTS IN CONNECTION WITH OLD AGE, DISABILITY AND SURVIVORSHIP

Article 10

Calculation and Totalization of Insurance Periods

1. Each Contracting Party shall grant a pension on the basis of insurance periods (pension entitlement level) acquired within its territory, in accordance with its legislation and the provisions of this Treaty.

When evaluating the entitlement to a pension under the legislation of the Russian Federation, the insurance coverage periods acquired in accordance with its legislation as well as within the territory of the former Russian Soviet Federative Socialist Republic are taken into account. The periods acquired within the territory of other former republics of USSR as well as other countries are not taken into account.

2. Where in accordance with the legislation of one Contracting Party there is entitlement to a pension without taking into account the insurance periods acquired within the territory of the other Contracting Party, the first Contracting Party shall grant the pension based on the insurance periods acquired within its territory. The calculation and confirmation of insurance periods shall be performed in accordance with the legislation of the Contracting Party that grants the pension.

3. If according to the legislation of one Contracting Party the entitlement to a pension does not arise on the basis of periods of insurance acquired in the territory of that Contracting Party, then, when determining the entitlement to a pension, periods of insurance acquired within the territory of both Contracting Parties shall be taken into account, including periods of insurance acquired in the territory of the former Russian Soviet Federative Socialist Republic, except for the cases when the insurance periods overlap.

While establishing the right for pension in the Russian Federation under paragraph one of this clause, the value of individual pension rate equal to one during one year of employment on the territory of the State of Israel shall apply. One month of employment shall be equal to 1/12 of the rate for the full calendar year, and one day of employment shall be equal to 1/360 of the rate for the full calendar year.

4. When determining the entitlement to a pension regarding a certain profession, certain position or under certain working condition and in certain organizations according to the legislation of one Contracting Party, similar insurance periods of work acquired in the territory of the other Contracting Party shall not be totalized with periods of the above mentioned work in the first Contracting Party, but these insurance periods shall be taken into account as insurance periods on a common basis.

5. As regards Israel, the insurance period required for entitlement for old age pension insurance shall be at least 144 months.

When calculating periods of insurance acquired in the territory of the Russian Federation including in the territory of the former Russian Soviet Federative Socialist Republic , the Israeli competent institution shall take into account only periods of insurance completed after April 1, 1954.

6. Where the total length of the insurance coverage period acquired in accordance with the legislation of one Contracting Party is less than twelve months and this period does not confer the entitlement to a pension, this period shall be taken into account by the competent institution of the other Contracting Party provided that taking into account the insurance periods acquired within the territory of that other Contracting Party, the entitlement to a pension arises.

Article 11

Calculation of Payments Amount

1. Each Contracting Party shall calculate the amount of the pension corresponding to the insurance period acquired in its territory in accordance with the provisions of its own legislation.

The calculation and confirmation of the insurance periods shall be made in a manner specified by paragraph 2, Article 10 hereof.

While estimating the pension rights under the legislation of the Russian Federation, the insurance periods acquired in its territory including the territory of the former Russian Soviet Federative Socialist Republic shall be taken into account.

2. The amount of fixed payment of the insurance pension and one of increase of fixed payment of the insurance pension as well as increase of the insurance payment fixed pension valorization shall be set pro rata as the ratio between the actual employment term on the territory of the Russian Federation as well as on the territory of the former Russian Soviet Federative Socialist Republic and the employment term required for establishment of the right for social insurance in accordance with the legislation of the Russian Federation.

3. When granting a pension in accordance with the legislation of the Russian Federation to persons residing in the State of Israel:

The evaluation of pension rights shall be made taking into account the insurance coverage periods acquired in the territory of the Russian Federation as well as within the territory of the former Russian Soviet Federative Socialist Republic. Periods of insurance acquired within the territory of other former republics of USSR and other countries will not be taken into account.

The fixed payment of the retirement pension will not be granted, and valorization of pension rights will not be calculated in monetary form.

4. When ascribing social (federal or regional) supplement payment to the pension in the Russian Federation, pensions ascribed in the State of Israel are taken into account.

PART IV. BENEFITS FOR TEMPORARY DISABILITY AND MATERNITY

Article 12

Granting and Payments of Benefits

Temporary disability and maternity benefits shall be granted and paid in accordance with the legislation and at the expense of the Contracting Party whose legislation applies to the insured person.

Article 13

Insurance Period Calculation

In order to establish the right to benefits for temporary disability and maternity, as well as their amount, all the insurance periods acquired within the territory of the Contracting Party where the insured persons have been employed shall be taken into account.

PART V. BENEFITS FOR FAMILIES WITH CHILDREN

Article 14

Payment of Benefits

1. Benefits for families with children, with the exception of lump-sum childbirth benefit, shall be paid in accordance with the legislation of the Contracting Party in whose territory the child resides.

2. The lump-sum childbirth benefit shall be paid by the Contracting Party whose legislation applies to the mother at the time of the child's birth or to the adoptive parent at the time of adoption.

PART VI. BENEFITS IN CASE OF AN INDUSTRIAL INJURY OR OCCUPATIONAL DISEASE

Article 15

Granting and Payments of Benefits

1. Benefits in the event of employment injury, occupational disease or death caused by those reasons shall be granted and paid by the Contracting Party whose legislation applies to the insured person at the time of the employment injury or death or during the performance by this person of the last work, which caused the occurrence of occupational disease, even when the occupational disease was first pronounced within the territory of the other Contracting Party.

2. In cases where the insured person who has developed an occupational disease was employed within the territory of both Contracting Parties under the working conditions and in the field of activity that could cause the occupational disease, the benefit is granted and paid by the Contracting Party, whose legislation applied to that person at his/her last job, which caused the occupational disease.

3. Where the degree of loss of the capacity for work of the insured person is changed, the recalculation of the benefit is made in accordance with the legislation of the Contracting Party within whose territory the employment accident occurred or occupational disease developed.

4. Where the insured person who receives the employment injury or occupational disease benefit relocates from the territory of one Contracting Party to the territory of the other Contracting Party for residence, the benefit shall continue to be paid by the Contracting Party that granted the benefit.

5. An insured person receiving occupational disease benefit at the expense of one Contracting Party shall be entitled to benefit increase in connection to the succeeding job in accordance with the legislation of the other Contracting Party, which also caused an occupational disease resulting in decreased capacity for work.

In this case, the benefit is granted by the competent authority of the first Contracting Party in accordance with its legislation without regard to the change of the degree of loss of the capacity for work, and the competent authority of the other Contracting Party shall grant the benefit in the amount corresponding to the degree of loss of the capacity for work.

PART VII. BURIAL GRANT

Article 16

Payment of the Grant

Where entitlement to a burial grant arises in accordance with the legislation of both Contracting Parties, the grant shall be awarded and paid by the Contracting Party within whose territory the insured person resided on the day of his/her death.

PART VIII. COOPERATION OF THE CONTRACTING PARTIES

Article 17

Implementation of the Treaty

The authorized authorities shall conclude an Administrative Agreement for the implementation of this Treaty.

Article 18

Cooperation of the Authorized Authorities

1. The authorized authorities shall cooperate directly on all issues of social security (insurance) regulated by this Treaty.

2. The authorized authorities shall provide each other relevant information about the changes in the legislation.

3. For the purposes of implementation of this Treaty, the authorized authorities and competent institutions of the Contracting Parties shall interact with one another and provide assistance free of charge.

Article 19

Medical Examination

1. Medical examinations and re-examinations of insured persons in order to determine the degree of disability, occupational disability, the degree of incapacity to work, the group and the cause of disability to work shall be made at the place of their residence.

2. The decisions on the degree of disability, the degree of occupational disability, the degree of incapacity to work, group and the cause of disability shall be made by the medical expert institution of the Contracting Party under whose legislation the pension or benefit is granted and paid.

Article 20

Submission of Application and Documents

1. An application for the pension (benefit) granting (payment) submitted in accordance with the legislation of one Contracting Party shall be considered to be an application for the pension (benefit) granting (payment) submitted in accordance with the legislation of the other Contracting Party subject to the entitlement to a pension (benefit) granting (payment) according to the legislation of this Contracting Party.

2. The date of submission of application to grant or reconsider a pension or benefit, claims or document to the competent institution of one Contracting Party shall be deemed to be the date of submission to the competent authority of the other Contracting Party.

Article 21

Cooperation Between Competent Institutions

1. The competent institutions of the Contracting Parties shall provide the necessary information about the circumstances relevant to the implementation of this Treaty, and shall take measures to determine these circumstances.

Documents required for social security (insurance) issued in the territory of either Contracting Party shall be exempt from authentication, in accordance with the Administrative Agreement referred to in Article 17 of this Treaty.

2. Documents prepared by the competent institutions of the Contracting Parties in order to implement the Treaty, may be drawn up in any of the languages of the Contracting Parties. The translation of the document shall be carried out by the competent institution of the Contracting Party which needs it.

Article 22

Data Protection

1. Subject to the provisions of this Article and only upon request of the insured person, the competent institutions of both Contracting Parties are authorized to process personal data relating to that person, for the implementation of this Treaty.

2. While transferring the personal data specified in paragraph 1 of this Article, the competent institution of the Contracting Party shall apply the legislation concerning the protection of privacy and personal data of this Contracting Party.

3. Processing of personal data including its storage by the competent institution of the Contracting Party to which the data is transferred, shall be in accordance with the legislation concerning the protection of privacy and personal data of the receiving Contracting Party.

4. The personal data referred to in this Article shall be confidential and shall be processed solely for the purpose of determining the entitlement to pensions and benefits in accordance with this Treaty. The personal data specified in the request shall only be transferred between the competent institutions or authorized authorities of both Contracting Parties, and shall not be transmitted onwards to third persons.

5. The Contracting Parties shall take all the necessary legal, administrative and/or technical measures to protect the personal data required under this Treaty from accidental or illegal access, destruction, loss, modification, blocking, copying, submitting, distributing, as well as other unauthorized and illegal processing.

Article 23

Request to Withhold Overpaid Sums of Pensions and Benefits

1. The competent institution of a Contracting Party that has paid a beneficiary a sum exceeding the entitlement of that beneficiary, may request the competent institution of the other Contracting Party to withhold the overpaid sum from the pension (benefit) payable by this Contracting Party, subject to the legislation of the Contracting Party paying the pension (benefit).

2. The competent institution that has received the request specified in paragraph 1 of this Article shall transfer the overpaid sum of pension (benefit) withheld to the competent institution that has sent the above mentioned request, or shall inform of the inability to fulfill the request.

Article 24

Settlement of Disputes

The authorized authorities of the Contracting Parties shall settle through negotiations all the disputes arising from the interpretation and application of this Treaty.

PART IX. FINAL PROVISIONS

Article 25

Transitional Provisions

1. The right to pensions and benefits under this Treaty commences on the date of its entry into force.

2. For establishing the right to pensions and benefits in accordance with the provisions of this Treaty, the periods of insurance shall be taken into account, which, in accordance with the legislation of the Contracting Parties were acquired before the entry into force of this Treaty.

3. This Treaty applies to insured events that occurred before its entry into force.

Article 26

Pensions Revision

1. Pensions and benefits granted prior to the entry into force of this Treaty may be revised in accordance with the provisions of this Treaty on the basis of the application submitted by a person, from the first day of the month following the month of submitting the relevant application, but not earlier than the date of entry into force of this Treaty. With regard to the above mentioned, the total amount of pensions or benefits granted by each Contracting Party as of this date cannot be less than total amount of the pensions or benefits (pension or benefit) paid to the insured person prior to their (its) revision in accordance with this Treaty.

2. In case of reduction of the amount of pensions and benefits due to revision mentioned in paragraph 1, such revision shall not be made, and the payment of the previously granted pension or benefit shall continue.

3. The revision of pensions and benefits under this Treaty shall be final.

4. The application referred to in paragraph 1 of this Article may be submitted not later than within two years from the date of entry into force of this Treaty.

Article 27

Entry into Force

1. This Treaty is subject to ratification and shall enter into force on the first day of the third month following the day of the exchange of instruments of ratification.

2. Changes and additions to the present Treaty shall be made by the Contracting Parties by signing of the relevant protocols.

Article 28

Termination of the Treaty

1. This Treaty is concluded for an indefinite period of time.

2. Each Contracting Party may terminate this Treaty by sending a written notification to the other Contracting Party via diplomatic channels. This Treaty shall be terminated after the expiry of six months from the day of receipt of the notification by the other Contracting Party.

3. The rights that arose in accordance with the provisions of this Treaty shall remain in force in case of its denunciation.

In witness whereof the undersigned, being duly authorized by their Governments, have signed this Treaty.

Done at Moscow on June 6th 2016 which corresponds to 29 of Iyar 5776, in the Hebrew calendar in two copies, each copy is in the Hebrew, Russian and English languages, all texts being of equal legal force. However, for the purposes of interpretation and application of this Treaty, in the event of any discrepancies between the texts in the English, Hebrew and Russian languages, the English text shall be used.

On behalf of the State of Israel **On behalf of the Russian Federation**