

# Newsletter

## *Interim Administration of Critical Infrastructure Facilities*

September 14, 2026

Dear Ladies and Gentlemen!

We hereby inform you that, effective as of 24 August 2026, Decree of the President of the Russian Federation [No. 604](#) "On Measures to Ensure the Security of Critical Infrastructure Facilities of the Russian Federation" introduced a mechanism for the interim administration of critical infrastructure where its owners fail to ensure an adequate level of security, including, without limitation, in the event of unmanned aerial vehicle (UAV) attacks ("**Decree No. 604**").

Decree No. 604 was issued with reference to the Federal Constitutional Law "On Martial Law" as well as the Federal Law "On Defence" and Federal Law "On Security", which underscores its special nature and fundamental distinction from standard administrative or corporate decisions.

### **1 Scope of Decree No. 604**

Decree No. 604 provides for the possibility of introducing interim administration in respect of property owned by business entities within the territory of the Russian Federation. This mechanism shall apply to movable and immovable property, securities, equity interests in the charter capitals of Russian organizations, as well as property rights.

Interim administration may be introduced on the following grounds:

- (i) [Failure to take, or the untimely taking of, measures to ensure the security of](#) critical infrastructure;
- (ii) [Failure to comply with security requirements](#) established by:
  - Regulatory legal acts of the Russian Federation;
  - Decisions of the competent authorities responsible for ensuring the security of critical infrastructure;
- (iii) [Creation of a threat to the security or normal operation of](#) critical infrastructure;
- (iv) Identification of the [ineffectiveness of measures](#) aimed at preventing threats of attacks involving unmanned aerial vehicles;
- (v) Failure to restore, [or the untimely restoration of,](#) the operation of such facilities.

At the same time, there are currently no statutory criteria to definitively determine which specific actions are deemed "timely" when taking security measures or restoring facilities, nor are there any established deadlines for performing such actions.

Please note that interim administration is introduced with respect to the following critical infrastructure facilities:

- [Fuel and energy](#) complex (FEC) facilities;
- [Industrial](#) facilities;
- [Communications](#) facilities;
- Utilities, transport, and logistics infrastructure facilities, including [transport and logistics complexes](#);
- [Energy](#) facilities, including nuclear energy facilities;
- [Life support](#) facilities;
- Critically [important and potentially hazardous](#) facilities;
- Any facilities of [paramount importance for ensuring the security](#) and economic stability of the Russian Federation, as well as the life activities of the population.

Decree No. 604 defines critical infrastructure by reference to key sectors of the economy rather than establishing an exhaustive list of critical facilities and defines quite broadly the security requirements applicable to such facilities, failure to comply with which entails the introduction of interim administration. This approach could potentially allow Decree No. 604 to be applied in connection with breaches of statutory requirements relating to the security of critical information infrastructure ("CII") facilities in the context of the use of IT infrastructure.

The interim administration regime is introduced and terminated by the **Government of the Russian Federation upon instruction of the President**.

## **2 Consequences of the Application of Decree No. 604**

It should be noted that, in terms of its legal structure, the mechanism introduced by Decree No. 604 is similar to the procedure established by Presidential Decree No. 302 "On the Interim administration of Certain Property" ("**Decree No. 302**").

Under Decree No. 604, the interim manager exercises the powers of the owner of movable and immovable property, securities, participation interests in the charter (share) capital of a Russian legal entity, and property rights placed under interim administration, except the power to dispose of the property.

Thus, the introduction of interim administration implies that the owner's corporate rights are temporarily suspended, while the owner retains formal legal title. For the duration of the interim administration regime, the interim manager effectively assumes the role of the owner in exercising corporate rights in respect of the asset, except for the right of disposal.

At the same time, expenses associated with the interim administration of the property are funded from the income generated by its use.

## **3 Current Clarifications on the Application of Decree No. 604**

Given that the regulatory criteria for the application of Decree No. 604 are currently not clearly defined, which has predictably raised concerns within the business community, on 24 August 2026 First Deputy Prime Minister of the Russian Federation Denis Manturov provided brief comments to the media regarding the purpose and intended application of Decree No. 604<sup>1</sup>:

- (i) The key trigger for the application of Decree No. 604 is the **failure of the property owner to take action** to ensure the security of critical infrastructure facilities, particularly in connection with unmanned aerial vehicles attacks;
- (ii) The State shall initiate the interim administration mechanism if the owner **fails to respond to warnings and eliminate identified risks** to personnel and the functioning of facilities;
- (iii) The application of Decree No. 604 will be aimed at ensuring the **continued operation of the most vital sectors** of the economy;
- (iv) The established mechanism is not designed for widespread application but **is aimed at case-by-case decisions to be made "at the highest level"**. It is not aimed at nationalisation or any change in the form of ownership, but rather at the **temporary "intervention of the State into the management of an enterprise to address specific tasks in the field of security"**.

On 26 August 2026, the Government of the Russian Federation adopted a Resolution establishing a Subcommission on Ensuring the Uninterrupted Operation of Certain Sectors of the Economy (the "**Subcommission**") in implementation of Decree No. 604<sup>2</sup>.

At the Subcommission's first meeting on 27 August 2026, a list of 167 facilities was compiled to be included in the registry of critically important facilities. The list has not been published.

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<sup>1</sup> [First Deputy Prime Minister Manturov Stated that the Decree on the Interim administration of Enterprises Would Be Applied on a Case-by-Case Basis \(Interfax\)](#)

<sup>2</sup> Resolution of the Government of the Russian Federation No. 1077 dated 26 August 2026 "On the Subcommission for Ensuring the Uninterrupted Operation of Certain Sectors of the Economy of the Government Commission on Enhancing the Resilience of the Russian Economy under Sanctions".

#### 4 Actions That May Be Taken by a Shareholder/Member

Given the current regulatory uncertainty and pending the adoption of an official list of critical infrastructure facilities, we recommend proactively implementing a set of preventive measures.

- (i) **Conduct a diagnostic assessment and audit.** Evaluate whether the company's existing facilities qualify as critical infrastructure facilities, with a particular focus on protection against unmanned aerial vehicles, and comply with any existing instructions issued by supervisory authorities.
- (ii) **Monitor developments and plan ahead.** Monitor enforcement practices under Decree No. 604 and decisions of the Subcommission, including developments with respect to the formation of the list of critical infrastructure facilities, and draft an internal response plan.
- (iii) **Document security measures.** Identify statutory security requirements applicable to the company and its facilities in Russia, and document all measures taken in order to establish an evidentiary record.
- (iv) **Engage with regulatory authorities.** Consider proactively requesting official clarifications, including with respect to the classification of facilities in Russia as critical infrastructure facilities and the appropriate and sufficient security measures and requirements applicable to the company's facilities.

Please note that each strategy and the corresponding actions should be developed on a case-by-case basis, taking into account the specific circumstances.

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If you have any questions, please do not hesitate to contact ALRUD experts:



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