



4-2013

Challenges in Migration Policy in Post-Soviet Russia

Lina Meilus

Illinois Wesleyan University

Follow this and additional works at: https://digitalcommons.iwu.edu/intstu_honproj



Part of the [International and Area Studies Commons](#)

Recommended Citation

Meilus, Lina, "Challenges in Migration Policy in Post-Soviet Russia" (2013). *Honors Projects*. 17.

https://digitalcommons.iwu.edu/intstu_honproj/17

This Article is protected by copyright and/or related rights. It has been brought to you by Digital Commons @ IWU with permission from the rights-holder(s). You are free to use this material in any way that is permitted by the copyright and related rights legislation that applies to your use. For other uses you need to obtain permission from the rights-holder(s) directly, unless additional rights are indicated by a Creative Commons license in the record and/ or on the work itself. This material has been accepted for inclusion by faculty at Illinois Wesleyan University. For more information, please contact digitalcommons@iwu.edu.

©Copyright is owned by the author of this document.

Lina Meilus
Research Honors
Spring 2013

Challenges in Migration Policy in Post-Soviet Russia

Abstract:

The goal of this paper is to analyze Russian migration policy in order to understand why migration policy in post-soviet Russia has become inconsistent and ineffective. The problems of Russian migration are significant because they affect the estimated ten million labor migrants currently working in the Russian Federation who suffer from human rights abuses. Migration policy is also significant because the Russian Federation is the main receiver of labor exported from Central Asian states and without a consistent migration policy Russia risks endangering the social and political stability of Central Asia. By combining an analysis of migration policy with research on the nature of the Russian state and a comparative migration analysis, it becomes clear that Russia is still in a state of transition from the Soviet Union. The problems of a transitioning state, such as a lack of state capacity, institutionalization of informal practices and a lack of trust in state institutions, combine with an overarching lack of national identity to prevent effective policy from being realized.

Table of Contents

- **Historical Background – pg 3**
- **Why Russian Migration Policy Matters – pg 4**
- **Problems of the Transitioning State – pg 8**
- **Problems of State Identity – pg 12**
- **Migration Narrative – pg 14**
 - **1991-1995 – pg 15**
 - **1996-2001 – pg 17**
 - **2002-2005 – pg 20**
 - **2006-2012 – pg 23**
 - **2006-2007-pg 23**
 - **2008-2009-pg 26**
 - **2010-2012-pg 31**
- **Conclusion to the Migration Narrative – pg 37**
- **Comparative Analysis – pg 40**
- **Conclusion – pg 45**

HISTORICAL BACKGROUND

The USSR collapsed along ethnic and national lines. The economic and political situation also led to the collapse, but ethnic and national tensions played a very large role. As strange as it may seem from a Western perspective, the USSR was not a single, socialist state but a vast and diverse multi-ethnic and multi-national state.

The multinational and multi-ethnic nature of the USSR had been acknowledged by Lenin and Stalin as early as the 1920's. Lenin in particular desired the USSR to become a multi-national state. At first Stalin, while appointed the Commissar of Nationalities by Lenin, tried to integrate the many ethnicities and nationalities that had been alienated and marginalized by Imperial Tsarist Russia into the USSR. He hoped that by granting them autonomy in forming their own communist parties and encouraging the use of their native languages, the various nations that made up the USSR would be more willing to accept the state's communist ideology. While this "affirmative action" policy empowered some of the ethnicities, such as the Ukrainians and Jews, it also discouraged the formation of any ethnic Russian organizations as Stalin and Lenin feared that the ethnically Russian majority would come to take advantage of the many ethnic minorities. As a result, ethnic Russians were almost at a disadvantage during the early years of the USSR.

Starting in the 1930s during Stalin's Terror and continuing into WWII, ethnic and national policy in the USSR went in a different direction as Stalin feared that certain ethnic groups might be tempted to help the advancing Nazi armies. The ethnic Germans of the Volga region and many of the Caucasian ethnicities of the Caucasian region were forcibly transplanted

to the outer reaches of Siberia and Kazakhstan. Instead of acknowledging the diversity of the USSR, a policy of unity and uniting around the "Rodina" or Motherland was encouraged.

After the War, Brezhnev and then Khrushchev encouraged the citizens of the USSR against identifying along their ethnic and national lines, instead encouraging their diverse citizens to become "The Soviet People." While this policy was effective in the Russian areas of the USSR, the citizens of the outlying states still continued to identify with their ethnicities. Some regions, such as the Baltic States, which were added to the USSR following WWII, still protested the loss of their independence. Other ethnicities, such the Chechens of the Caucasus region still harbored bitter memories of the brutal treatment they suffered under Stalin during WWII. As a result, soon after Gorbachev's implementation of the Glasnost policies, which encouraged openness and an increase in political freedom in all Soviet Republics, the USSR began to unravel.

By 1992, the USSR had split into Armenia, Azerbaijan, Belarus, Estonia, Georgia, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine and Uzbekistan. As a result, the Russian state, for the first time in history, found itself existing without being part of a larger empire, and facing a huge influx of refugees, returning nationals, and migrants. While some patterns of migration, such as refugees, have tapered off, the Russian state is still the main recipient of labor migrants from Central Asia and the Caucasus.

WHY RUSSIAN MIGRATION POLICY MATTERS

The Russian Federation lacks a consistent approach to dealing with the influx of migrants from Central Asia that come to Russia looking for work. These labor migrants face many obstacles in getting to Russia, being able to find work, and being able to register as legal

migrants and work legally. The largest obstacle seems to be the inconsistent, disorganized, and overly complicated nature of Russia's migration policies. An example of this would be the fact that no one knows exactly how many labor migrants there actually are in Russia at any given time. According to the "United Nations Human Development Report: "The Russian Migration Policy and its Impact on Human Development: the Historical Perspective," "estimates vary from 4 to 10 million, of which 90 percent are unregistered labor migrants" (Ivakhnyuk, p 6.) The FMS, Russia's Federal Migration Service, estimates the number to be around 7.9 million (Human Rights Watch, p 11). During a speech given to the FMS in January of 2012, Vladimir Putin stated that there are 9.2 million foreigners working in Russia (Putin, p 1).

The estimates given in these figures show exactly why the lack of consistent policy is significant; there are millions of labor migrants in Russia that are unregistered and unprotected. They are vulnerable and exploited by their employers in numerous ways, their passports are held hostage by employers, their pay is withheld, they are cheated by their intermediaries, the police use them to extract bribes, and they are beaten, and in extreme cases even killed (Human Rights Watch). The millions of labor migrants that are unable to gain legal status are then forced to become part of the Shadow Economy. The Shadow Economy is a sector of the Russian economy where economic transactions are done strictly in cash and are untaxed and unregulated. Many of the transactions done within the Shadow Economy are illegal and untraceable, which allows for many human rights abuses to take place. Besides the human rights atrocities that migrants face, there are also far reaching ramifications for the Russian Federation if their migration policy remains inconsistent and exploitative.

Another important aspect to consider in why migration policy is inconsistent and why labor migrants are even tolerated at all is the economic impact that labor migrants have on

Russia. It is common knowledge that Russia is and has been experiencing a birth crisis. As a result, “Due to rapid population decline in Russia, most analysts agree that to maintain current levels of economic activity, the workforce must be replenished by labor migration,” (Human Rights Watch, p11). The Russian birth rate has been falling steadily since the 1960’s, “Russia’s fertility rate first plateau in the turn of the 20th century with about 6.5-7.0 births per woman, which decreased to 1.85-1.90 births per woman by the 1960-1970s, [...] Since then, the birth rate has dropped to about 1.6 births per woman,” as demonstrated by Figure 1, (Zakharov). This is well below replacement rate, and labor migrants have been useful in helping avoid the economic consequences of a low birth rate and rapidly shrinking working age population. “Around 500,000 net migrants per year are needed to replace losses in Russian population,” (Zakharov). Others argue that the situation is even more drastic. “The official Russian Statistics Agency, Rosstat predicts that between 2008 and 2025 Russia’s population will undergo a natural decline of 11 million. The number of working age Russians will shrink even faster, by approximately 2 million every year between 2011 and 2017,” (Bishkek and Brussels p 17). Without a steady supply of migrant workers, the birth crisis would have already had a lasting negative impact on the Russian economy.

Ever since experiencing a “growth decade” from 1999-2008, Russia has been considered one of the BRICS (Aslund, Guriev, and Kuchins, p1)¹. The growth that was experienced can be attributed to the high prices of oil and other commodities, which makes the Russian economy rather precarious due to its reliance on being able to export commodities. It can also be attributed to the labor migrants that function as a cheap and flexible labor force that is very much in demand. The Federal Migration Service and President Putin are very much aware of this

¹ The BRICS and Brazil, Russia, India, China, and South Africa. They are considered to be up and coming economical powers.

situation. In a speech given in 2012, Romondanovsky, the Director of the FMS stated that "regrettably, our economy cannot do without foreign workers," (Romondanovsky, p1). An estimated 1 million labor migrants are hired for the construction season each summer to work on the Olympic projects in Sochi alone (Anichkova, p2). These and other figures demonstrate how crucial labor migrants have become for the Russian economy. In order for the Russian economy to defend against the effects of the birth crisis and continue economic growth, it must rely on labor migrants. Yet even though they are necessary for economic growth, labor migrants are still forced into the shadow economy where they remain vulnerable. By being inconsistent and presenting many obstacles to the legalization process, the Russian federation ensures that labor migrants cannot legalize and thus must rely on their employers. This results in a highly flexible, cheap, mobile, and unregulated work force that can continue to drive the Russian economy at the migrants' expense.

In a worst case scenario, where migrant workers would be forced to leave or unable to enter Russia, besides the Russian Federation suffering a dangerous labor crisis, the entire Central Asian region would become politically unstable as "the export labor surplus allowed Central Asian governments to export young men - the segment of society that is the most likely source of unrest," (Karimov, p 3). As demonstrated by the 2008-2009 economic crisis, where thousands of migrants were forced to leave Russia and return to their home countries where, "the return of labor migrants sparked predictions of unrest, intensifying the concern that radical Islamists had been making inroads into the labor diasporas" (Bishkek, Brussels, p 1). The Russian Federation as a destination for labor migrants is crucial for the political stability of Central Asia and contributes greatly to the economies of Central Asia due to the amount of remittances sent back

from Russia (Karimov, p 6). For the Russian Federation to be an effective labor destination for labor migrants, they need a more concise, simpler, and less bureaucratic migration policy.

Given the low birth rate, and economic and political consequences of labor migration in Russia, one would expect the Russian Federation to have a set policy in place with which to manage migration. Instead, the Russian Federation's migration policy on the surface seems to be ineffective and paradoxical due to many contradicting laws and problems of law enforcement. Although it seems chaotic and illogical at first, there is a purpose and a logic to how the Russian Federation manages labor migrants and the goal of this paper is to discover that purpose.

This paper will first explore the many factors that have prevented the emergence of consistent and effective migration policy. In broad terms, they can be grouped into two categories: Problems of a Transitioning State, which include problems of state capacity, informal networks, and a lack of trust in state institutions. The second group consists of Problems of State Identity, which include xenophobia and nationalism. This paper will first define and explore each of the Problems, then analyze Russian migration policy through the Migration Narrative, and then present a Comparative Analysis. From examining all of these sections, it becomes clear that the early problems of establishing and continuing a migration policy began as Problems of the Transitioning State and then transitioned in Problems of State Identity roughly around 2002. It also becomes clear that many of the seemingly illogical and contradictory aspects of Russian migration policy are not random, but deliberately enacted in a way that allows the Russian policy makers to hide behind a curtain of ambiguity while ensuring that labor migrants remain illegal and vulnerable in order to form an unregulated, cheap, flexible, and mobile labor force.

PROBLEMS OF THE TRANSITIONING STATE

So why is the Russian Federation's migration policy so inconsistent and ineffective? Is it simply a result of a weak state capacity, as defined by Jessica Fortin in "A Tool to Evaluate State Capacity in Post-Communist Countries." Fortin measures state capacity with five indicators, the quality of public good provision, taxing capacity, progress in infrastructure reform, levels of corruption, the quality of property right protection and the ration of non-currency money to total money supply, (Fortin, p 655) Going off of Fortin's definition, this paper will continue to define state capacity in terms of the state providing public goods, ability to implement and enforce changes in policy, state control and corruption. Thus a state with strong capacity would be organized, efficient, and effective while a state with weak capacity would be disorganized, fragmented, and underfunded.

By measuring state capacity in post communist states, Fortin is able to conclude that each Post Soviet State emerged with varying levels of state capacity, which have remained relatively unchanged over time (Fortin, p 655). From examining Fortin's data it becomes clear that the western most of the Post Soviet States that had joined the EU were able to slightly raise their state capacity, while that of Russia's remains in the low-middle, with a high level of corruption, contract intensive money, and low amounts of tax revenue brining Russia below the Baltic Republics and former Satellite States but slightly above the Central Asian Republics. According to this index, Russia is a medium to weak state in terms of state capacity. While this conclusion is significant, it is also important to note that in terms of state control, Russia is listed among the strong states due to a highly centralized vertical power structure (Fortin, p 670). Such data is

useful in terms of making comparisons between Russia and the much weaker Central Asian Republics. Unfortunately, it does not account for the Russian Federation's inability to form a cohesive migration policy as the strength of institutions is not among the categories used by Fortin to measure state capacity.

Then perhaps the strange migration policy might be a result of the informal practices and corruption that define modern Russia as defined by Ledeneva, Cheloukhine and King, and Solomon? In her book, "How Russia Really Works," Ledeneva defines informal practices as "regular sets of players strategies that infringe on, manipulate, or exploit formal rules that make use of informal norms and personal obligations for pursuing goals outside the personal domain," (Ledeneva, p 22). This paper will continue to define informal practices as the deliberate and collective breaking and bending of official state rules and regulations that have become institutionalized. Informal networks are difficult to measure and define because they operate on many different levels. In the Russian state, there are three main levels of Informal Networks. The lowest level consists of interpersonal transactions, such as bribing ones friend in the police to help recover a stolen automobile. The second level consists of business to business transactions, such as a firm bartering with another firm in the shadow economy for resources. The highest level of informal networks consists of individual or firm transactions with the Russian State, such as a firm bribing a judge, or an individual gaining state backing in business transactions. The third level is most often used by Russian oligarchs. "The network based governance is complex, diffuse, unpredictable and seemingly unmanageable but at the same time it serves to glue society together, to distribute resources, to contribute to stability and change, and to ensure its own representation," (Ledeneva, p 2).

The information provided by this literature is significant in that it explains the overarching cultural disdain and distrust for the state held by the Russian people as “even if anti-corruption legislation were adopted, the issue of law enforcement and peoples respect for the law are not likely to be solved without a radical change in the existing legal and practical culture,” (Ledeneva, p 110). Solomon reaches a similar conclusion in “Authoritarian legality and informal practices: judges, lawyers, and the state in Russia and China”, where “the reality is that throughout the Post Soviet era the actual implementation of the laws relating to courts, and their crystallization in informal practices, assured that authorities or powerful persons could influence the work of courts and that ... individual judges faced strong incentives to respond to external pressures of various kinds” (Solomon, p 353). This would explain why so few of the migrant workers ever turn to the legal system for protection, as they lack the capital necessary to influence the courts. King and Cheloukhine also argue that “Corruption became a norm of behavior...Post Soviet corruption networks in an oligarchic structure with certain rates, well organized inter-institutional groups incorporated by common idea of extracting profits,” (King and Cheloukhine, p 120). Thus the prevalence of corruption and institutionalization of informal rules would make the application of any new labor legislation and policy exceedingly difficult to implement in a culture where no one trusts the state. It also explains why so many migrant workers are still hired illegally as there is no social stigma attached to bending and breaking such laws. Thus the informal practices and corrupt nature of the Russian state make it an ideal situation for such high levels of illegal migration to occur.

As good as the corruption argument sounds, could weak and inconsistent policy also be a side effect of Russia's continued transition from communism as Gryzmala-Busse and Luong

argue in “Reconceptualizing the State: Lessons from Post-Communism”? Tying into the informal rules and corruption argument, Klimina argues that “Where the boundary between state and society was blurred under communism, and hence, former ruling elites did not face mobilized opposition, as in Russia [...] we find self contained competition [...] where unofficial channels and informal networks will serve as the primary mechanism for implementing policies and allocating resources. The result is decreased procedural unpredictability,” (Gryzmala-Busse and Luong, p 539-540). This quotation effectively describes the situation in Russia in the 1990’s, though “Vladimir Putin has steadily reversed the democratic reforms [...] by deliberately strengthening formal institutions,” (Gryzmala-Busse and Luong, p 541). Even with consolidated formal institutions, the informal networks still remain and may be a major obstacle in instituting any potential policy reform. It is also important to note that not all post-communist states developed in such a way. In states where “the combination of a prior state –society distinction and a centralized state apparatus has produced the nearly consolidated democratic states of the Czech Republic, Hungary [ect]. Elites are highly constrained, and popular compliance with formal institutions is also relatively high,” (Gryzmala-Busse and Luong, p 544). This argument then ties into Fortin’s conclusion that the capacity of a state when it first emerged from communism is still the largest factor in establishing said states current state capacity. In this case both argue that Russia has not been able to move past its soviet past, and the likelihood of a government and institutions not dominated by elites and informal networks seems very unlikely. In such a situation, it is no wonder that effective migration policy has been unable to form.

PROBLEMS OF STATE IDENTITY

Is the lack of coherent migration policy a deliberate result of the rise of Nationalism in Russia and Russia's attempts to find a state identity as Laurelle and Shevel explain? Laurelle argues nationalism has been a reason for Putin's success, as he "perceives "patriotism" as a necessary element for modernizing Russia..." as it has allowed the state to fill the ideological void left following the collapse of the USSR (Laurelle, p 8). Such "patriotism" has resulted in "xenophobia becoming a mass phenomenon affecting all social milieus... This xenophobia is above all distinguished by the treatment it reserves for 'foreigners'. Whether the foreigners in question are Caucasians, Central Asians, or Chinese, all are charged with overwhelming the Russian people," (Laurelle, p 9). From the quotation it becomes obvious that the need for migrant workers to fill gaps in Russia's labor market brought about by the birth crisis does not fit with Putin's new "patriotism". Then, perhaps, is migration policy deliberately neglected as attempting to reform it would be a very unpopular move?

Shevel seems to support this argument, and when addressing the new term of "compatriots" (citizens outside of the geographical borders of Russia who share a common history with Russia) she notes that "A new trend that has been gaining momentum is the legislation of this vagueness," (Shevel, p 199). The move towards vaguer legislation regarding who is Russian and who is not is a deliberate attempt to keep legislation and policy flexible and while not outwardly Nationalist, it allows informal networks to bend, break, and find loopholes in policy and legislation. This would explain why the practice of hiring illegal labor migrants remains prevalent in the Russian Federation, as employers can easily circumvent laws and regulations. This then makes it more difficult and complicated for migrants to find legal and official work in Russia. Perhaps by being vague the Russian Government can appeal to both the growing Nationalist movements and keep laws flexible enough for illegal migration and labor

practices to flourish under the surface. In such a situation, the Russian Federation would have no motives for forming a cohesive migration policy.

While the authors listed above do not write about migration in Russia, the arguments they use to define and analyze the nature of Russian state can be applied in examining the inconsistencies of Russia's migration policy. Corruption, Informal Rules, Nationalism, and problems in State Capacity all contribute towards the inconsistent migration policy and allow illegal migration to flourish. They also raise important questions about the roles of migrant workers in the state. Are they just a disenfranchised group that is necessary to fill labor gaps as a source of easily manipulated and disposable labor? Does the state have any interest in their wellbeing and in protecting their human rights?

The literature on the nature of the Russian state paints a rather hopeless picture for the millions of labor migrants employed in Russia. Either the Russian state lacks the capacity to aid them in any way, or the new Nationalist overtones of the Russian State force them to work illegally and without any protection. Even if the state wanted to help migrants, the prevalence of corruption and informal rules would make it very difficult to enforce any changes in policy in a state where there is no strong civil society and a lack of faith and respect for the law and state institutions. In the end, it is the nature of the state, and its inability to move past its Soviet history and practices that has prevented any cohesive form of migration policy from emerging and being implemented.

MIGRATION NARRATIVE

While there is no literature available regarding the role of the state in forming and enforcing migration policy, there has been extensive research done regarding the human rights crisis that has been brought about by Russia's lack of effective migration policies. Both "Are You Happy to Cheat Us? Exploitation of Migrant Construction Workers in Russia" by Human Rights Watch and "The Russian Migration Policy and its Impact on Human Development: The Historical Perspective" by Irina Ivakhnyuk document human rights abuses that have been experienced by migrant workers. The Human Development Report by Ivakhnyuk is also the most comprehensive report on migration legislation from 1991-to 2006 and will be referenced frequently in that period. Other information is compiled from news articles, speeches, and NGO reports. With all of this information compiled, it becomes possible to track and analyze changes in policy. By analyzing changes in policy, it becomes clear that the patterns of legislation change are largely reactive and that there is no long-term goal for dealing with migrants. It is also clear that the main obstacles are the heavily bureaucratic procedures of acquiring work and residency permits that continue to force migrants into the shadow economy.

Due to the inconsistencies of the Russian Federation's migration policy, the majority of migrants are unable to become legal migrants and are instead classified as irregular. According to the United Nations Development Program Report on The Russian Migration Policy, 90 percent of migrant workers are irregular (Ivakhnyuk, p16). As a result, they are at an increased risk of being marginalized and abused. Many migrants who are unable to get registered work permits are left at the mercy of their employers, who may not pay them in time or at all. Even

those who have permits often do not have signed contracts with their employers, which prevents labor migrants from being able to take their employers to court as without a contract there is no evidence of them having been employed (Human Rights Watch, p 51). Migrant workers are also at risk from being extorted and exploited by their intermediaries. Intermediaries usually take the form of individuals with connections in both the home states of migrants and potential employers in the Russian Federation that act as labor brokers. Once again, 90 percent of intermediaries operate informally (Human Rights Watch, p 28). Between employers, intermediaries, and a lack of faith in the social justice institutions of the Russian Federation, labor migrants are in a very vulnerable position and are often exploited.

In order to understand how the Russian migration system became so ineffective and confusing, it is necessary to first trace its origins and past policies. By examining how policy was implemented in the past, it becomes possible to search for patterns and determine which theory of the nature of the Russian state is most applicable. To summarize, the history of migration policy can be broken up into five distinct periods: 1991 to 1995, 1996 to 2001, 2002 to 2005, and 2006 to present. The changes in periods reflect both events inside the Russian Federation that influenced policy, such as the transition from Yeltsin to Putin's presidency, and events outside the Russian Federation such as the 2001 September Eleventh terrorist attacks, and the 2008 economic collapse.

1991-1995 PERIOD

The 1991 to 1995 period was characterized by reactivist efforts of the newly formed Russian Federation to deal with the refugees entering Russia from other newly independent Post-Soviet States. The FMS, Federal Migration Service, was established in 1992 with its original

purpose being to regulate the arrival of refugees and ethnically Russian Russians returning from newly formed Post-Soviet States (Ivakhnyuk, p 30). It was to operate as independent state agency and had the ability to coordinate migration related efforts with non-state agencies, such as setting up refugee camps (Ivakhnyuk, p 31). Armed conflicts in Armenia, Azerbaijan, Tajikistan and the Russian Federation's own conflict with Chechnya resulted in one million refugees from outside Russia and 2.2 million internally displaced people (Ivakhnyuk, p 27). As a result, the immediate aims of the FMS were to establish refugee camps along the borders of the Russian Federation and regulate the influx of refugees and returning Russians. Many of the refugees and especially returning Russians arrived with hopes of eventually attaining Russian Citizenship. Unfortunately, the 1993 Law on Citizenship, which had been introduced, proved to be confusing and overly bureaucratic, and prevented many from being able to become citizens (Ivakhnyuk, p 30). The goals of the Law on Citizenship were to begin the transition of citizens from being citizens of the USSR to citizens of the Russian Federation. Unfortunately, to apply for citizenship as a migrant having entered Russia, one needed to have many documents from the former USSR, and many of the refugees that fled to Russia did not have all of the required documents. The confusing Law on Citizenship, semi-transparent and unregulated borders, and the FMS's decision not to distinguish returning Russians from refugees from outside of Russia resulted in a mass influx of undocumented individuals into the Russian Federation. "Gaps in legislation and the tough law on citizenship resulted in over three million permanent migrants staying in Russia without any status as of 2002," (Ivakhnyuk, p 28).

From examining the 1991-1995 periods, it becomes clear that migration policy was not planned in advance but implemented as a reactivist attempt to deal with incoming refugees in a new Post-Soviet State. This is not surprising given the state of the Russian Federation in the

early 1990's, as the newly emerged state was struggling with transitioning from a Soviet State to a democracy. Newly elected president Yeltsin's attempts to privatize the economy led to economic instability and rampant inflation. Russia's GDP fell sharply in the 1990's, as demonstrated by the graph in Figure 2. The political situation was not too stable either, as demonstrated by the 1993 October Constitutional crisis where Boris Yeltsin sent in tanks against the Russian Parliament, the Duma. There was "extreme inconsistency in various types of laws, decrees, resolutions, and institutions," (Ledeneva, p 23). Given the chaotic state of the Russian Federation from 1991 to 1995, the most fitting theory for why Russia was unable to form a cohesive migration policy seems to be that the Russian Federation lacked the capacity to implement any long term migration policies. As Ivakhnyuk explains, "...design of migration related laws in the early Post-Soviet period was complicated by a lack of experience [...] and the need for migration laws and rules was very urgent [...] as well as a lack of specialists able to develop detailed legal documents and foresee their effects (Ivakhnyuk, p 30). The quotation effectively outlines the problems facing the FMS and other institutions at this time, an urgent need for laws, lack of experience functioning in a democratic state, and a lack of capable civil servants. From these problems, it becomes clear that the main problem in the 1991-1995 period was a lack of state capacity and resulted in an influx of irregular, undocumented migrants.

1996-2001 PERIOD

While a lack of state capacity explains the initial problems facing the Russian Federation's ability to form cohesive migration policy, it does not fully explain why the number of irregular migrants continued to rise in the 1996 to 2001 period. The 1996 to 2001 period, while chaotic, still saw the stabilization of some political and economic institutions. Boris

Yeltsin was reelected in 1996 and despite the Russian Financial Collapse of 1998, the economy was able to stabilize due to a spike in oil prices. Despite the increasing stability of institutions, the FMS was still unable to effectively regulate the increasing amount of labor migrants, which had come to replace refugees as the main group entering Russia. By 1996, many of the conflicts that emerged after the dissolution of the USSR had ended. With the end of violence in Central Asia and a temporary break in the conflict in the Caucus region, there were no longer refugees streaming into the USSR. Instead, because the conflicts in Central Asia had led to a breakdown of state and civil institutions, many citizens found themselves unemployed. In order to provide for their families and gain financial security, migrants began to enter the Russian Federation as labor migrants.

Many labor migrants from the Central Asian states found the Russian Federation an ideal destination due to “visa free border regulations, historical understanding of the post soviet territory as a common country, and knowledge of the Russian language [which] provided psychological easiness of going to Russia rather than any country outside the former USSR,” (Ivakhnyuk, p 31). Even though the economic situation of the Russian Federation was not ideal, it was still a vast improvement over the economic situations of the Central Asian Republics. In 1997, for example, Tajikistan was facing a civil war, 63 percent of the population lived in poverty, and 51 percent of the working age population was unemployed (Human Rights Watch, p 108). With such conditions prevalent in all of the Central Asian States, which were also struggling to transition from post-communism with varying degrees of success, it is easy to understand why citizens of Central Asian Republics began heading to the Russian Federation as labor migrants.

With transparent borders it was easy to enter the Russian Federation, but, due to the increasingly bureaucratic nature of the FMS, it became more and more difficult for labor migrants to find work legally and register as legal migrants. The system was “overly bureaucratic and artificially complicated procedures of migrant registration and work permit application pushed both migrants and employers out of the legal field. This was the stimulus for wide-spread illegal employment practices,” (Ivakhnyuk, p 33). This also prevented the displaced persons, refugees, and returning Russians from the 1991-1995 period from obtaining citizenship. One of the steps required to gain legal migrant registration was to show a document proving when a migrant entered Russia, but because migrants from the Central Asian Republics did not need visas to enter, they were unable to provide such documentation. As a result, many migrants and employers were forced to work illegally in the Shadow Economy.

The Shadow Economy had long existed under the Soviet Union as the ineffective command economy forced many transactions to take place illegally. Citizens of the USSR would participate in the Shadow Economy in order to gain access to consumer goods. When the Soviet Union transitioned into the Russian Federation, such practices flourished and became commonplace in the all shock and no therapy of the 1990's. Except instead of consisting of under the table transactions in order to acquire consumer goods, transactions became all about money. Instead of consumer goods, citizens were able to buy previously state run businesses and acquire well paying positions within them. This allowed for many under the table business transactions to take place entirely unregulated. In 2000, “Vladimir Makarov, deputy head of the Interior Ministry’s crime department told Interfax [a non for profit Moscow statistics gathering organization] that up to 45% of the countries goods and services fall within the shadow economy,” (Ledeneva, p 116). In an economy with such a prevalent shadow sector, labor

migrants began to fill the niche of flexible, unregulated labor that employers working illegally were more than willing to take advantage of.

Even though such practices had become commonplace by the mid 1990's, the FMS was not ignorant of the situation. In 1996, the first "Concept of the State Migration Policy of the Russian Federation" was drafted. The goal of the Concept was to "...provide reasonable management of migrant flows for the sake of realization of intellectual and labor capacities of migrants and the achievement of sustainable socio-economic development of the Russian Federation" (Ivakhnyuk, p 35). While this demonstrates that the Russian Federation was aware of the problems facing labor migrants, it is also important to note that the Concept was not implemented until 2002 (Ivakhnyuk, p 35). Although aware of the problems it was facing with migration, the FMS was still lacking in capacity as an institution to implement any significant reforms. This lack of capacity, along with the institutionalization of informal practices that originated in the 1991 to 1995 period, prevented any policy from forming.

2002-2005 PERIOD

No significant policy changes occurred until the 2002 to 2005 period. This period was marked by two significant changes, the election of Vladimir Putin in 2000 and the 2001 September Eleventh terrorist attacks. These events brought about two very significant changes in policy, the 2002 Federal Law on the Legal Status of Foreign Citizens of the Russian Federation and changing the FMS from an independent agency to being placed under the Ministry of Interior (Ivakhnyuk, p 38). Together, both of these changes resulted in the policy of the 2002 to 2005 period becoming more restrictive and leading to a surge of illegal migration.

The 2002 law came into effect as a reaction to the September Eleventh terrorist attacks as policy makers began to view the mostly Muslim Central Asian labor migrants as a security threat. As a result the 2002 law proved to be very restrictive. “Red tape proved to be unconquerable (...) it provoked a growth of corruption in the immigration industry,” (Ivakhnyuk, p 41). According to the new law, a foreigner in Russia now had only three days to register, temporary residency was limited to three months, one could only use their work permit in the region it was received, one could only get access to a work permit from their potential employers, and local police were given the right to spot check foreigners and demand to inspect their papers (Ivakhnyuk, p 40-42). For many labor migrants, these new restrictions made it almost impossible to register legally. If arriving by train, it takes over 24 hours to get from the border of Russia and Kazakhstan to Moscow. This would only leave labor migrants two days to find a legal place of residency and an employer willing to issue them a work permit before they are considered illegal by the FMS. For migrants arriving in Russia without a predetermined job planned out, it became impossible to legally register as a legal labor migrant. Unsurprisingly, such changes forced even more migrants into the Shadow Economy. “Thus, labor migration, suffering from red tape and corruption, ‘went underground.’ Instead of the expected decrease, Illegal migration was on the rise. No effective regulation was at hand,” (Ivakhnyuk, p 41).

While the 2002 law made the migration process more restrictive and complicated, placing the FMS under the Ministry of Interior also did not help matters. The Ministry of Interior was a left over institution from the Soviet Union (Ivakhnyuk, p 37). During the USSR, the Ministry of Interior was in charge of the Propsika system, which regulated mobility inside the USSR. In the Russian Federation, the Ministry of Interior was in charge of regulating the militia. By placing the FMS under the Ministry of Interior a ministry with no experience in dealing with migration

was suddenly charged with regulating the millions of labor migrants working in the Russian Federation. As a result, corruption increased and “systematic bribery made illegal immigrants a huge source of income for Russian militia officers,” (Ivakhnyuk, p 38). To make matters even more complicated, the Ministry of Interior was in turn placed under the direct control of the Russian President. “The FMS (...) under the direct guidance from the president of the Russian Federation who determined the functions of the FMS and nominated the FMS Director and Vice Director,” (Ivakhnyuk, p 38). This change resulted in the FMS no longer being an institution that created and implemented migration policy, but an institution charged with enforcing policy implemented by the President of the Russian Federation (Ivakhnyuk, p 48).

As previously stated, these changes vastly restricted migration into the Russian Federation and resulted in many labor migrants being forced to find employment in the shadow sector, which in turn made labor migrants vulnerable for abuse and exploitation. While the results of the 2002 reforms were mostly negative for labor migrants, the fact that such reforms could occur proves that the state had increased its capacity to a degree. Unfortunately, while state capacity had improved, corruption and informal networks still proved to be too big of an obstacle for policy to function as it was meant to. The continuation of the institutionalization of informal networks also demonstrated that the Russian Federation was still struggling to transition from the USSR to a Post Soviet state. This becomes evident in the way that the 2002 Law was enforced, as “Russian laws on migration are no more than framework regulations that do not guarantee wages, social and labor rights for migrant workers equal to national workers,” (Ivakhnyuk, p 48).

The 2002 law and institutional revisions also had the adverse affect of increasing xenophobia against Central Asian labor migrants. As previously stated, the restrictive attributes

of the 2002 law were the result of a reaction to the September Eleventh Terrorist Attacks. This, combined with apartment bombing orchestrated by Chechen terrorists in Moscow and other cities in 1999, created a fear of Muslims and ordinary Russians began to view them with suspicion. Once again, the transfer of the FMS to the Ministry of the Interior worsened the situation as "...racial profiling and receiving kickbacks from migrants became the norm," amongst law enforcement agents (Ivakhnyuk, p 41). The media also played a role in propagating xenophobia of the Muslim, non-Slavic looking Central Asians. As a result "Violent racially-motivated attacks and murders of minorities (...) became common occurrences in Moscow and St. Petersburg as well as in smaller cities, (Human Rights Watch, p 13). Due to the newly restrictive policy, institutional re-shuffling and increase in xenophobia, the 2002-2005 period was one of increasingly difficulty and danger for labor migrants in the Russian Federation. In 2003 45,000 migrants were deported and 1.5 million were fined, and one in six migrants reported facing coercion from agents of the Russian government (Ivakhnyuk, p 44).

2006-2012 PERIOD

2006-2008

Much like with the 1996 "Concept of the State Migration Policy of the Russian Federation," in 2006 the Russian Federation once again attempted major migration reform. This reform, unlike that of 2002, aimed to make migration policy more liberal and less restrictive. There are many reasons for this, such as President Putin being confident enough in his second term to make unpopular reforms and a construction boom that increased the need for labor. This reform, like the 1996 proposed reform, acknowledged several gaps in current policy, such as the ineffectiveness of the police in regulating irregular migrants and the need for Russia to receive

migrants in order to balance out shortages in the labor market due to the Russian birth crisis (Ivakhnyuk, p 50). As a result, the 2006 Concept introduced several significant amendments to the 2002 law, such as extending the permanent stay for foreigners to 180 days, extending the visa-free agreements with central Asian Countries, a guaranteed 10 day wait for work permit approval, and a more flexible registration procedure (Ivakhnyuk, p 56). These amendments aimed to simplify the procedures for labor migrants so that more of them could register legally and attain legal work permits. It also freed labor migrants from having to rely solely on their employers for work permits and registration papers. Now labor migrants could apply for work permits and residency permits directly from FMS offices. Such changes were meant to protect migrants from being illegally extorted and blackmailed into forced labor by their employers.

Unfortunately, much like the 1996 Concept, the 2006 amendments were not implemented as planned. The FMS did not cooperate fully with other agencies in explaining the new amendments and the media broadcasted little about it. "The fact that half of both migrants and employers do not know whether the new regulation have made their situations better or worse proves that either the information about the new rules is inadequate or that significant obstacles remain in the path of easy to follow rules," (Ivakhnyuk, p 61). Enforcing the new rules was also difficult because much of the xenophobia that emerged during the 1996-2002 period had become an established norm by 2006. Migration reform was an unpopular subject, and perhaps in order to distance himself from it, Putin did not take an active approach in enforcing the liberalizing changes. "The massive corruption on which the security organs thrive in conjunction with migrants needs to be combated with a will a will which the Kremlin had never shown," (Laurelle, p 2). Opinions on the amendments also differed within the FMS, "A survey among migration officers in 2006 [...] showed that almost 40% of the staff responsible for

implementation of the migration policy did not support the new rules and insisted on the former permissive employer-driven procedures of foreign worker legalization,” (Ivakhnyuk, p 63). As a result of the unpopular changes, the FMS did not take an active role in enforcing policy changes and little in how migrants were treated actually changed.

A lot of the problems in implementing the 2006 Amendments stemmed from negative views on migration in Russian society. As previously mentioned, the media often exacerbated the situation by spreading fabricated facts such as migrants taking jobs and being responsible for the majority of crimes committed in the larger cities of Moscow and St. Petersburg. For example, “In 2004, 60% of [Russian] respondents would negatively assess the arrival of labor migrants from the Caucasus, Central Asia or China to their communities while 30% would take this fact indifferently,” (Ivakhnyuk, p 72). In 2006, the United Nations Special Reporter on contemporary forms of racism and xenophobia reported, “Russian society is facing an alarming trend of racism and xenophobia,” (Human Rights Watch, p 13). Given these statements, it is no surprise that Russian society saw the 2006 amendments in an unpopular light and resisted implementing the changes. Even though President Putin had won his reelection and had the power to force the FMS to implement changes as the FMS was under the direct control of the President, he took a passive approach and left the enforcement of the amendments to the FMS in the wake of the new amendment’s unpopularity.

It is not surprising, given the unpopularity of the reforms that they did not last. In 2007 while not changing any of the 2006 amendments, the FMS instead reduced quotas for work and residential permits by allowing regional governments to set their own work permit quotas instead of having the limits set by the federal government (Ivakhnyuk, p 76). As a result, in 2008 the quota for work permits fell from six million in 2007 to 3.38 million in 2008, (Human Rights

Watch, p 22). This change once again resulted in millions of labor migrants being forced into the Shadow Economy where they were at an increased risk of being extorted and abused.

Another reform made in 2007 aimed to prevent migrants and foreigners from being employed in Russian markets. (Russian market places are open area markets where goods are bought for cash or bartered). This reform also prevented labor migrants from working in retail and food services (Laurelle, p 2).

Both of these measures were undertaken in a way where the Russian Federation could easily deny any accusations of pandering to an increasingly xenophobic society while remaining popular in the eyes of the public. The ban on labor migrants working in retail and markets removed them from the public eye. Shifting the responsibility of setting work permit quotas to regional governments was also presented as a move to grant regional authorities more power when it really allowed the federal government to avoid being blamed for the “migration problem.” Ivakhnyuk writes that these reforms “were blatantly populist” (Ivakhnyuk, p 76). Both of the 2007 reforms make it clear that despite having a consolidated power base, Putin’s administration was more concerned with appealing to the public than working out effective migration policy. These reforms indicate that Putin’s government was deliberately playing both sides of the migration debate.

2008-2009

To make matters even more difficult for labor migrants, in the following year, 2008, Russia’s economy began to suffer the effects of the world economic crisis. Much like how the housing market was first affected in the United States, the economic crisis in Russia heavily impacted the construction industry and put an end to Russia’s construction boom. The end of the construction boom affected many migrants as “...according to the FMS, in 2007 40% of migrant

workers work in construction,” (Anichkova, p 2). The economic situation affected not only labor migrants but the rest of the population as well. “Hailed as an economic miracle until 2008, the country saw its GDP tumble by 8 percent in 2009 and the stock market plunge by 80 percent from May to October 2008,” (Aslund, Guriev, and Kuchins, p 3). The economic crisis also led to an increase in unemployment, which went from 6.4% in 2008 to 8.4% in 2009 (CIA World Fact Book). This placed a great strain on Putin’s administration, Russian society, and labor migrants.

Although the Russian Federation would begin to recover economically by late 2009 (once again due to oil prices), the economic events of 2008 had a very negative effect on migrants, which was made obvious in 2009. “The economic crisis of 2008-2009 destroyed the semblance of prosperity [...] Migrant labor quotas were cut, xenophobia increased in Russia, companies laid off migrants or in some cases simple stopped paying them,” (Bishkek, Brussels, p 1). The results of the economic crisis were even stricter legislative changes aimed at migrants, a sharp increase in xenophobia and for the first time ever - labor migrants began to leave Russia. The amount of available work permits decreased from the already low 3.38 million to 1.95 million (Bishkev, Brussles, p 5). Even more blatantly anti-migrant legislation was passed, such as the closure of Moscow’s Cherkizovo market, which employed 11,000 Tajikistani labor migrants (Bishkev, Brussles, p 7). These restrictive measures forced labor migrants not only to work in increasingly illegal and unscrupulous situations; they also made it more difficult for migrants to enter Russia. The more restrictive measures also contributed to a reverse migration flow with labor migrants leaving Russia. “An estimated one million Uzbek workers returned to Uzbekistan in late 2008...” (Anichkova, p 3). Fewer migrants arrived in Russia as well. In January of 2009 there were 10% less arrivals than in the year before (Anichkova, p 3). Despite this, labor

migrants continued to come to the Russian Federation, even though Russia was no longer seen as an ideal labor destination.

Steadily increasing xenophobia and violence also contributed to the reverse migration flow. Due to a sharp increase in xenophobic behavior, many labor migrants no longer felt safe in Russia and returned home. The situation was especially dangerous in Russia's larger cities that were home to large populations of migrants "From January to September 48 people were killed in racist attacks. In 2008 the toll reached 525 victims and 97 deaths," (Bishkek, Brusses, p 13). This increase in violence was seen as a reaction to economic events, and once again anti-migrant sentiments continued to be spread by the media. "Relying on dubious and incomprehensible data, newspapers would often accuse migrants of spreading crime and infectious diseases, in particular HIV/AIDS" (Bishkek, Brusses, p 12). Such accusations along with the economic crisis led to more and more migrants becoming targets of racial violence, as they were perceived to be stealing jobs from ordinary Russians. Even though there is no truth to this or the above claim, the economic situation provided a justification for previous anti-migrant sentiments and xenophobia and violence reached an all time high. The Russian government was not unaware of the situation through. In 2008. President Medvedev declared the first lesson on the first day of school across the country to be a "Lesson of Tolerance" (Ivakhnyuk, 74). These and other attempts made by the government to lessen xenophobia were nothing more than symbolic and had no actual effect on the situations of migrants.

As rough as the situation for labor migrants who remained in Russia became, the labor migrants who left Russia faced an even more challenging situation. Even though the economic collapse meant that there were less jobs in Russia, those who returned to Central Asia found little to no jobs available and little help coming from their native governments. "...Official

unemployment figures in Kyrgyzstan and Tajikistan are deceptively low – 2.8% in Kyrgyzstan and 2.1% in Tajikistan. They are also meaningless, as workforce itself in Tajikistan has no job,” (Bishkek, Brussels, p 9). Given the economic situation, it is no surprise that so many labor migrants left for Russia in the first place. The governments were not of much help as “Government officials admit they do not know what to do with returning migrants if they cannot find work [Tajikistan]. Most officials hope that they will go back to Russia,” (Bishkek, Brussels, p 7). The inability of the government to provide for returning migrants and the lack of jobs and economic stability lead many officials to worry about the social and political stability of Central Asia. “With people traveling abroad for work, there are fewer unemployed at home and there is consequently less fuel for popular discontent,” (Anichkova, p 3). This situation, along with a steady supply of remittances sent back from those working in Russia, allowed many Central Asian republics to maintain a semblance of stability. “Remittances are especially crucial to the economies of Tajikistan, Uzbekistan, and Kyrgyzstan, accounting for nearly half of [Tajikistan’s] GDP,” (Anichkova, p 1). Thus by sending labor migrants to Russia, Central Asian Republics were able to bolster their GDPs, occupy the portion of their populations that would cause trouble, and as result maintain a semblance of political and social stability.

Unfortunately, this system of exporting labor has placed the Central Asian Republics in a very precarious position, as they are reliant on the Russian Federation to import their exported labor. Thus they depend heavily on the Russian Federation being willing and able to accept migrant workers. The 2008 economic crisis proved that the Russian Federation had no qualms about making their migration policy more restrictive in time of economic uncertainty and deliberately placing labor migrants at a disadvantage. The actions of the Russian government and the growth of xenophobia in Russian society during the 2008 economic crisis show that

Russian society and policy makers had become unwilling to accept labor migrants working in Russia. As a result, many labor migrants left, having experienced human rights abuses in Russia, only to return to their home countries, which were rife with unemployment. This has left many labor migrants bitter, resentful, and disillusioned with the migration experience. The return of these embittered migrants poses a threat to the stability and security of Central Asian Republics.

Having returned to their countries with negative experiences of being a labor migrant in Russia and not being able to find work at home, many migrants turned towards religion for comfort and to reestablish a sense of community they had lost while in Russia. When the migrants returned, there was a fear that they would become involved with more radical sects of Islam. As explained by an Uzbekistani migrant, "I did not join the radical Islamists, but I started going to the Mosque regularly," Akimov said. "I sometimes see embittered people: maybe they will later become radicals, I cannot blame them," (Alisher, Karimov, and Marks, p3). The more radical Islamist organizations in the Central Asian states are aware of this situation "...both Hizb-Tahin and the Islamic Movement of Uzbekistan² are trying to recruit among migrant workers" (Bishkek, Brussels, p14). Joining such Islamic groups was not unique to the labor migrants who returned home. Many labor migrants that remained in Russia despite the increasing pressures of the xenophobic society and the state also joined such groups. "A Diaspora resident in Moscow stated, "non-traditional Islam, such as H-T is becoming popular amongst those who felt alienated and offended by the host society and their employers," (Bishkek, Brussels, p14). This is unsurprising given the increase in hate crimes and violence that occurred in 2008 and 2009. For example, "On December 5th 2008, assailants attacked two

² Hizb-Tahin, also called HT and the Islamic Movement of Uzbekistan are militant radical Islamic organizations that have been accused of terrorist activities. They have been heavily influenced by conservative and fundamentalist Wahhabi Islam.

workers from Tajikistan, stabbing and decapitating 20 year old Salochddin Azizov,” (Human Rights Watch, p 14). This and other events demonstrate how vicious and extreme anti-migrant hate crimes had become.

The reactions of Russian society and labor migrants to the 2008 economic events indicate that by 2008, xenophobia had become a massive problem in Russia. The increase of violence and suspicion towards migrants fed into a positive feedback loop of Russians being suspicious of migrants, migrants becoming more involved with their Diaspora groups and some joining radical Islamic organizations. This in turn made Russians more suspicious of migrants and migrants increasingly wary of interacting with Russians and so forth. This situation, combined with the uncertainty and crushing unemployment awaiting the labor migrants that left Russia made the possibilities of bitter labor migrants joining radical Islamist organizations all the more real. This demonstrates that relying on Russia to import labor exported from the Central Asian Republics is not a permanent solution. Even though the economic situation in Russia stabilized by 2010 and “Despite its deficiencies, Russia successfully responded to the global crisis, and as oil prices are rising again, it does not face any serious problems in the immediate future...” the Russian economy cannot continuously grow by exporting oil and other resources (Åslund, Guryev, and Kuchins p1). If another economic crisis of similar magnitude were to hit the Russian Federation, it would probably have the same negative impact on labor migrants that the 2008 crisis did.

The crisis also showed that effectively managing migration reform was no longer an issue of state capacity, as Putin’s administration managed to push past the unpopular reforms of 2006 and then immediately counteract them in 2007 and 2008. At this point, the FMS and the Russian Federation were capable of passing reforms to aid migrant workers by liberalizing the legalization process, but during the 2008 economic crisis they gave in to populist xenophobic

demands and made policy even more restrictive. This proves that in 2008, the largest obstacle to implementing effective policy reform had become xenophobia as opposed to state capacity, informal networks, and a lack of trust in political institutions and other problems of a transitioning state. Instead, the seeds of xenophobia planted in the early 2000s had blossomed into an increasingly violently anti-migrant society.

2010-2012

As previously stated, the Russian economy was able to bounce back from the 2008 economic crisis due to oil and other commodity prices remaining high. While the 2008 crisis did cause the end of Russia's construction boom, it did not have a large impact on the structure or stability of the Russian economy. As a result, by 2010 the majority of labor migrants who had left the Russian Federation began returning. "In 2010 the Organization for Economic Cooperation and Development (OECD) reported that 960,000 temporary labor migrants legally entered Russia (the majority coming from Kyrgyzstan), and this number has continued to increase," (Anichkova, p 1). Unfortunately, while the economy stabilized, the rampant xenophobia did not go away once the economy stabilized. According to the SOVA Center³, there were 103 reported cases of violence against labor migrants from Central Asia compared to 132 the year before (SOVA Center). While the SOVA data shows a decrease in violent attacks it is important to note that the data collected from SOVA is taken from official reports turned in to official government institutions and it is very likely that most attacks and acts of violence go unreported. This is due to labor migrants and Russian society at large having little faith in

³ The SOVA center is a Russian NGO based out of Moscow that collects and analyzes data relating to nationalism, racism, the relations between the churches and secular society, and political radicalism.

government institutions as “...migrant workers also stated that they believed filing a complaint to a government agency regarding ill-treatment by police would at best be ineffective and at worst would do further harm,” (Human Rights Watch, p 70). The SOVA Center also noted that while acts of violence towards people of non-Slavic appearance had decreased, “Central Asians continue to be the main targets of xenophobic violence in Russia – 16 were killed and 74 wounded in 2010,” (SOVA Center). Despite the continuation of xenophobia and violence, there were no legislative changes made to migration policy or to combat the continuation of xenophobia and violence.

In 2011 then prime minister Putin once again began talking about reexamining Russia’s migration policies. In a speech given in 2011 to a meeting of representatives from different faiths, ethnic and public organizations, Putin said, “The melting pot approach is not working. There are laws, there is legal thinking, there are law enforcement agencies, but people still clash and fight. It happens in our country as well,” (Putin, p 3). In this statement, Putin acknowledges that the Russian Federation has had difficulty in managing its many ethnic, national groups, and immigrants. By saying that the “melting pot approach is not working,” Putin implies that the Russian federation should move away from the multicultural policy that had been practiced in Western Europe and towards an assimilation policy where labor migrants must conform to Russian norms, culture, society, and the Russian language. This sentiment is repeated in a later speech in 2011 given by the 2011 FMS director, Konstantin Romondanovsky. In his speech, Romondanovsky states that “In order to stem a repeat of recent violence dubbed a threat to Russian national security [...] the FMS is focusing on these main policies for 2011: better integration of immigrants already living on Russian territory and raising the caliber of those [migrants] who come in the future (Romondanovsky, p 1). By “raising the caliber of those who

come in the future,” Romondanovsky means to say that future migration policy will not target the quantity of labor migrants but the quality. This is understandable given that many Russians with specialized and highly educated jobs left Russia during the 1990’s. In order to offset this “brain drain” Romondanovsky proposed to extend “a bill signed in July 2010 that grants special visas to “highly qualified specialists” to create more favorable conditions to a wider category of foreign workers,” (Romondanovsky, p 2). Unfortunately, the millions of Central Asian labor migrants do not qualify for the 2010 bill as they are not specialized labor.

Besides planning to build a migration policy around assimilation into Russian society, the FMS and the President worked to combat xenophobia. In the same 2011 speech, Romondanovsky stated that only 3.5 percent of all crimes committed in Russia were committed by foreigners living in Russia (Romondanovsky, p3). This number is much lower than estimates given by the Russian media. For example, Moscow’s Central Department of International Affairs stated in 2011 “migrants are responsible for around 70% of all crimes committed in the city,” (Semyonova, p1). Perhaps by actively publishing such figures as the 3.5% crime rate in Russian media, violent acts against Central Asians decreased from 103 in 2010 to 49 in 2011 (SOVA Center). Despite decreasing the amount of violent attacks, there were no significant improvements made to the actual living or employment conditions of labor migrants. For example, in 2011 a living area and sewing sweatshop with 110 labor migrants was discovered underground beneath the Moscow Metro (Semyonova, p1). The managers of the underground sweatshop were never found, arrested, or tried. This demonstrates that while xenophobic violence decreased, labor migrants were still at a high risk of being exploited by their employers. Only 33% of labor migrants have employment contracts with their employers and it is common for employers to confiscate the passports of their migrant employees (Human Rights Watch, p

18). Once again this shows there was a gap between what the FMS and the President and Prime Minister said and what actually occurred.

While many speeches and announcements were made in 2011 regarding shifting to an assimilation-based policy, several pieces of legislation were drafted and implemented in 2012 regarding these changes. The FMS began drafting a law that would prevent labor migrants and others who had been caught and fined for violations of migration legislation from entering the Russian Federation, (Romondanovsky, p1). Federal Law No. 185 on the Amendment to the Federal Law on the Status of Foreigners and on Education was also passed. This law that was passed in December of 2012 made it so that in order to obtain work permits, labor migrants would have to prove their proficiency of the Russian Language by taking a test of 25 lexical and grammatical questions, (Roudik, p 1). Both of these laws are restrictive in nature and lean towards the previously discussed assimilation policy. Like previous restrictive policy changes, these laws made it more difficult for labor migrant to achieve a legal status.

In order to gain a work permit as of 2012, a foreigner entering Russia must first fill out a migration card after entering the Russian Federation and then has three days in order to register with an office of the FMS in the locality where they plan on staying and working (FMS, p1). This can be done through a host party such as a hotel or an employer. After this, a labor migrant must apply for a work permit. In order to receive a work permit they must “submit a copy of the application, a color photograph no larger than 30 by 40mm, the migration card, a document proving an individuals identity, and a thousand rubles for the issuance of a work permit to the foreign citizen,” (FMS, p 2). A work permit must be issued “within the range of an established quota” and should be issued after ten days, (FMS p 2). On top of that, a foreigner has 30 days to bring documents confirming the absence of diseases such as HIV and Tuberculosis and others

diseases and also documents proving that they have passed the language exam (FMS, p3). For the majority of labor migrants, these requirements prove challenging and even impossible to meet. Many labor migrants are unable to complete requirements due to "...a short 3 day period for obtaining mandatory residency registration, significant delays in the issuing of work permits, early expirations of work permit quotas and other bureaucratic obstacles, (Human Rights Watch, p 17).

Many of the promises made by the FMS are often not met, such as individual FMS offices being unaware of their regional quotas and delays in the issuing of work permits. "The director of an intermediary firm in Ekaterinaburg [...] confirmed that work permits were issued usually only after 30-40 days," (Human Rights Watch, p 22). When it comes to completing medical exams and the language tests, labor migrants often have to go to multiple locations scattered throughout major cities. This proves to be time consuming and often causes even more bureaucratic delays, (Human Rights Watch, p26). These obstacles prevent labor migrants from becoming legalized and as a result leave them at the mercies of their employers. Many migrants fear being deported or stopped without having the correct papers so they tolerate illegal and inhumane treatment by their employers, (Human Rights Watch, p 80). Given the current more restrictive migration laws aiming at the assimilation of labor migrants into Russian society, it is likely that high patterns of illegal labor migration will continue.

To make matters even more confusing, the Russian government has also been inconsistent in how they have dealt with violent and anti-migrant groups. Alexander Belov, the head of the popular and populist Movement Against Illegal Immigration was arrested and charged in 2009 for "inciting interethnic conflict," (RT News, p1). Even though he was arrested in 2009 the Movement Against Illegal Immigration has existed since 2002 and Belov was

released in 2010 and has since organized another anti-immigration movement after Movement was banned in 2011 (RT News, p1). The back and forth on Belov and other extremist leaders sends a mixed message to labor migrants and migrant monitoring NGOs. While some anti-migrant groups such as the Movement have been banned, others appear to be borderline government sanctioned. “The Youth Guard youth group movement of United Russia [...] have reintroduced the pervasive feeling that the authorities indirectly support anti-migration policies,” (Laurelle, p2). Such actions directly contradict statements made by Putin and Medvedev in speeches and in the Russian media where they stress the need for tolerance and all of Russia’s ethnicities to coexist peacefully.

Another factor that also contradicts the President and Prime Minister’s call for tolerance is the increasingly significant role that the Russian Orthodox Church has come to play in Russian politics. “Putin has used Orthodoxy as a platform for unifying the Russian state – as opposed to the nation [...]” (Admiraal, Laurelle, p205). Using the Orthodox Church as way to garner support from ethnic Russians in Russia alienates other ethnic groups in Russia that follow different religions, as well as ethnic Russians who also follow different religions. As the majority of labor migrants from Central Asia are Muslim, the state’s favoring of the Russian Orthodoxy makes it more difficult for them to safely and freely practice their religious beliefs in an increasingly xenophobic society. “Proclaiming both religious freedom and a multicultural state while simultaneously offering the ROC [Russian Orthodox Church] the role of religion of the state, [...] quickly degenerates into a chaotic mishmash of policy at the regional and local levels,” (Admiraal, Laurelle, p 206). Once again, the Russian Federation has been inconsistent and self contradictory with regards to religious policy in order to maintain ambiguity.

The ambiguous and contradictory treatment of both anti-migrant groups and the Russian Orthodox Church once again demonstrate that the statements encouraging tolerance are only that – statements. Putin and Medvedev may preach tolerance, but their policies demonstrate that no consistent action has been taken in the Russian Federation to actively encourage tolerance. Even though their actions and policies are ambivalent at best and anti-migrant at worst, Putin and Medvedev have also made statements that stress the economic need for labor migrants. In a speech given in 2012, Putin stated “We have no visas with CIS countries for political reasons, because if we introduce them we will lose those countries forever. This is not easy for us, not at all. Besides, our economy needs these immigrants, so what is the solution? Is there a solution?” (Putin, p 3). Putin’s statement effectively sums up the Russian government’s approach to migration of the last three years: Russia is aware of the need for labor migrants but would rather not have to deal with them at all because labor migrants pose a challenge to the construction of a Russian State Identity.

CONCLUSIONS TO THE MIGRATION NARRATIVE

As demonstrated by the migration narrative, there are many obstacles that have prevented a cohesive and constant migration policy from becoming realized. At the beginning, during the 1990’s, the main problem was one of state capacity. The USSR had collapsed, leaving socio-political institutions in turmoil, and the horrible result of economic reforms broke down and challenged any remaining institutional integrity. In the midst of this transition context, the FMS was created to deal with refugees. This problem of state capacity, where the state was for various reasons unable to respond to the demands of its citizens or anything really, continued throughout the 1990’s. This is demonstrated by the fact that the proposed 1996 Concept of

Immigration reform was not implemented until 2002, and even then it was implemented as a much more restrictive piece of legislation than previously conceptualized. During the 1990's, the FMS like many other ministries and bureaucracies of the Russian Federation was struggling with paying its employees, corruption, and establishing its role and purpose. Given the economic, social, and political turbulence of the 1990's, it is easy to understand why effective migration policy was not realized.

Yet state capacity did not remain as the primary obstacle to an effective migration policy in the 2000s. By 2002, for example, President Putin was able to consolidate power to the effect that he could rearrange entire institutions, such as placing the FMS under the Ministry of Interior. While some argue that the length to which Putin and his administration had consolidated the disorganized remnants of Yeltsin's administration has made the Russian Federation less of a democracy than it was in the 1990s, there is no doubt that the Russian Federation is more organized and orderly than it had been before. Another example of the capacity and tight control Putin's administration has on all levels of government is the passing of the more liberal, albeit unpopular, 2006 reform. To pass and implement such an unpopular piece of legislation demonstrated that the Russian Federation does not depend on popular opinion to pass laws – yet this is not true as the goals of the 2006 reform were circumvented and contradicted in the following years. The use of regional authorities to establish work-permit quotas as opposed to the federal government allowed a reduction in work permit quotas, a move which appealed to the growing anti-migrant sentiment of the country.

But why do this? Why push past the 2006 reform only to contradict it over the next few years? Why give in to populist demands if the administration is capable of reorganizing entire ministries on its own volition? The answer can be traced back to the growing anti-migrant

movement and xenophobia that emerged in the late 1990s and early 2000s. There are many reasons for why xenophobia emerged and later grew to become such a significant problem, such as the two Chechen Wars which allowed for Russian society to begin to distinguish between who was Russian and who was not. This distinction was easy to make because of physical differences, the people of the Caucas region are darker skinned, and have dark hair and eyes compared to their ethnically Slavic counterparts scattered throughout Russia. The Caucas region is also Muslim and shares a long history of interacting with previous Russian States, it was the subject of much romantic art and literature and war during Imperial Russia. Such distinctions and the highly unpopular Chechen wars allowed for the people of the Caucuses to become the first examples of “the other” in the newly formed Russian Federation. Such distinctions and ethnic tensions existed during the USSR but it was bottled up and not acknowledged. During the USSR Chechens, Russians, and all the rest of the Soviet Unions hundreds of ethnicities were lumped together as “The Soviet People.”

The negative attitude towards Caucasians (people from the Caucas Region) continued well into the 1990’s and throughout the Second Chechen War. When the 1999 apartment bombings occurred, ethnic tensions rose again due to fears of terrorism. The September Eleventh terrorist attacks also exacerbated the situation as now all Non-Slavic people and Muslims were viewed as potential threats and suddenly, Central Asian labor migrants found themselves as victims of xenophobia, violence, and mistrust. The same people who a few years ago had been welcomed into the Russian Federation with their old Soviet passports and fluency in Russian as former Soviet Citizens were now viewed with suspicion, fear, and hate. As mentioned in the Migration Narrative the actions of the Russian government and the media

exacerbated the situation. During the economic collapse of 2008 an upsurge of violence commenced that reached its peak in 2009 with 132 reported cases of violence (SOVA Center).

Yet the Russian Federation did not make any consistent or effective actions to combat xenophobia, violence and ill treatment of migrants, or consistent illegal migration despite having the capacity to do so. This leads to the second obstacle the Russian Federation faces in establishing an effective migration policy, the lack of a Russian State Identity. In many ways, the xenophobia is a result of a lack of state identity. There are many ways to define who is a Russian and who is not. Belov and the Movement Against Illegal Migration argue that labor migrants and other non-Slavs should not be a part of Russian society. Yet who is Russian? How does one define Russian? Shevel writes that the Russian Federation can be defined in either Ethnic or Civic terms but both of these present problems, (Shevel, p 181). An Ethnic Russian state faces the problem that the Russian Federation is a multi-national state, and it can run into irredentist claims, (Shevel, p 183). A Civil Russian State also faces problems of unity because "In the absence of democracy in Russia [...] 'the idea of a civic nation is replaced by the opposite, imperial concept of unity within a strong state,'" (Shevel, p 185). This claim demonstrates another problem that poses a challenge to Russian State Identity. For the first time in several hundred years, the Russian Federation is not part of an empire. So what is it?

The government of the Russian Federation has been unwilling to define the Russian State and instead leaves the definition ambiguous. According to Shevel, "This legal vagueness has served a functional purpose as it has allowed the government to pursue a broad range of policies, to quickly re-direct these policies when desired, without committing to any of the nation-building discourses, and without resolving the contradictions associated with each one," (Shevel, p 181). The ineffective and contradictory migration policy of the Russian Federation is a prime example

as the Migration Narrative demonstrates. By remaining ambiguous, Putin's government can enjoy popular support by not taking direct action for or against migrants and make it easy to enter the Russian Federation as a labor migrant but difficult to become a legal migrant. This allows the estimated ten million labor migrants in the Russian Federation to function as a flexible, unregulated, and cheap labor pool. This cheap labor pool is exactly what the Russian Federation needs in order to facilitate economic growth and deal with the birth crisis simultaneously. In this way, by having an undefined state identity, the Russian Federation is able to perpetuate its inconsistent, contradictory, and surprisingly effective migration policy.

COMPARATIVE MIGRATION POLICY

The conclusions outlined in the migration narrative, that the Russian Federation's erratic migration policy was at first the result of a weak state capacity and then transitioned into a problem of state identity, insinuates that a state's migration policy is likely to be depend on the state's State Identity. Could this conclusion also apply to other states? After all, labor migration is not an issue that Russia faces alone; labor migration is an acknowledged and long studied phenomenon, which has increased drastically under globalization. When dealing with labor migration, many states face "a drive towards temporary migration schemes [that] could be interpreted as a co-product of the neo-liberal deregulations of the 1980's-1990's which, among other developments, facilitated employers in recruitment of a numerically flexible workforce," (Ciupijus, p 11). As demonstrated by the quotation, the need to compete globally has led many states to rely on labor migrants as a use of flexible labor that is not closely regulated. The Russian Federation is a prime example of this. Yet as the Russian case demonstrates, this is not an effective long-term solution as it risks damaging the socio-political stability of Central Asia,

For many states, such a policy also increases the risk of “social dumping and the race to the bottom,” (Ciupijus, p 12).

There are many ways in which states try to establish and maintain migration policies. New Zealand, for example, maintains a migration policy that encourages “permanent immigration,” (Barker, 322). Even amongst temporary workers, there are programs in place such as the “Work to Residence” program which allows migrants who are “temporarily recruited with a view to make them permanent residents after 2 year’s work” (Barker, 325). Such programs are made under the assumption that many migrant workers will overstay their permits and would rather risk staying and working in the country illegally than returning to their home states. This way, the risk of vulnerable, illegal migrants being exploited is reduced as state policy encourages permanent migration. By maintaining such an open and accessible migration policy, New Zealand is able to meet it’s policy goals of encouraging trade with Pacific States and maintaining its position as the region’s economic and democratic leader (Barker, 328). Such policy also depends heavily on communication between New Zealand and export labor states, “in the selection of the workers and attempting to ensure that workers from outlying areas can access New Zealand’s [migration] programs,” (Barker, p 329). New Zealand serves as an example of a state that has a well-developed migration policy that allows the state to access flexible labor markets without joining the “race to the bottom” by extending the offer of citizenship to labor migrants.

While New Zealand prides itself on having an accepting and flexible migration policy, Israel “has refused to engage in a similar revision of its immigration regime and has done so on the grounds that Israel is not an immigration state” (Kemp, p 268). Yet despite the previous quotation, “documented and undocumented labor migrants comprise nowadays 11 percent of the

Israeli labor force” (Kemp, p 268). Although not openly acknowledged, Israeli labor policy is managed by the “Binding System” which incorporates non Israeli and non Palestinian migrants into the labor force and the “Deportation Policy” which views migrants as a demographic threat to Israel’s nation-state identity, (Kemp, p 269). Such policies allow private employers to dictate the terms of the labor market while migrants are forced to remain vulnerable to the whims of their employers, as the state does not provide any avenues for them to become citizens or even have recognized rights. As a result, a “racialisation policy” has developed where “the degradation of entire populations and social groups on the basis of alleged cultural and biological difference” has become legitimized by the State government (Kemp, p 285). This migration policy marginalizes labor migrants because they pose a threat to Israel’s identity as a nation-state.

Germany is and has been an interesting example of Western Europe’s constant struggle with migration. Even now, “German migration policies remain close to the ‘club theory,’ which classifies welfare states as closed clubs with members (nationals) and servants (non nationals),” (Koppe. P 433.) Many German migration policies, such as being unable to legally stay in Germany without a job and work permit, having to prove sufficient income in order for a migrant’s family to join them in Germany and making it difficult for migrant workers to find residency in urban areas serve as examples of ‘club theory’ policy (Koppe, p 433-436). While some of these policies have become less stringent in the 1990’s following the breakup of the USSR and the inclusion of Post-Soviet states into the European Union, German migration policy is still focused on protecting the benefits of the welfare state for it’s nationals while trying to keep migrants workers around a flexible labor source that allows them to be competitive in the global market. As a result, “‘hire and fire’ will become the new issues of migration policies in

the era of the ‘competition state’” (Koppe, p 445). Germany’s migration policy uses the strict regulation of labor migrants to ensure that labor migrants will not reap the benefits of Germany’s welfare state at the expense of native Germans.

South Africa has also had to reevaluate their migration policy as “the end of apartheid undermined the rationale for apartheid-era immigration,” (Crush, p 3). Changing political structures in Africa have also added to the sharp influx of migration that South Africa has been facing, specifically a mass influx of labor migrants and asylum seekers from Zimbabwe. As a result of these factors and “persistent arguments (...) that South Africa was experiencing a major skills crisis that was inhibiting economic growth led to a major shift in government immigration policy...” (Crush, p 11). This new policy led to legislation that encouraged skill-based migration by simplifying the process of obtaining work permits and abolishing many temporary work schemes (Crush, p 15, 16). Unfortunately, fine-tuning laws for an increase in skilled labor migrants has also opened the door for many unskilled, ‘irregular’ migrants to enter and work in South Africa illegally. As a result, “The growth in labor migration has been accompanied by growing in formalization of migrant labor employment” (Crush, p 16). In order to deal with all of these factors, South Africa’s immigration legislation is governed by “The Refugee act of 1997” and the “Immigration Act of 2002” and the “SADC Protocol” with which South Africa hopes to form bi-lateral treaties with labor sending states, such as Zimbabwe (Crush, p 22). These pieces of legislation allow the South African government to deal with irregular migrants, and migrant that beat the system by deporting them back to their home states.

From analyzing the migration policies of New Zealand, Israel, Germany, and South Africa, it becomes clear that for many states, their migration policy is formed around perpetuating the goals of the state that come about from the state’s identity. New Zealand has a

very open migration policy oriented towards permanent immigration because they view themselves as the democratic and economic hub of the Pacific States and thus encourage migrant workers to settle in New Zealand. Israel takes the opposite approach by making it very difficult for labor migrants to settle legally or even stay in Israel because they want to remain as a demographically Jewish Zionist state. Germany also has a more restrictive policy, for even though they acknowledge the need for labor migrants, Germany is still reluctant to ease up migration regulations because they do not want non-natives to profit from Germany's welfare state. South Africa, unlike the others, does not have a migration policy based around state identity. Instead, South Africa's migration policy is largely reactive; partly do to their transition from an apartheid state.

The conclusion that states choose to form their migration policies around their state identities and goals helps explain why the Russian Federation has such a seemingly irrational migration policy, as the Russian Federation has been unwilling to form any sort of solidifying identity in order to remain ambiguous. As a result of an ambiguous state identity, the Russian Federation's migration policy has been able to remain flexible and purposely ineffective. The cases of New Zealand, Israel, Germany, and especially South Africa, demonstrate that a state's migration policy is closely tied to a state's State Identity and the goals of the state.

CONCLUSION

Strangely enough, the Russian Federation's inability to form a cohesive State Identity seems to be deliberate. As Shevel argues, the subject of National Identity is of much debate in Russia, but the Russian government has thus far avoided taking sides in this debate. In many ways this strategy is beneficial for the Russian Federation because it allows the government great

flexibility in how it chooses to operate. "They (Russian Government) can target a variety of sub-groups of former Soviet citizens as 'compatriots' and can pursue policies that fall in a broad range of from ethnic to civic to neo-imperial without committing to any of the associated with each of the nation-building projects," (Shevel, p 199). The Russian federation uses its legislative and policy ambiguity to manage its estimated ten million labor migrants without taking a stance on State Identity. After all, if the Russian Federation was to create a consistent migration policy with a clear-cut definition of who can become labor migrants and who cannot, it would be a step towards choosing a side in the State Identity debate. If more restrictive legislation would be passed and implemented that would restrict labor migrants abilities to enter the Russian Federation, then the Russian government could be seen as implying that the Russian Federation is for ethnic Russians, as the Movement Against Illegal Immigration and other populist groups advocate. If more liberal legislation would be passed, such as raising the number of work permits or simplifying the legalization process, then the Russian government could be seen as implying that labor migrants are welcome in the Russian Federation and that Russia is a strictly multi-national state, as many NGOs and other groups advocate. Instead, to avoid having to make such a decision, legislation is self contradictory and inconsistent. This creates a sense of ambiguity that the Russian Federation uses as a shield it can duck behind to avoid taking responsibility for its actions and deny any accusations of being too pro or anti migrant. In this light the inconsistencies of Russia's migration policy are deliberate and instrumented in such an illogically appearing way in order to protect the Russian Federation from having to take a stance on State Identity.

This strategy of using ambiguity as a means of political control is not a new strategy to the Russian Federation. Ledeneva writes that during Yeltsin's presidency, "As in the past,

stability in Russia is preserved by means of an informal order guaranteed by the mutual control exercised within informal networks [...] Instability may be introduced to keep powerful players off balance [...] while the gap between the formal and informal order of things allows a choice of legal and extralegal strategies” (Ledeneva, p 90). The idea of ambivalence as a tool of political power had also been long employed during the Soviet Union in order to exercise control over members of the Communist Party and common Soviet Citizens. After all, it becomes difficult to accuse one’s government of something when no one is willing to point fingers at anyone else. Ledeneva identifies this as a system of “collective responsibility” (Ledeneva, p 91). As previously mentioned, the prevalence of such extensive informal networks can be classified as a problem faced by a transitioning state. In Russia informal networks are used and manipulated by the state in such a way that they are crucial to the continuation of the system.

Due to what began as Problems of a Transitioning State, such as state capacity and informal networks, and then transitioned into Problems of State Identity, which is left deliberately ambiguous, Russian migration policy seems ineffective and contradictory. It is effective in that it forces labor migrants to become part of a massive unregulated labor force. Worst of all for labor migrants, it is unlikely that the Russian Federation will change its policies. Being ambiguous towards labor migrants allows Russia to avoid taking sides in the State Identity debate and create and exploit a much needed work force without having to acknowledge their role in managing migration.

This is all done at the expense of the labor migrants. As a result of Russia’s migration policies, the estimated ten million labor migrants that work in Russia are in an extremely vulnerable position. The labor migrants who come to Russia are often forced to work for little or no pay, have to tolerate living within a xenophobic society, and they have no protection. The

Russian government does little to protect labor migrants, and many of them do not trust the government because of bad run-ins with law enforcement. "Human Rights Watch documented numerous cases of police extorting money from and physically abusing and humiliating migrant workers. In some cases police forced migrant workers to perform forced labor at police stations or other locations," (Human Rights Watch, p 69). Having received such treatment from the police, most labor migrants are reluctant or unwilling to report such abuses. "Others demonstrated little faith in the successful result of a complaint because of a low level of trust in a positive outcome and fears of discrimination," (Human Rights watch). This is especially true for unregistered and irregular labor migrants, who fear reaching out to the Russian government and other NGOs due to a fear of being deported. "Their illegal situation in the country leads most of them to accept the poor conditions of employment way below the accepted standards of labor in Russia," (Ivakhnyuk, p 44). The majority of labor migrants coming to Russia are aware of the problems that they will face, but even the lack of regulation and rampant corruption does not prevent them from coming to Russia for work.

As labor migrants are aware that they cannot rely on the Russian government for any support or help, they tend to rely heavily on their intermediaries and employers. Employers and Intermediaries are not reliable though, 90% of Intermediaries are considered to be working informally, (Human Rights Watch, p29). This means that they are unregulated and thus often in a position to exploit labor migrants. Some Intermediaries that specialize in bringing labor migrants to Russia charge the migrants for buying migration cards, when in reality they are given out freely (Human Rights Watch, p 30). Despite this and many other examples such as Intermediaries withholding pay, giving out fake registration papers and work permits, and coercing labor migrants by holding their passports hostage, Intermediaries are still considered

vital for migrants. Due to the restrictive and unhelpful nature of the Russian government, migrants are forced to rely on Intermediaries because they serve as middlemen, negotiating between labor migrants and employers, and helping migrants register or at least get fake papers.

Labor migrants also cannot rely on their employers. They are often cheated, forced into forced labor, have their pay withheld and often have their passports held hostage. "In Russia 27% of migrants reported their passport confiscated by police or their employers," (Bishkev, Brusses, p 12). Many employers take advantage of labor migrants because of the vulnerability of their illegal state. This is demonstrated by the fact that 77 percent of labor migrants have no contracts with their employers (Human Rights Watch, p 52). This way even if a labor migrant was to file a complaint with the FMS or the police, they would have no evidence of ever having worked for the employer that abused them. Even the labor migrants who manage to file a complaint with the justice system, "[...] in most cases do not have the resources required to pursue a lawsuit during their time in Russia," (Human Rights Watch, p 83).

Labor migrants also cannot rely on their home countries to help them in Russia. This is also intentional on the part of the labor sending states because they would not risk damaging their relationship with the Russian Federation to the protest the treatment of labor migrants. After all, "[...] with people traveling abroad for work, there are fewer unemployed at home and there is consequently less fuel for popular discontent," (Anichkova, p 3). Labor migrants are also well aware of this situation. "Migrant workers from Uzbekistan told Human Rights Watch that they did not seek assistance from the Uzbekistan embassy in Moscow owing to suspicion of the government and a lack of faith that the embassy would intervene on their behalf," (Human Rights Watch, p 91). Unable to rely on the Russian government, Intermediaries, their employers,

or their own countries, the labor migrants of Russia are truly a vulnerable labor force and the true victims of the intentional mismanagement of Russia's migration policies.

Worst of all, there is little hope for improvement in their situation because of the complexity of the situation. The Russian Federation has a vested interest in labor migrants remaining in the shadow sector because they form a cheap and flexible workforce. If it became easier for labor migrants to become legal immigrants then they would become regulated and harder to cheat and abuse. To make matters even more complicated, the Russian federation absolutely needs labor migrants to make up for the low birth rate and continue to drive the economy. They cannot do without migrants, but the xenophobic nature of Russian society makes the necessity of labor migrants an unpopular and polarizing topic. The Russian Federation has also proven unwilling to deal with the rise of xenophobia because they have been unwilling to choose a National Identity and instead chose to hide behind a wall of ambiguity. In the end it is the intentional ambiguity of the Russian Federation that is most harmful in preventing effective migration policy from becoming realized. If the Russian Federation remains unwilling to help improve the conditions of the estimated ten million labor migrants that come to Russia to work, then these labor migrants will likely remain vulnerable and forced to live alongside a xenophobic society and forced to tolerate inhumane treatment as they struggle to make ends meet and provide for their families. This system is not stable though, as the 2008 economic crisis demonstrated, this is a system that relies heavily on the economy of the Russian Federation making it possible to import labor from Central Asian states. This relationship is beneficial to both the Russian Federation and Central Asia, and because of this the exploitation of labor migrants is likely to continue.

APPENDIX

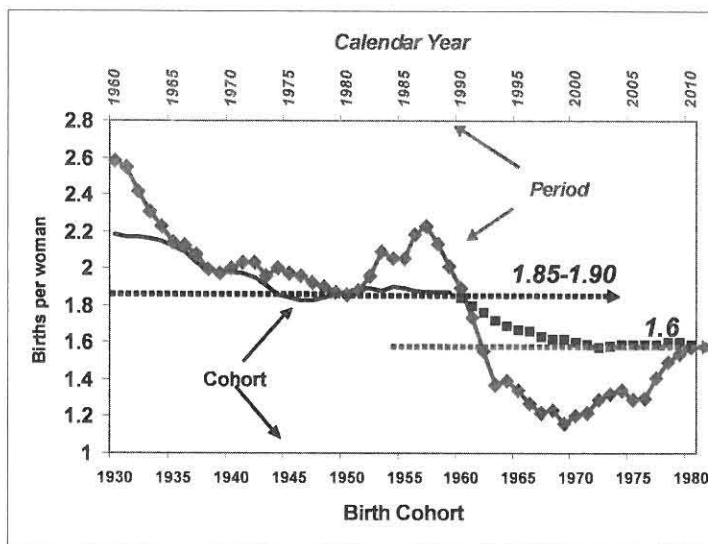


Figure 1

Russian Birth Crisis 1960-2010

(In case this is printed in black and white, the dark line with squares in it that breaks into squares and is labeled Period is the actual birth rate)

(Zakharov, Sergey. "Zakharov Presentation." Proc. of Russia's Demographic Crisis, Carnegie Endowment for International Peace, Washington D. C. N.p.:Web.)

Russian GDP (PPP) Since Fall of Soviet Union

Billions of International Dollars (2008)

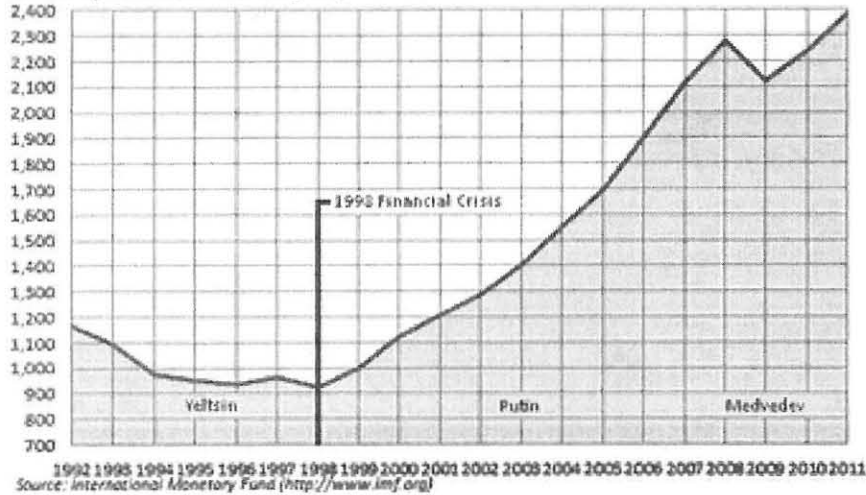


Figure 2

Russian GDP from 1992 to 2011 – CIA World Factbook

(<https://www.cia.gov/library/publications/the-world-factbook/fields/2001.html#r>)

BIBLIOGRAPHY

- Admiraal, Beth. "A Religion for the Nation or a Nation for the Religion? Putin's Third Way for Russia." *Russian Nationalism and the National Reassertion of Russia*. London: Routledge, 2009. 203-17. Print.
- Aitova, G. Sh. "The Sociological Context of the Modern Concept of Justice in Russia." *Herald of the Russian Academy of Sciences* 81.6 (2011): 604-07. Print.
- Anichkova, Daria. "Central Asia's Migrant Headache." *International Economics Bulletin* [Washington DC, Moscow, Beijing, Beirut, Brussels] 21 June 2012: 1-4. Print.
- Åslund, Anders, S. M. Guriev, and Andrew Kuchins. *Russia after the Global Economic Crisis*. Washington, DC: Peterson Institute for International Economics, 2010. Print.

- Barker, Fiona. "Maximizing the Migration Policy Buck: Uniting Temporary Labor, Development and Foreign Policy Goals in New Zealand." *Science Direct Policy and Society* 29 (2010): 321-31. Web.
- Bishkek, and Brussels. *Central Asia: Migrants and the Economic Crisis*. Rep. no. Asia Report 183. N.p.: International Crisis Group, 2010. Print.
- Buchanan, Jane. *"Are You Happy to Cheat Us?": Exploitation of Migrant Construction Workers in Russia*. New York, NY: Human Rights Watch, 2009. Print.
- Cheloukhine, S., and J. King. "Corruption Networks as a Sphere of Investment Activities in Modern Russia." *Communist and Post-Communist Studies* 40.1 (2007): 107-22. Print.
- Ciupijus, Zinovijus. "Ethical Pitfalls of Temporary Labour Migration: A Critical Review of Issues." *J Bus Ethics* 18th ser. 97.9 (2011): 9-17. Print.
- Crush, Jonathan. *Complex Movements, Confused Responses: Labour Migration in South Africa*. Issue brief no. SAMP Policy Brief No 25. Johannesburg: SAMP, 2011. Print.
- FMS. "Instructions for Foreign Citizens or Stateless Person Arriving to the Russian Federation Visa-free with the Aim of Temporary Labour Activity." *Official FMS Website of the Russian Federation*. Russian Federation, 6 Feb. 2013. Web. 10 Mar. 2013. <http://www.fms.gov.ru/useful/novisas/index_eng.php>.
- Fortin, Jessica. "A Tool to Evaluate State Capacity in Post-communist Countries, 1989-2006." *European Journal of Political Research* 49.5 (2010): 654-86. Print.
- Grzymala-Busse, A., and P. J. Luong. "Reconceptualizing the State: Lessons from Post-communism." *Political Theory* 30.4 (2002): 529-54. Print.

Human Rights Watch. *"Are You Happy to Cheat Us?": Exploitation of Migrant Construction Workers in Russia*. New York, NY: Human Rights Watch, 2009. Print.

Ivakhnyuk, Irina. *The Russian Migration Policy and Its Impact on Human Development: The Historical Perspective*. Publication. Moscow: United Nations Development Programme, 2009. Print.
Human Development Reports.

Karimov, Alisher, and Maks Maksudov. "Economic Crisis Forcing Central Asian Migrants to Leave Russia." *Central Asia Online* 02 Sept. 2009, Central Asia sec.: 1-3. Print.

Kemp, Adriana. "Labour Migration and Racialisation: Labour Market Mechanism and Labour Migration Control Policies in Israel." *Social Identities* 10.2 (2004): 268- 92. Print.

Klimina, Anna. "The Futility of the Neoliberal Policy of Deliberate Market Construction and the Promise of an Insitutionalist Alternative: The Case of Russia's Authoritarian Transition." *Journal of Economic Issues* XLV.2 (2011): 411-19. Print.

Koppe, Olaf. "The Leviathan of Competitiveness: How and Why Do Liberal States (not) Accept Unwanted Immigration?" *Journal of Ethic and Migration Studies* 29.3 (n.d.): 432-48. Web.

Laurelle, Marlène. "The Inconsistencies of Russian Migration Policy: Political Risks and Social Challenges." *Central Asia-Caucasus Institute Analyst* 6.17 (2009): 1-3. Print.

Laurelle, Marlène. *Russian Nationalism and the National Reassertion of Russia*. London: Routledge, 2009. Print.

Ledeneva, Alena V. *Can Russia Modernize? Sistema, Power Networks, and Informal Governance*. N.p.: Cambridge UP, 2013. Print.

Ledeneva, Alena V. *How Russia Really Works: The Informal Practices That Shaped Post-Soviet Politics and Business*. Ithaca: Cornell UP, 2006. Print.

- Romodanovsky, Konstantin. "Russia's New Immigration Policy Targets Quality Not Quantity." *RIA Novosti* [Moscow] 28 Jan. 2011, Features ed.: 1-2. Web.
- Roudik, Peter. "Russian Federation: Mandatory Russian Language Test for Labor Migrants." *Law Library of Congress*. Library of Congress, 31 Jan. 2012. Web. 15 Jan. 2013. <http://www.loc.gov/lawweb/servlet/lloc_news?disp3_1205403442>.
- RT News. "Court Bans Russian Anti-illegal Immigration Movement." *RT News*[Moscow] 18 Apr. 2011, Russian Politics sec.: 1-4. Print.
- Russian Federation. Official Website of the Government of the Russian Federation. *Prime Minister Vladimir Putin Meets with Representatives of Different Faiths, Ethnic, and Public Organisations*. Official Website of the Government of the Russian Federation. Russian Federation, 19 July 2011. Web. 15 Jan. 2013. <<http://www.government.ru/eng/docs/15972/>>.
- Russian Federation. Official Website of the Government of the Russian Federation. *Prime Minister Vladimir Putin Takes Part in an Expanded Meeting of the Board of the Federal Migration Service*. Official Website of the Government of the Russian Federation. Russian Federation, 26 Jan. 2012. Web. 15 Jan. 2013. <<http://www.government.ru/eng/docs/17877/>>.
- Semyonova, Sasha. "'Underground Town' of Migrants Found in Moscow." *BBC News*[Moscow] 14 Apr. 2014, BBC News Europe sec.: 1-4. Print.
- Shevel, Oxana. "Russian Nation-building from Yel'tsin to Medvedev: Ethnic, Civic or Purposefully Ambiguous?" *Europe-Asia Studies* 63.2 (2011): 179-202. Print.
- SOVA Center. "SOVA Center for Information and Analysis." *SOVA Center for Information and Analysis*. N.p., 2012. Web. 18 Apr. 2013. <<http://www.sova-center.ru/en/>>.

Zakharov, Sergey. "Zakharov Presentation." Proc. of Russia's Demographic Crisis, Carnegie Endowment for International Peace, Washington D. C. N.p.:Web.