



BISHKEK 2014

MIGRANTS' RE-ENTRY BANS TO THE RUSSIAN FEDERATION: THE TAJIK STORY

Karolina Kluczewska

Karolina Kluczevska graduated from the University of St Andrews, United Kingdom. Karolina's research interests relate to Central Asian countries and in particular to migration, state- and nation building and sexuality. She is a co-author of a soon-to-be-published piece of research entitled 'Alternate sexuality in Tajikistan' with Robert Oostvogels. Karolina is living and working in Dushanbe, Tajikistan. She can be reached via email at karolina.kluczevska@ymail.com



KEY POINTS

- Recent developments in Russian legislation, namely the issuing of re-entry bans to migrants in breach of Russian administrative regulations, have a profound impact on people in the migrants' countries of origin. In particular, Tajik society is vulnerable re-entry bans as it is estimated that roughly half of Tajik migrants, having returned to Tajikistan, will not be able re-enter the Russian Federation.
- The Tajik government has not dedicated much attention to re-entry bans issued to Tajik nationals at present. Government actions have largely focused on warning migrants about re-entry bans, rather than entering into a bilateral dialogue with Russian authorities.
- Re-entry bans create a multi-faceted security challenge for Tajikistan. The sudden decrease in the flow of remittances combined with growing social discontent among returning migrants who will not be able to leave for Russia and their relatives threaten human, economic and regime security of this country.

INTRODUCTION

Since the collapse of the USSR, Tajikistan faced complex socio-economic challenges accompanying the political and economic transition. This process has been additionally aggravated by the civil war (1992-1997) which led to tens of thousands of deaths, further devastation of infrastructure and the loss of markets for the country's products. *Tajikistan emerged from the war as an economically ruined and institutionally weak state. As Heathershaw and Herzig posit, Tajikistan survived against all expectations.*ⁱ

While in the second half of the 1990s migration flows in Tajikistan were dominated by the return of internally displaced persons (IPDs)ⁱⁱ, since the early 2000s Tajikistan became a net emigration country. Massive labour emigration is written into the fabric of post-civil war Tajikistan. Social discontent caused by the lack of a domestic labour market to absorb the working age male population finds an outlet in the massive exodus of Tajik men that constitute 87.5% of the country's migrantsⁱⁱⁱ). This situation has consolidated itself over the last decade. Currently, with 800 thousand emigrants^{iv} out of 8 million citizens, labour migrants constitute 10% of the population and 40% of the country's labour force.^{vi} In terms of the share of the gross domestic product (GDP), Tajikistan is the most remittance-dependent country in the world. In 2013 remittances amounted to 3.960 million USD, corresponding to the equivalent of over half the country's GDP (51,9 %).^{vii}

Russia is the first country of destination for Tajik migrants. This is because of a mixture of push- and pull-factors. These include: historical ties, a visa-free regime within the Commonwealth of Independent States (CIS), unemployment in Tajikistan, and not least, a continuous demand for low-skilled, cheap labour in the Russian Federation and differences in wages in the two countries. Whereas in Tajikistan an average nominal wageadjusted by inflation in 2013

amounted to 725 somoni (145 USD)^{viii}, in the Russian Federation it corresponds to 32 466 rubles (944 USD). As a result, 95% of Tajik migrants choose to go to the Russian Federation.^{xi} At the same time, Kazakhstan, a rising regional leader in economic terms, attracts 5% of Tajik labour migrants. Unlike Kazakhstan and Belarus, Tajikistan does not belong to the Customs Union, an economic alliance of former Soviet republics formed in 2010 and spearheaded by the Russian Federation.^{xii}

This background information depicts the degree of dependence of Tajikistan on political and economic developments in the Russian Federation. Furthermore, it reveals the fragility of the social, economic and political status quo in Tajikistan based on the outflow of migrants, which has been maintained over the last decade.

This policy brief highlights security challenges represented by recent measures affecting irregular migration to the Russian Federation, namely re-entry bans issued to foreign nationals in breach of the Russian legislation. The policy brief addresses this challenge in the following order 1) First, it introduces the concept and logic of re-entry bans, as well as its impact on Tajik migrants. 2) Secondly, it provides an overview of the government of Tajikistan's current responses to the phenomenon. 3) In turn, interconnected human, economic and regime security challenges arising around re-entry bans are elucidated. 4) Finally, conclusions and policy recommendations are presented.

RE-ENTRY BANS

According to Russian legislation, re-entry bans can be issued to foreign citizens for two reasons: when a foreign national is in breach of administrative regulations on the territory of the Russian Federation two or more times within a period of three years (e.g. for lacking registration), as well as in cases when a migrant has not left the country within thirty days after the expiry of his/her right to stay on the territory of the Russian Federation.

Re-entry bans for migrants who breached Russian regulations are not a novelty in Russian immigration policy. They have existed in since 1996. However, if re-entry bans as a measure of reducing irregular migration were noted in Russian legislation for a long time, it was only two years ago that Russian authorities began formally issuing the bans. This is because in 2012 a new Concept on State Migration Policy of the Russian Federation 2012-2025^{xiii} was adopted. The document tightens Russia's immigration regime by introducing a series of additional measures aiming at punishing foreign nationals for violations of migration or administrative regulations, including the creation of an electronic centralised database of foreign nationals with re-entry bans. The database is coordinated by the Russian Border Control Service, yet the re-entry bans can be issued by more than ten agencies.

The mechanism of re-entry bans was created because for the Russian authorities it would be technically impossible and not cost-effective to identify and deport all foreign nationals who committed irregularities on the territory of the Russian Federation.^{xiv} While elaborating the database, Russian officials have been aware of the fact that labour migration from Central Asia and other parts of the CIS has

a seasonal character. Without knowing it migrants can be issued re-entry bans for a period of three to five years as a result of a lack of documents or for an unpaid parking bill. Consequently, the following scenario occurs: migrants leave the Russian Federation to come back to their home country and visit their relatives; because there is no system of warning about re-entry bans, when leaving the Russian Federation migrants are not aware that they will not be allowed to re-enter the Russian Federation; after a certain period of time migrants go back to the Russian Federation; on the border the electronic system signalises that migrants are not allowed to re-enter the Russian Federation. Migrants are rejected at the border.

The last official notification issued by Russia's Federal Migration Service about the number of migrants with re-entry bans is from October 2013. By February 2014 according to the Federal Migration Service the database included the names of 600,000 migrants, mostly from CIS countries. According to the Russian authorities, the majority of persons are Uzbek citizens, followed by Kyrgyz, Tajik and Moldovan nationals.^{xvi}



TAJIK MIGRANTS

The last available list from October 2013 contains the names of nearly 100,000 Tajik citizens. However, according to the Federal Migration Service the next periodically updated list will contain the names of 400,000 Tajik migrants.^{xvii} This number corresponds to almost half of the Tajik nations working in Russia.

There are different reasons why Tajik migrants have been particularly affected by such developments in Russian immigration policy. Migration from Tajikistan has a highly irregular character. First of all, despite a visa free regime within the CIS countries, in order to legalize one's stay in the Russian Federation registration documents, as well as work permits and work contracts are needed. As a result, for the last decade only a small proportion of Tajik nationals have been residing regularly in the Russian Federation.^{xviii} Moreover, most often Tajik migrants are low-skilled and lack post-secondary education, which means they are most suited to involvement in Russia's informal sector.^{xix} Finally, migrants often lack adequate knowledge of Russian language, which makes them additionally vulnerable in the host country.



THE ANSWER OF THE STATE

At the time re-entry bans issued to Tajik migrants have not received much attention from the Tajik government. The steps which were undertaken by the government aim at mitigating the effects of re-entry bans rather than solving the origins of the problem.

Since 1991 more than 240 agreements in different sectors have been signed between Tajikistan and the Russian Federation.^{xx} These documents create the basis for cooperation between the two states. Despite that, a lack of dialogue, and certainly a lack of concrete actions concerning specific issues like re-entry bans has undermined the efficacy of the bilateral relationship in solving migration-related issues. The Russian government does not view Tajikistan as an equal partner in bilateral negotiations.

In the past Tajikistan used to use the leverage of Russian military bases stationed in Tajikistan. As an example, recently this tactic was successfully employed in February 2014 when amendments to the Tajikistan-Russia Governmental Agreement on Labour Activities of Their Citizens in the Host Countries from October 2013 were signed.^{xxi} According to the amendments, Tajik nationals can obtain three-year work permits in the Russian Federation, instead of one-year work permits as previously. Furthermore, the amendments extended the maximum period of unregistered stay for Tajik citizens in the Russian Federation from 7 to 15 days. In turn, Russian military forces will be stationed in Tajikistan until 2042, free of charge. However, in February 2014 Tajikistan did not include re-entry bans issued to Tajik migrants into the base negotiations, and now the bargaining chip of Russian military bases has already been used.

In the recent months increasing numbers of Tajik migrants have approached the Tajik Migration Service to check whether they can enter the Russian Federation. The Tajik

Migration Service has issued a letter to the Russian authorities, asking about a possibility of accessing an updated list of Tajik migrants with re-entry bans.^{xxii} However, the Federal Migration Service did not share the database, citing the principle of protection of personal data. Currently, the Tajik Migration Service together with the International Organization for Migration (IOM) are forwarding to the Russian Federal Security Service individual requests from Tajik migrants who want to check if they were issued a re-entry ban to the Russian Federation. Besides, the Tajik Migration Service is broadcasting short notifications on state TV channels, which inform migrants about the necessity to check their legal status in the Russian Federation before going to this country. Additionally, the Tajik Migration Service and IOM have started running joint weekly radio broadcasts wherein they warn migrants about the existence of re-entry bans.

In January and February 2014, following the mass information campaign of the Migration Service and IOM, Tajik migrants started coming to the airport in Dushanbe to check there if their names were included in an electronic database on migrants with re-entry bans. Daily up to 1,500 persons have been queuing at the airport. Local newspapers have been systematically reporting that employees at the airport were selling information on re-entry bans to migrants for 12 somoni per person (1.40 USD), despite the fact this service was supposed to be provided free of charge.^{xxiii}

What does this de facto lack of reaction of the Tajik authorities to re-entry bans issued to Tajik citizens say about the Tajik state? Neglecting to implement adequate policies (such as entering into dialogue with the Russian Federation) and responding to the problem in a symbolic and demonstrative way instead (conducting warning campaigns about re-entry bans and depicting re-entry bans as an external factor dependent solely on the Russian Federation) is also a policy choice. This policy choice reveals much about the relation between the state and its citizens. In Tajikistan, similarly to other Central Asian countries^{xxiv}, the legitimacy of ruling elites is not based on the effective performance of state in-

stitutions, but on the ability of the government to maneuver, manipulate and strike a posture. However, as it will be argued in the next section, negligence towards re-entry bans is a policy choice mired in short-termism.

RISING SECURITY CHALLENGES

A question arises as to what kind of security challenges re-entry bans create. Re-entry bans are a good example of how different types of security challenges are interconnected. Notably, re-entry bans represent a twofold threat to the fragile economic security of Tajikistan: remittances from Tajik men working in Russia are the main source of income for migrants' families. At the same time, in the absence of remittances, not only family incomes but also state income is threatened. Second of all, re-entry bans threaten human security: in a country where remittances are used to cover the basic needs of families, the survival of migrants' families cannot be guaranteed in their absence. Thirdly, if economic security and human security are at risk of collapse, regime security is at risk: male migrants who cannot leave Tajikistan are a potential source of social discontent directed towards the government, which can subsequently be blamed for the poor socio-economic situation the republic faces.

Discontent is already rising. For Tajik migrants notification of a re-entry ban, most often received on the Tajik border and after having paid for a ticket to Russia, comes as a shock and throws life plans into disarray.^{xxv} An ethnographic research conducted by IOM in Tajikistan among Tajik nationals with re-entry bans shows that migrants who cannot return to the Russian Federation face difficulties in terms of economic re-integration in the home country, struggling either with unemployment or with low salaries. Almost 25% of interviewees stated that they do not have money for food, and 33% can hardly afford clothes^{xxvi}. Apart from that, anecdotal evidence shows that there were cases when Tajik migrants changed their name, hoping to get around the re-entry ban

on the Russian border. Nevertheless, these attempts have proved unsuccessful since apart from contact data the electronic system of the Federal Security Service contains fingerprints which allow easy identification of migrants.

Seasonal labour migration to the Russian Federation is written into the fabric of post-conflict Tajikistan. As mentioned above, for the last 15 years economic, human and regime security threats have been eased by a massive outflow of Tajik men. However, following the introduction of re-entry bans in the Russian Federation, this apparently consolidated fabric of the home country risks to be torn.

CONCLUSIONS

- Alternative solutions should reach the core of the problem, and not touch its surface. International organisations providing migrants with information on migration of risks cannot substitute the government and its responsibility to manage migration issues. There is a need for appropriate policy responses to the security challenges posed, by re-entry bans specifically, and, more generally, by Tajikistan's continued dependence on migrant workers' income.
- In recent months a number of documents have been adopted by the government of Tajikistan. Different strategies and action plans^{xxviii} mention that the priority of the government is both to create working places and regulate migration flows. Laws put in writing are a good start. However, it is hard to expect that they will provide concrete results if no money from the state budget is allocated for the implementation of these action plans. This is an increasingly pertinent dilemma in Tajikistan.
- A priority should be placed on job creation. Even if officially the unemployment rate in Tajikistan amounts to 2,5% (for 2013)^{xxix}, these data take into account only people registered in Agencies of Employment. For this reason, migrants residing abroad are not included in statistics. In reality there are very few jobs in Tajikistan and economic activities among

the population are mainly confined to buying goods for a lower price and selling them for a higher one.

- Furthermore, there is a need for diversify the number of countries to which Tajik migrants can migrate. Other options may include Iran, with whom Tajiks share cultural and linguistic ties, the United Arab Emirates or Turkey. Such a need is particularly pertinent given that Tajik migrants subject to Russian re-entry bans enter their second country most popular destination, given that Kazakhstan is bound by Russian migration regulations under the terms of Customs Union legislation. De jure, these include re-entry bans, even if Kazakh authorities have not enforced any as yet).
- Pilot projects of recruitment for labour migrants in new countries of destination should be state-led in order to limit illegal recruitment and exploitation of migrants. Drawing lessons from the Filipino model of emigration policy could be an option, since 10% of Filipino citizens live outside the Filipinas and their country is viewed as a leading model in terms of establishing policies of protection of the welfare of Filipino workers abroad.

REFERENCES

ⁱ Heathershaw J. and Herzig E. (2011) 'Introduction: the sources of statehood in Tajikistan', *Central Asian Survey*, No. 1:30, p. 8

ⁱⁱ Over half a million people. Pomfret R. (2006) *Tajikistan: Civil War and Its Aftermath*, in: Pomfret R. (ed.) *The Central Asian Economies Since Independence*, Princeton University Press, p. 61

ⁱⁱⁱ Calculations based on: Asia Plus, 'More Than 964,500 People Migrated Out of Tajikistan Last Year, Says Migration Service Agency', 30.01.2014, <http://news.tj/en/news/more-964500-people-migrated-out-tajikistan-last-year-says-migration-service-agency> (Accessed May 2014)

^{iv} *Idem.*

^v Calculated based on information from the migration cards filled out by Tajik citizens while crossing the border. However, it is an open secret that airport officials and border guards often neglect collecting migration cards. Probably therefore the numbers indicated by the Federal Migration Service are conservative. According to the Russian Federation the number of Tajik citizens living only in this country amounts to 1.080 million.

Federal Migration Service of Russia (2013) *Statisticheskiesvedeniya v otnoshenii inostrannyh grazhdan, nahodyashihhsya na territorii Rossiyskoy Federacii*, www.fms.gov.ru/about/statistics/foreign/details/54891 (Accessed March 2014)

^{vi} The active labour force in Tajikistan amounts to 2.8 million people. Calculations based: Agency on Statistics under the President of the Republic of Tajikistan, *Labor resources and employment, 1985–2012* <http://www.stat.tj/en/analytical-tables/real-sector/> (Accessed May 2014)

^{vii} The World Bank (2014) *Annual Remittances Data* (as of April 2014) <http://econ.worldbank.org/WBSITE/EXTERNAL/EXTDEC/EXTDECPROSPECTS/0,,contentMDK:22759429~pagePK:64165401~piPK:64165026~theSitePK:476883,00>.

html#Remittances (accessed June 2014)

^{viii} Agency on Statistics under the President of the Republic of Tajikistan, *Ezhemesyachnye Dannye po Zarabotnoy Plate 1995-2014*, <http://www.stat.tj/ru/analytical-tables/real-sector/> (Accessed May 2014)

^{ix} The minimum wage is 250 somoni (50 USD). *Idem*.

^x Federal State Statistics Service (2013) *Trud I Zanyatost' v Rossii*, http://www.gks.ru/bgd/regl/b13_36/Main.htm (Accessed June 2014)

^{xi} Calculated based on the data published on the website of the Migration Service, *Mal'lumotnoma Oidi Rafti Shachrvandondar 8 Mochi Soli 2013 az Kalamravi Ch T*, <http://migration.tj/index.php/tj/> (Accessed June 2013)

^{xii} Federal'nyy Zakon No. 114 ot 15.08.1996 'O Poryadke Vyezda iz Rossiyskoy Federacii V'ezda v Rossiyskuyu', <http://www.fms.gov.ru/documentation/860/details/50440/> (Accessed June 2014)

^{xiii} *Koncepciya Migracionnoy Politiki Rossiyskoy Federacii na Period do 2025 Goda* (2012)
http://www.fms.gov.ru/documentation/koncept_mig_pol/
(Accessed June 2014)

^{xiv} Azizova M. from IOM Tajikistan, presentation 'Osnovaniya Zapretana V'ezd v Rossiyskuyu Federaciyu Grazhdan Tadjikistana: Prichinyi Posledstvi', Dushanbe Economic Meeting 2014: Economic Implications of Migration, The National Library, Dushanbe, 02.04.2014

^{xv} ITAR-TASS News Agency, '600,000 migrants banned from entering Russia', 25.02.2014, <http://en.itar-tass.com/russia/720901> (Accessed June 2014)

^{xvi} ITAR-TASS News Agency, 'Uzbekistan's migrants most often banned from entering Russia', 28.12.2013, <http://en.itar-tass.com/russia/713258> (Accessed June 2014)

^{xvii} Azizova M. from IOM Tajikistan, presentation 'Osnovaniya Zapretana V'ezd v Rossiyskuyu Federaciyu Grazhdan Tadjikistana: Prichinyi Posledstvi', Dushanbe Economic Meeting 2014: Economic Implications of Migration, The National Library, Dushanbe, 02.04.2014

^{xviii} Laruelle M. (2007) 'Central Asian Labor Migrants in Rus-

sia: the “Diasporization” of the Central Asian States?’, *China and Eurasia Forum Quarterly*, 3:5, p. 109

^{xxix} Abdulloev I., Gang I.N., Landon-Lane J. (2011) Migration as a substitute for informal activities: Evidence from Tajikistan, Discussion Paper series, Forschungsinstitut zur Zukunft der Arbeit, No. 6236, p. 18

^{xxx} Rahmon U., ‘Migratsionnaya Politika v Tadjikistane: Vozmozhnostii Problemy’, 22.05.2014, <http://www.news.tj/ru/newspaper/article/migratsionnaya-politika-v-tadjikistane-vozmozhnosti-i-problemy> (Accessed May 2014)

^{xxxi} Asia Plus, ‘Russian parliament ratifies protocol extending working permit period for Tajik labor migrants in Russia’, 24.03.2014, <http://news.tj/en/news/russian-parliament-ratifies-protocol-extending-working-permit-period-tajik-labor-migrants-rus> (Accessed May 2014)

^{xxxii} Hayrulloev T. from the Tajik Migration Service, presentation ‘Problemy Migratsii, kak Ugroza Nacional’noy Bezopasnosti Respubliki Tadjikistan, Dushanbe Economic Meeting 2014: Economic Implications of Migration, The National Library, Dushanbe, 02.04.2014

^{xxxiii} Ergasheva Z., ‘Na Migrantah Vnov’ Reshili Zarabotat?’, Asia Plus, 12.02.2014, <http://news.tj/ru/news/na-migrantakh-ynov-reshili-zarabotat> (Accessed May 2014)

^{xxxiv} Matveeva A. (2012) Legitimising Central Asian Authoritarianism: Political Manipulation and Symbolic Power, in: Cummings Sally N. (ed.) *Symbolism and power in Central Asia*, Routledge, London and New York, pp. 12-39

^{xxxv} Navruzsho Z., ‘Borba 15 Tadjikskih Migrantov za Pravo Vernut’sya v Rossiyu’, *Ozodi*, 18.05.2014, <http://rus.ozodi.org/content/article/25389330.html> (Accessed May 2014)

^{xxxvi} IOM (2013) Tajik Migrants with Re-entry Bans to the Russian Federation, p. 23, <http://www.iom.tj/index.php/research/199-reentrybans> (Accessed June 2014)

^{xxxvii} In the recent months there has been a trend to change the Russianised version of the family name finishing with ‘ov’ into a Tajik version when the name of the father substi-

tutes the surname.

^{xviii} E.g. Nacional'nayaStrategiyaTrudovoyMigraciiGrazhdanRespubliki Tadjhikistan zaRubezhna Period 2011-2015 Godov; Nacional'nayaStrategiyaRazvitiyaRespubliki Tadjhikistan do 2025; ProgrammaEkonomicheskogoRazvitiyaRespubliki Tadjhikistan do 2025.

^{xxix} Calculations made based on: Agency on Statistics under the President of the Republic of Tajikistan, MakroekonomicheskiePokazateli, <http://www.stat.tj/ru/macroeconomic-indicators/> (Accessed May 2014)