

**IN SEARCH OF BETTER LIVES:
ANALYZING POST-SOVIET MIGRATION FROM TAJIKISTAN TO RUSSIA**

by

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Abstract

With the collapse of the socialist model in the former Union of Soviet Socialist Republics (USSR) in 1991 which was followed by Civil War (1992-1997), Tajikistan has undergone profound social, economic, and political transformation. Persistent impoverishment, political and economic instability, and discrimination of ethnic minorities have resulted in out-migration of Tajik population to Russia. In this study, labor migration (survival driven, seasonal, and chain) is discussed. Even though Tajik migrants face challenges such as segregation, xenophobia, sexism, and intolerance working abroad, they continue to migrate to Russia in order to seek a better quality of life. This is closely linked to migration policy and regulations that have been implemented by the governments of these countries which allow free movement across the borders. Although these migration policies promote legal migration, they create favorable conditions for inequality (such as structural, social, and global) as well as illegal migratory flows. However, little scholarly work has been focused on how migration policy contributes to structural inequality and leads to illegal migration in the former Soviet Republics. In my study, I seek to add to the limited existing literature about these phenomena. I examine the social context of Tajik labor migration, legal framework, migration policy and regulations, and its implications. Specifically, I analyze the case of Tajikistan and Russia's migration policies and regulations as they are proposed and implemented by governmental agencies in collaboration and consultation with civil society organizations (local and international) including the Tajik diasporas.

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List of Abbreviations

ADB – Asian Development Bank

ADC Memorial – Anti-Discrimination Centre “Memorial”

AKF – Aga Khan Foundation

CIS – Commonwealth of Independent States

CMR – Center of Migration Research

CSO – Civil Society Organization

ECRI - European Commission against Racism and Intolerance

EWIC – East West Information Center

FIDH – International Federation for Human Rights

FMS - Federal Migration Service

FSU – Former Soviet Union

GBAO – Gorno-Badakhshan Autonomous Oblast

GDP – Gross Domestic Product

GIZ - Deutsche Gesellschaft für Internationale Zusammenarbeit (German Federal Enterprise for International Cooperation)

ILO – International Labor Organization

IOM – International Organization for Migration

ISD - Internal Security Directorate

MDIA – Municipal Department of Internal Affairs

MFA – Ministry of Foreign Affairs

MIA – Ministry of Internal Affairs

MPC – Migration Policy Center

NGO – Non-governmental Organization

PrEA – Private Employment Agency

RF – Russian Federation

RT – Republic of Tajikistan

SMS – State Migration Service

UNDP – United Nations Development Program

UNESCO – United Nations Educational, Scientific and Cultural Organization

US – United States

USSR – Union of Soviet Socialist Republics

WB – World Bank

WWI – World War I

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Dedication

I dedicate this study to the memory of my uncle Alidjon Mamajanov who died at the age of 46 while being a labor migrant in Russia. I write this with tears on my eyes, as a witness of how unfair this life can be towards migrant workers like my uncle. People who are migrants are people who do not matter in the eyes of those who do not care. I wish and pray for this to change, I hope that other migrants may not be experiencing this injustice, exactly what my uncle went through.

Chapter 1 - Introduction

2013 was a challenging year for the immigrant population of the Russian Federation. *Russia: Beyond the Headlines* posted: “Russian authorities already planning dozens of new detention centers for illegal aliens” (Obrazkova 2013). The picture that goes along with this article illustrates a Moscow city market resembling a refugee camp due to a stringent inspection system. According to the public charity organization Civic Assistance Committee, many migrants are from Vietnam and Central Asia, and most of them are from Tajikistan (Obrazkova 2013). Migration inflow to Moscow for the period 1989-2010 included 3.5 million migrants (Zaionchkovskaya, Poletaev, Florinskaya, and Doronina 2013). Russian human rights activists are expressing concerns about the rights of migrants who have stayed beyond their time limit: “people are lawlessly deprived of their liberty;” there are pregnant women in these camps, hungry migrants, and those who were separated from their relatives (Asia-Plus 2013). Most of them were harassed on the street without reason and incarcerated; their fate now depends on police and the OMON, a special purpose police unit (Asia-Plus 2013). Moreover, some labor migrants do not have any identification documents in order to prove their status in Russia, and “it is not clear how the court establishes the identity of those who are charged with administrative offenses” (Asia-Plus 2013).

Due to the illegal existence of migrants in Russia, the Federal Migration Service (FMS) has been working on a new migration bill, with the goal of effectively managing the problem of illegal immigration (Obrazkova 2013). The FMS is a federal organ which has been established in 2004 in order to facilitate migration policy in Russia (Rahmonova-Schwarz N.d.). According to this bill, Russia will set up more than 80 detention centers for foreign workers for possible

further deportation (Obrazkova 2013). However, the director of the Institute for Political Research, Sergey Markov, states that these restrictions will not solve the problem:

The camp is a temporary measure; it is a quick fix to a problem that has existed for years. What it does it exposes the weakness and ineffectiveness of the government... We need immigrants, but they need to be legal immigrants. We need to understand who is to blame for the fact that they are [staying] here illegally (Obrazkova 2013).

As mentioned above, “zachistki” is known as *cleanup operations*, “as the market sweeps have been termed,” involve inspections by police and OMON among migrants in Russia (Sindelar, Bobomatov, Doorov, Kholov, and Ganjova 2013). The *cleansing process* was established throughout the detention camps with the purpose of deportation of illegal migrants from Russia. However, putting migrants in detention camps will not change the problem at all (Putin 2012). Russian president Vladimir Putin (2012) indicates that restrictive migration policy might even worsen the situation by increasing the number of illegal migrants. Putin argues that, “the criteria of migration policy are not in their severity, but in their effectiveness” (Putin 2012). Nevertheless, it is still unclear what kind of an *effective* migration policy would be reasonable to solve the problem of illegal immigration.

The Professional Union of Labor Migrants (2013) addresses the issue: while the Parliament of Russia introduces new restrictive migration policy, nobody mentions the widespread exploitation and abuse that Tajik migrant workers in Russia experience from the local unscrupulous entrepreneurs. Entrepreneurs are trying to free themselves from the responsibility for any unforeseen situations as it relates to the working conditions of labor migrants. For example, in order to recruit labor migrants to work, the entrepreneurs must request a “quota” from the FMS and get permission from the government a year ahead. Usually, they take advantage of the system by using intermediate agencies in order to arrange the recruitment

of migrants (Regamey and Kulaeva 2011). According to Regamey and Kulaeva (2011:13), “this practice of *outsourcing* makes it difficult to hold employers responsible for violations of the rights of migrant workers, since the connection between employer and employee is hard to prove in a court of law.” The head of FMS, Romodanovskiĭ, stated that the entrance to Russia may be closed to more than 500 thousand foreign workers who have a history of violating migration law (Newsland 2013). The human rights organization Anti-Discrimination Center “Memorial” (ADC Memorial) addressed a letter to the head of FMS in which they urged him to be pro-active in terms of eliminating the discrimination against migrant workers from the former Soviet Union countries (Regamey and Kulaeva 2011).

As migration from Central Asia to the Russian Federation has increased in the last two decades, the “national issue” became significant in contemporary Russia (Putin 2012). The President of Russia, Putin (2012) stated that due to high in-flow of immigrants, the assimilation of different cultures is not going smoothly. One of the reasons of slow assimilation of Tajik migrants into Russia is their lack of language skills. According to Florinskaya (2009), 36 percent of Tajik migrants (total sample size is 500) who participated in a survey by the Aga Khan Foundation in Russia, found it challenging to communicate in Russian (at the store, pharmacy, and post office; table 1.1). Moreover, 42 percent of them had difficulties filling out documentation in Russian (Florinskaya 2009). The inability to speak Russian affects the relationship between migrants and citizens of the host country, specifically, between employers and migrants, because the latter may not be familiar with the conditions that are indicated in the labor contract (Florinskaya 2009). This may eventually lead to violation of migrants’ social, political, and economic rights as well as freedoms of movement and choice of place to work and reside.

Table 1.1 Ability of Tajik Migrants to Communicate in Russian (%)

	Knowledge of Russian is quite enough	Knowledge of Russian is not enough	Completely not enough
Communication at work	66	23	11
Filling out the documents	27	42	30
Communication at the store, pharmacy, and post office	48	36	15

N=500 (Florinskaya 2009:7).

Restrictive policies and regulations towards migrants have forced migrants to find alternative routes to work in the territory of the Russian Federation. Additionally, high level of outward migration affects the lives of the Tajik migrants because they do not know their rights and responsibilities; thereby, some people in the host country do not treat them with respect or understanding (Jones, Black, and Skeldon 2007; Mughal 2007). Xenophobic attacks, nationalism, and racist aggression by the local citizens in Russia occur frequently (Sevortian 2009).

In my thesis, I mainly focus on the issue of illegal labor immigration. I am trying to answer the question: *what are the consequences of the existing migration policy in the post-Soviet space for Tajik migrants in Russia?* My thesis has been developed into several chapters: the first chapter presents the introductory overview of the migration trend from Tajikistan to Russia and the objectives of the study. Second, I examine the literature that presents theories of migration, such as world system theory, *push* and *pull* factors of migration, neoclassical theory, split and dual labor market, and alternative survival circuits' theory. This chapter also conceptualizes global migration policy and discusses its role in migration analysis. Third chapter describes research methodology which employs the analysis of secondary data, case study approach, and

policy research. Chapter four is central to my thesis because it reports on the results from the analysis and presents the findings concerning migration policy implications for Tajik migrants. Finally, this chapter examines the efforts of Tajik and Russian authorities in the process of formulating the migration policy in order to create a better working condition for migrants. Chapter five concludes the research.

Chapter 2 - Literature Review

A variety of different theories have been proposed to explain international migration. My thesis presents theories of migration such as the world systems theory, neoclassical theory on macro/micro levels, split and dual labor market theories, and alternative survival circuits theory. Collectively these approaches examine models of migration that describe origins of migration movement explained primarily through the prism of economic, political, and social factors. Although these factors (i.e. economic, political, and social) of migration may be individually examined, they are closely interconnected when this phenomenon is discussed. In this study, these theoretical approaches are explained and supported with contextual examples outlined below.

Research on migration from the post-Soviet Tajikistan to Russia began appearing in academic scholarship in the mid-1990's and post-independence period. This was, however, largely discussed through the lens of economic outcomes. More recent academic work has touched upon the historical origins and structural factors of Tajik labor migration, legal framework as well as migration policy implications. I propose to analyze the legal and institutional frameworks to regulate migration and examine the consequences of existing migration policy in sending and receiving countries.

Definition of Terms

Before dwelling further, providing some definitions to key terms is essential in this thesis. The following important terminologies are used throughout this study. The concept “migration” is explained by the UN Convention on the Rights of Migrants as “the crossing of the boundary of a political or administrative unit for a certain minimum period of time” (UNESCO

N.d.). Migration can be internal or international. First, (internal) migration as far as it is concerned, is the movement of people from one place to another within the country. Second, (international) migration is a “territorial relocation of people between nation-states” (The UN Convention on the Rights of Migrants, cited in UNESCO N.d.).

Somebody will be considered as an *international emigrant* for a specific country if he or she leaves the country and transfers his or her usual place of residence outside the country for more than a minimal duration of time (Poulain and Perrin 2001:2)

The term “labor migration” is the migration of people to another country in order to earn money for a short period of time, anticipating returning to their home country (Bosc and Olimova 2003). A “migrant worker” was defined by The UN Convention on the Rights of Migrants as a “person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he or she is not a national” (cited in UNESCO N.d.). It is to be mentioned that refugees or displaced people cannot be considered a *migrant* because they are coercively moved abroad (UNESCO N.d.). The UN Convention on the Rights of Migrants contends that “migrants are people who make choices about when to leave and where to go, even though these choices are sometimes extremely constrained” (cited in UNESCO N.d.).

The International Organization for Migration (2011) posits that “*push* factors [(such as economic, social, or political problems)] drive people to leave their country.” For example, unemployment is considered the key factor of migration, particularly in the case of Tajik labor migration (Sharq 2002, cited in Bosc and Olimova 2003). Turning to the “*pull*” factors of migration, Ghosh (2000:12) defines them as “relative affluence and better economic opportunities, and the attraction of political freedom and stability” in the receiving country that encourages people to migrate.

The Marxist theory of class relations provides an example of the structural inequality concept, in particular, how class structure leads to inequality and social change in society (Sørensen 1996).

Inequality is generated by structural relations, and advantages and disadvantages are attached to positions in social structure. [...] The inequality creates antagonistic interests that are, so to speak, attached to the positions, which are empty places. These antagonistic interests create conflicts that may change social structure (Sørensen 1996:1335).

The Marxist theory also provides an example of the structural effects on inequality in capitalistic society: capitalists are taking a predominant role by “occupying the position of being a capitalist,” thereby it provides them the power to exploit and create difficulties for laborers (Sørensen 1996:1334). Another example of structural inequality can be explained through the Simon’s model, according to which “wage differentials” are mainly distributed based on job features, and which do not refer to the “characteristics of the individuals who happen to hold these jobs” (cited in Jencks 1980:764). Marxist theory helps to understand why people move across borders, for example, Tajik citizens migrating because of unemployment and low wages. The predominant position of corporations that recruit cheap labor in a host country (for instance, those in Russia) leads to conflicts between owners and migrant workers. This demonstrates the class antagonism in capitalistic society because of the exploitation of migrants and unfair wage distribution that influence social structure.

While discussing the world-systems theory of migration, Braudel provides the definition of *world-economy*. According to Braudel, *world-economy* is "a large geographic zone within which there is a division of labor and hence significant internal exchange of basic or essential goods as well as flows of capital and labor" (cited in Wallerstein 2004:23; Wallerstein 1974:390).

The concept “remittance” is considered as a model of development, valuable tool to promote "local, regional and national development,” and defined as the process of sending money via different means to families by members of household communities from the host country to the country of origin (Bichsel 2005, cited in Eggenberger 2011; Castles and Wise 2007:7). This applies to the particular context of Tajik migration to Russia: migrant workers from Tajikistan and/or members of their household move abroad to sustain their livelihoods through the means of remittances.

Theoretical Development:

Push and Pull Factors of Migration

Theories of migration are often discussed under two schools of thought: first, those scholars who explain “push” factors as being associated with the country of origin; and second, those who examine “pull” factors in the host country. Most theorists describe both factors together because these factors work in tandem while explaining the origins of migration. Massey, Douglas, J. Arango, G. Hugo, A. Kouaouci, A. Pellegrino, and E. Taylor (1993), Mughal (2007), Castles and Miller (2009), Ghosh (2000), Castells and Portes (1989), and other scholars describe these factors further in my thesis.

To begin with, Castles and Miller (2009), Ghosh (2000) posit that desperate people who are experiencing economic deprivation will migrate across boundaries seeking better opportunities and quality of life. This is compounded and evident by countries with severe austerity policies instituted by the lending agencies (i.e. International Monetary Fund (IMF) and World Bank) to remedy fiscal borrowing (Castells and Portes 1989). In addition, individuals who

are exposed to political conflicts as well as environmental problems in home countries have been noted to migrate elsewhere (Castles and Miller 2009; Castells and Portes 1989).

According to Mughal (2007:1), following the collapse of the Soviet Union in 1991 and Civil War in 1992-1997, the Republic of Tajikistan faced multiple challenges, such as weak political and economic institutions, bad infrastructure and local governance, unemployment and corruption, and the out-migration of Russian and other ethnic groups, and professionals. This created conditions unfavorable for these people within the state, thus prompting migratory flows. As noted by Ivakhnyuk (2009), liberal migration policy enabled people from the Former Soviet Union (FSU) to migrate to the Russian Federation. For instance, in 2006, the Russian government announced its regulation on foreign labor. One million immigrants from the FSU were encouraged to settle in underpopulated areas, such as Siberia and the oil rich region of Krasnoyarsk (Mughal 2007). High demand for cheap labor and relatively high wages in Russia during the oil boom triggered a movement of Tajik workers to occupy jobs that Russian citizens were unwilling to perform (Mughal 2007). However, this reinforced xenophobic sentiments towards people from Central Asia and Caucasus by Russian citizens (Mughal 2007).

Both factors (i.e. *push* and *pull*) of migration are described by Ghosh (2000:9) as “powerful” because they make migration an authentic globalization. More specifically, it implies rapid communication progress, price-cutting in transport costs as well as “wider expansion of social networking, and multi-country operations” of migrant workers (Ghosh 2000:9).

While *push* factors drive out migrant workers from their home countries, *pull* factors designate where these migrants arrive. The host country provides employment opportunities and higher wages to migrants that help to sustain their livelihoods. Immigration brings benefit not

only to the country of origin but also to the host country that attracts cheap labor available to work in underpopulated and naturally resourceful areas. Migration movement stimulates economic development of both countries, sending and receiving.

Global Economy and Migration

Several studies indicate that international migration originates from the dynamics of the global market and entails social transformations in the counties of origin and host countries (Castles and Wise 2007:6; Massey et al. 1993; Sassen 2003). Castells and Portes (1989) claim that global crisis contributes to a migratory movement, especially among individuals within less developed countries.

Sociological theorists describe the origins of international migration in relation to the structure of world markets usually in terms of the world-systems theory of Immanuel Wallerstein (Massey et al. 1993). The analysis of the world-systems theory presents migration as a natural course of development of disturbances and dislocations that inevitably occur in the process of the development of capitalistic society (Massey et al. 1993). Wallerstein (1974) emphasizes the hierarchical relationships between countries and regions, as well as describes how some nations are developed while others are underdeveloped. Frank (2009) argues that the outcome of existing policies of large companies, interaction between core countries and periphery ones, and other interstate agencies lead to *development of underdevelopment*. *Core* or "most developed" states can be taken as a model for *periphery*, or "less developed" countries, "promising a higher standard of living and a more liberal governmental structure" (Wallerstein 2004:10). This might entice these migrants from *periphery* countries to travel to *core* nations, in particular, from Tajikistan to Russia to seek a better quality of life.

Historically, the former Soviet Union republics were closely connected to Russia. Derluigian (2005) presented the intertwining relationship between Soviet republics and described them as the “Russian *matryoshka*¹” (cited in Atabaki 2008:141). More specifically, every republic of the former USSR was connected to other Soviet republics resembling the Russian *matryoshka* doll (Atabaki 2008). In the post-Soviet space, in particular, in Central Asia and Caucasus, “the return to power of the Soviet *nomenklatura*² demonstrated remarkably that the Soviet legacy still weighed heavily on the newly-established republics” (Atabaki 2008:142). According to Atabaki (2008:141), “... the core concept was to align the peripheries’ goals and objectives to outcomes that strictly followed Moscow’s strategic agenda.” This example demonstrates the hierarchical relationship between Russia and the former Soviet republics, including Tajikistan, where the economies of these countries are unequally developed.

Another theorist Sassen (2000, 2003) goes a step further and provides us with an overview of *alternative survival circuits*. According to Sassen (2003), alternative survival circuits are built on low-wage migrant workers and their low-skilled work through the migration chain of the global market. Sassen (2000:504) emphasizes the “possibility of systemic links between the growth of these alternative circuits for survival, [...] and major conditions in developing countries.” Alternative survival circuits are associated with globalization, which has developed a “set of dynamics” in which migrants (both legal and illegal) are involved in different types of

¹ *Matryoshka* (Russian) – the popular wooden made dolls “commonly known as the nesting doll.” *Matryoshka* dolls “come in sets with each doll in the set opening up to reveal another doll, often identical except smaller. The sets vary greatly in size, shape, style and the number of dolls per set” (Dunn, Danielle, and Jessica Dunn 2014).

² *Nomenklatura* (Soviet) comprised *Russian elite* “from the past” where “some of the operating principles” were to “protect their position-mostly through privileged access to the market-in the late 1980s.” The *elite* was represented by “ruling group in a society, consisting of the people who take decisions of national significance” (Kryshtanovskaya and White 1996:712).

formal and informal labor markets (Sassen 2000:507). Globalization enables people to migrate from economically unstable countries to developed ones (Sassen 2003). In this regard, migration from Tajikistan to Russia is an outcome of globalization because Tajik migrants, who represent a developing country, move to a developed country (Russia) in order to sustain their livelihoods and because of the high demand for labor in the host country.

Sassen (2003: 255) states that the "global cities have become places where large numbers of low-paid immigrants get incorporated into strategic economic sectors." Handå (2012:18) posits that "Moscow may well be regarded as a global city, and thus one might expect a significant flow of migrants to this cente[r] of economic possibilities."

Meanwhile, cross-border migration helps home states that are financially unstable, by paying foreign debt and enabling firms to perform illegal business on a global scale, which is built upon "survival circuits" of desperately poor people from developing countries (Sassen 2003:255, 266). This complements the world-systems theory, which describes the hierarchical relationship between *core* and *periphery* countries. Migrant workers participating in survival circuits help not only themselves and members of their households, but also their community. Tajik case is one of the relevant examples of *survival circuits* concept which will be further discussed in this thesis.

Insights into Informal Economy

An informal economy can become the central structural aspect of society and can be found in countries with different levels of economic development. As noted by Portes, Castells, and Benton (1989), since the mid-1970s, informal economies were in great demand of cheap labor.

More recent studies suggest that migrant workers, both skilled and unskilled, are often employed in informal sectors. Unskilled migrants are often discouraged by economic policy,

whereas skilled workers are most welcomed to work (Hatton and Williamson 2005). Unskilled manual workers usually experience segregation and social exclusion at work. Another example shows the opposite: migration movement of over-qualified migrants from Asia and Africa in late nineteenth century into the United States was restricted (Hatton and Williamson 2005). Low-skilled migration “has offered a valuable safety valve” for the countries such as Tajikistan, which is facing with the structural unemployment (Mughal 2007:41). Labor market conditions can influence migration policy that involves "income performance of unskilled workers," as stated by Hatton and Williamson (2005:175).

Working in the informal sector is challenging to workers since it involves unregulated working activities with inclusion of authoritarian management (Portes, Castells, and Benton 1989). An informal economy entails “flexibility and exploitation, productivity and abuse, aggressive entrepreneurs and defenseless workers, libertarianism and greediness” (Castells and Portes 1989:11). In addition to this, workers in an informal economy are working under unfavorable working conditions, which can affect their health (Lehmann and Zaiceva 2013:3). It is to be mentioned that in an informal economy the government does not provide protection to labor workers, such as the management of labor policy and regulations, as well as not ensuring welfare benefits to laborers (Roberts 1989).

Another theorist Chen (2007:9) focuses on the nature of the relationship between formal and informal economies: firms working in a formal economy are giving preference to employment relationships in an informal economy because they get more “flexible specialized production, global competition, or (simply) reduced labor costs.” In addition, employers can avoid formalities in working relationships in an informal economy. Therefore, “it is the formal

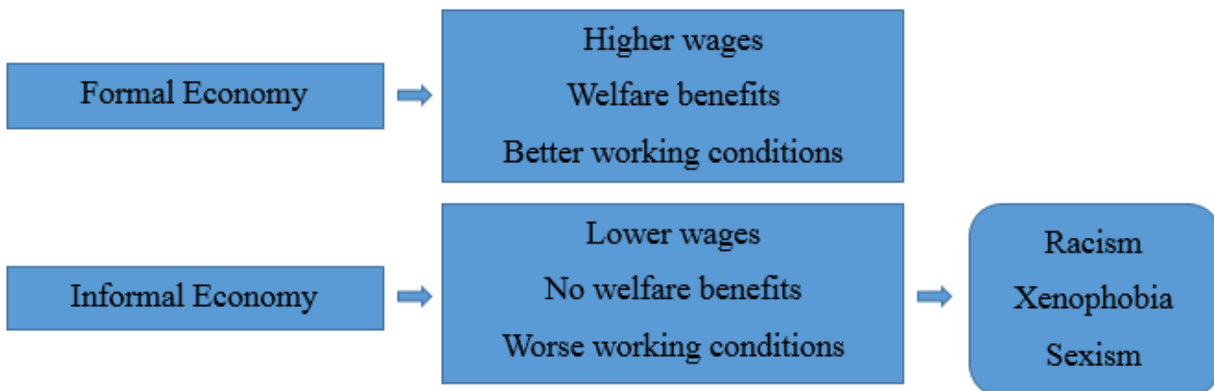
firm not the informal worker that decides to operate informally and enjoys the *benefits* of informality,” stated Chen (2007:9).

[...] most economists maintain that employment in the formal sector is associated with a greater use of physical capital that requires human capital acquisition on the part of the employed workers, while the informally employed often work with little or no physical and little human capital (Lehmann and Zaiceva 2013:4).

General trends of the informal sector and employment in Russia have been analyzed and discussed by Gimpelson and Zudina (2011a, cited in Lehmann and Zaiceva 2013). They employed Russian Labor Force Survey data according to which a dramatic increase in informal employment was found during the period of 1999-2008. Gimpelson and Zudina (2011b) indicate that about 8 million people in 1999 to around 12 million people in 2008 were employed in the information sector in Russia (cited in Lehmann and Zaiceva 2013).

Immigrant workers are vulnerable while working in the informal sector; there is always a social stigma toward ethnic minorities, women, and youth, thereby causing segregation in the labor market (Castells and Portes 1989:26). There is antagonism between different ethnic groups in the informal sector, which was explained by Bonacich (1972) through the “split labor market theory.” This theory clearly describes the differentials in price for labor that are based on ethnicity and which are directly correlated with “resources and motives” (Bonacich 1972:547). The price implies not only wages for migrant labor but also transportation and recruitment costs, as well as costs for education and health care. The term “antagonism” includes the issues of conflict that involve ideologies, beliefs, and laws that bolster discrimination (Bonacich 1972). Figure 2.1 schematically illustrates the “conflict” between the formal and informal economy, which leads to racism, xenophobia, and sexism.

Figure 2.1 The “Conflict” between Formal and Informal Economy



Expanding on Bonacich’s *split labor market* theory, Massey et al. (1993) refer us to a macro-level model of international migration that can be explained through the “dual labor market” theory. According to this theory, international migration originates from an essential demand for immigrant labor in the contemporary industrial world (Massey et al. 1993). This demand was clearly described through four basic characteristics of modern industrial societies: structural inflation, motivational problems, economic dualism, and demography of the labor supply. The implications of *dual labor market* theory are different from those of micro-level decisions models. For instance, i) demand-based international migration usually initiated by employers or governments in developed countries; ii) demand for migrants stems out of the structural factors of the economy and mainly described through “recruitment practices rather than wage offers;” iii) there is no relationship between low-level wages and the number of labor workers supply (Massey et al. 1993:444).

Massey et al. (1993) provide the description to neoclassical micro- and macro-economic theories of migration. The neoclassical micro-economics theory mainly focuses on the cost of migration and employment conditions between sending and receiving countries (Massey et al.

1993). The authors provide a description of the costs of migration: migrants are willing to learn the language and adjust to a new culture. They face psychological problems because of the breaking ties within their family. The neoclassical macro-economic theory is considered the oldest and best known theory of migration. It explains international migration as a result of “geographic differences in the supply of and demand for labor” (Massey et al. 1993:433). In other words, people have an incentive to move from a low-wage to a high-wage country.

Conceptualizing Migration Policy

International migration and its regulations have become the central issue in the globalizing world. International migration is basically a “multidimensional phenomenon” because it embraces different migratory flows, and it is driven by political and ethno-political, economic, legal, and environmental factors (Ghosh 2000:4, 8). Hatton and Williamson (2005:19) point out that “global migration” has undergone changes during the decades between 1820 and the mid-nineteenth century: it was “a vulnerable margin that responded to labor market conditions with a powerful multiplier.” These authors refer to a historical event in the late twentieth century when the global economy underwent reconstruction: transportation technologies improved, and long-distance transportation costs became relatively low, thereby enabling people to consider moving to another country.

Hatton and Williamson (2005) provide a brief historical overview of the migration policy environment before and after the World War I (WWI). According to them, prior to WWI, migration movement did not involve visa procedures, migrants' quotas, security obstacles, green cards, and other issues. After WWI, the situation changed towards introducing new policies where migration was “under restrictions and limits, and in the face of those hurdles” (Hatton and

Williamson 2005:3). It is worth mentioning that without those restrictions the scale of mass migration might have gotten larger (Hatton and Williamson 2005).

Furthermore, migration from less developed countries after World War II (WWII) was not favorable to "homeland governments," even though both governments in the host and origin countries put efforts to regulate migration through diplomatic relationships, bilateral and regional cooperation on employment opportunities for people who move abroad (Castles and Miller 2009:278). Some of homeland governments "maintain the political loyalties and allegiance" through consular services to expatriates who travel abroad (Castles and Miller 2009:279).

Castles and Wise (2007) point out that the economic crisis and high rate of unemployment led to immigration restrictions and caused the decreased migration rates in the United States (cited in Goldin 1994:161). In contrast to the American migration policy, political reasons and motives kept Britain's immigration policy in the early nineteenth century more liberal (Hatton and Williamson 2005). This policy was favorable to immigrants because it had no restrictive implications on migration. Immigration policy in Britain was strong and stable, with its "powerful pro-empire bias" (Hatton and Williamson 2005:156). Moreover, Britain actively disseminated the information to potential migrants about job opportunities and even provided financial support for passage to move from abroad (Hatton and Williamson 2005).

Global migration stimulates governments of the labor-sending and receiving countries to develop a new migratory system or introduce new changes into existing regulations on migration (IOM 2011). Much evidence suggests that in order to improve the migration policy, governments should effectively control and facilitate migration (Castles and Miller 2009). However, sovereign states found it challenging to define the patterns of migration in order to determine an effective way to regulate international migration. Instead, they applied restrictive political

mechanisms towards immigration that, in turn, exacerbated the scenario for migrants and the state itself (Castles and Miller 2009). Nonetheless, these restrictive migration policies usually were lacking the complementary measures to regulate migration and “address the root causes that generate[s] or fuel pressures for disorderly migration” in the countries of origin (Ghosh 2000:14 cited in Good-Win Gill Ch.7).

International migration is likely to increase in scale and complexity due to growing demographic disparities, new global and political dynamics, technological revolutions and social networks, with profound impacts on the socio-economic and ethnic composition of societies (IOM 2010:xiii).

Continuing illegal migration reached its pinnacle at the present time and demonstrates the weakness of existing migratory regulations (Castles and Miller 2009). Castles and Wise (2007) indicate that only the effective collaboration between governments of sending, transit, and receiving countries will make migration management successful. Moreover, a new migratory system can improve the situation, but it requires a “more comprehensive, balanced and transparent multilateral regime” (Ghosh 2000:6). For example, some governments in developing countries reduce the pressure on immigrants through various policies such as microeconomic, sectoral, and regional (Ghosh 2000). These governments encourage migration for political security, as well as economic development through the means of remittances (Ghosh 2000:17). Another example is a guest-worker policy that has been introduced by the governments of the receiving countries in order to prevent permanent residency of migrant workers (Castles and Wise 2007). Although mass migration is difficult to halt, policy-makers have to strengthen the management of migration, which enables receiving countries to control it and increase their own benefits (Castles and Miller 2009).

Immigration policy is changeable in response to the "quality or quantity" of migration (Hatton and Williamson 2005:177). The quality of migrant workers, labor's economic position,

and labor market conditions, as well as migration policies abroad, affect the immigration policy (Hatton and Williamson 2005).

The Role of the State in Migration: Labor Brokerage System

There are some receiving countries that introduce special mechanisms such as “structural” and “technological adjustment” concerned with the labor participation in the global migration movement (Ghosh 2000:14). Historically, for a long time the Philippines was under the colonial legacy and neocolonialism of the United States and become a source of cheap labor for global capital (Rodriguez 2010). The origination of *labor brokerage system* is an example of “neoliberal strategy” and a practical measure that labor brokerage state uses to encourage migration for its own interests (Rodriguez 2010:1). Specifically, the Philippine state mobilized people to work abroad in order to bring the benefits to own country through the means of remittances that the Philippine migrant workers sent back home (Rodriguez 2010).

Migration regime of labor brokerage helped the Philippines state to sustain “foreign exchange reserves” and to pay back debts to the World Bank and the International Monetary Fund (Rodriguez 2010: xvi). According to Sassen (2000:511), “debt and debt servicing problems have become a systemic feature of the developing world since the 1980s.” Moreover, government debt in developing country generate the conditions for “new counter-geographies” in globalized world (Sassen 2000:511). This effects people in developing countries who involve in household survival process “through the particular features of this debt” (Sassen 2000:511). For example, education and healthcare spheres are deteriorated mostly because of the government debt. In addition, unemployment force women and men to migrate to another country seeking for alternative ways of survival (Sassen 2000).

Economic globalization has, to some extent, added to the rapid increase in certain components of this debt, and it has provided an institutional infrastructure for cross-border flows and global markets (Sassen 2000:512).

The emergence of the labor brokerage system made the Philippines “the most globalized workforce on the planet” (Rodriguez 2010:141).

The labor brokerage practice institutionalized by the sending country (i.e., the Philippines) and implemented through negotiation process of the employment opportunities with the host country (Rodrigues 2010). One of the achievements of this process for the Philippines was an exemption from immigration policy restrictions (Rodriquez 2010). Furthermore, the homeland country has been established a well-run mechanism to facilitate out-migration through the private labor agencies (Rodrigues 2010). These agencies are responsible for recruitment process and education of migrant workers (Rodrigues 2010). Furthermore, the system of labor brokerage involves a formal and informal diplomatic relationship between sending and receiving countries (Rodriguez 2010). Global trade between these countries requires the Philippines’ migrant workers to comply with regulations and laws in receiving countries. Particularly, the laborers obligated to return back to home country after their labor contract expires (Rodriquez 2010).

The Philippines attached great importance to its Embassy which plays a role in public and social activities for their migrants, and protects their citizens by establishing the community of migrants abroad (Rodriguez 2010:137). Welfare programs established to protect the rights of migrant laborers from the Philippines. The example of such programs is provided farther: i) Employment Protection Program. Pre-departure stage of this program implies the employment contract which is based on labor code and other laws. At the overseas stage, this program involves bilateral agreements on protection of the rights of migrant workers as well describes the

grievance mechanisms; ii) Welfare Services and Programs concerned with education, women-oriented, as well as family support at pre-departure level. Other services such as social protection and legal assistance through the embassies and consular offices provided at an overseas level (Rodriguez 2010).

The State Migration Service of the Republic Tajikistan has presented the Philippines labor brokerage system as a good model to be used by the country (Regamey and Kulaeva 2011). However, this practice received some criticisms that might be taken into account by the Tajik government while developing migration policy. The assigned consulates do not provide proper protection or sufficient information to migrants (Regamey and Kulaeva 2011). Instead, “they discourage migrants from filing complaints in the event of exploitation or violence and encourage migrants to agree to amicable settlements” (Regamey and Kulaeva 2011:25). Moreover, the states do not involve migrants in discussions of legal migratory issues. The relatives of the migrant workers who face difficulties in host countries are not aware of anything. There are no effective mechanisms to apply “effective sanctions” towards entrepreneurs for violations of the rights of migrants (Regamey and Kulaeva 2011:25).

As it can be seen from above, the practice of *labor brokerage* has a dual interpretation. On one hand, it illustrates how the sending and receiving countries establish the effective mechanisms to manage the international migration that brings mutual benefits to both states. On the other hand, this approach entails structural inequality, exploitation, and sometimes human trafficking practices.

Above mentioned theories proposed to explain the origins of international migration and its processes. Analytical approach to reviewing existing literature about migration has helped me to describe how migratory politics lead to structural inequality. As migrants are occupying the

job places in host countries, thereby eliminating the opportunities for citizens of these countries, the latter can lead to xenophobic spirits and intolerance towards immigrants. At the same time, the host and origin countries accede that the economic growth will not be possible without migration. Different models of international migration can be used by social scientists to propose policy decision-makers different strategies to regulate migration.

Chapter 3 - Research Methodology

Introduction

In this study, I seek to add to the limited existing literature about the outward Tajik migration to Russia by posing the question: *what are the consequences of existing migration policy in the post-Soviet space of Tajikistan and Russia?*

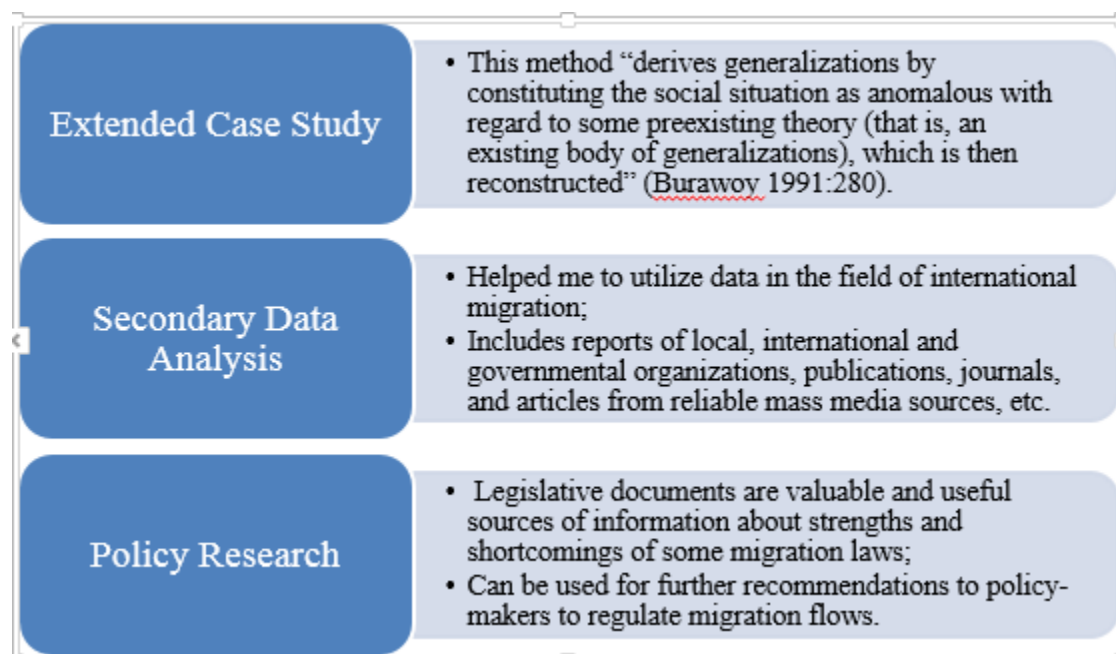
The purpose of this study is to examine, understand, and describe the patterns of international migration, in particular, migration in the post-Soviet space. Migration from Tajikistan to Russia is unique because this migration captures the period after 1991, when Republic of Tajikistan got its independence from the USSR, and until the present time. My thesis contextualizes historical background of migration with elements of social and structural inequality in the epoch of global economy. This study focuses on efforts of governments and other stakeholders to manage out-migration from the Republic of Tajikistan (RT) to the Russian Federation (RF).

Qualitative Research Methodology

In this study, I use qualitative research methods analyzing case study along with secondary data collection, and conducting policy analysis. According to Berg (2009:8), “qualitative research properly seeks answers to questions by examining various social settings and the individuals who inhabit these settings.” Qualitative research methods can help researchers be “able to capture various nuances, patterns, and more latent elements that other research approaches might overlook” (Berg 2009:318). Moreover, qualitative research “refers to the meanings, concepts, definitions, characteristics, metaphors, symbols, and description of

things” (Berg 2009:3). This approach enabled me to perform the analysis of various legislative documents on migration.

Figure 3.1 Methods of Study



Case Study Method

One of the analytic strategies in my research is the *case study* method. This method is appropriate in exploring the central question posed in my study. In particular, it enables a researcher to formulate hypotheses and provide multiple logically interconnected theoretical arguments. Berg (2009:318) posits that *case study* method “can meaningfully make use of and contribute to the application theory.” Geertz defines this process as “thick description,” because it contributes to the knowledge about various phenomena and events (cited in Berg 2009:319). For example, while discussing migration in the post-Soviet space, a researcher can understand migration trend from Tajikistan to Russia, and its relationship to the past historical events such as

the collapse of the former Soviet Union and civil war in Tajikistan, challenges that migrants face working in informal economy, and other concepts.

This method (i.e. case study) is commonly used as a research method in sociology, anthropology, economics, political science and provides “in-depth” description of a complex concepts (Yin 2009:4). Yin (1984:23) defines a *case study* method: i) “as an empirical inquiry that investigates a contemporary phenomenon within its real-life context; ii) when the boundaries between phenomenon and context are not clearly evident; and iii) in which multiple sources of evidence are used” (cited in Zainal 2007:2). According to Yin (2009:4), case study approach helps scholars “to retain the holistic and meaningful characteristics of real-life events.” Berg (2009) cites Yin (1994, 2003a) and Winston (1997) who propose three types of case study designs: exploratory, explanatory, and descriptive, where the latter case study design is the most relevant in my study.

Descriptive case explorations require that the investigator present[s] a descriptive theory, which establishes the overall framework for the investigator to follow throughout the study (Berg 2009: 327).

Berg (2009:320) contends that *case studies* can help to “generate theory” which he also calls a “grounded theory.” In other words, “grounded theory case study” can be informed as an outcome of data gathering, analysis, and description of this data through the entire process of constructing a case study (Berg 2009:320). The *extended case study* method is relevant in my thesis because this method “derives generalizations by constituting the social situation as anomalous with regard to some preexisting theory (that is, an existing body of generalizations), which is then reconstructed” (Burawoy 1991:280). In the particular context of Tajik migration to Russia, the relations between these countries can be described in terms of dependency as it was during the Soviet time. Specifically, during that time Tajikistan was a country of periphery and

the former USSR was a core country. The extended case study of Tajik migration helps to look at the hierarchical core-periphery relations between Tajikistan and Russia, where the economies of these countries are unequally developed. It can be analyzed through the prism of social change which has occurred after the collapse of the former USSR. The post-Soviet transformation led to reproduction of old social inequalities and the emergence of new social inequalities in the new global society.

This case study is “anomalous” because of the following factors: i) the scale of Tajik migration is extremely high; about 1.3 million Tajik citizens which 16 percent of the total Tajik population (7,910,041 July 2013 est.) migrated abroad (CIA World Factbook and Other Sources 2014); ii) the Eurasian migration is one of the biggest international migration systems in the world where Russia is the major point of destination in the region after the United States (UN 2005, cited in Ivakhnyuk 2006); 97 percent of Tajik migrants moved to Russia to work in order to sustain their livelihoods; iii) the size of remittances sent by Tajik migrants back home indicates the obvious anomaly of this case; a total volume of capital sent by labor migrants to their families in 2008 was estimated to be about US\$2.67 billion, or equivalent to 49 percent of GDP; 89 percent of Tajik households received support from their family members from abroad; iv) this case study can be considered “anomalous” because Russian government makes certain steps to restrict migration from Tajikistan regardless of increasingly growing demand in labor force; and v) the Russian legislation has given preferences to some CIS countries in terms of re-admissions and preferential treatment in the Russian labor market. However, Tajikistan is not in the list of the countries to receive such preferences. The reasons may be that there is a high influx of Tajik migrants in Russia, the existence of illegal immigrants from Tajikistan, ethnic enmity, lack of awareness of the rights and responsibilities by Tajik migrants that leads to

disrespect and intolerance towards migrants by Russian citizens. Berg's and Burawoy's classification of case study design, types, and data collection for community case studies, groups, organizations, and interests contributed to my academic work. Extended case study method helps to explore the central question in my study and formulate hypothesis.

Analysis of Secondary Data

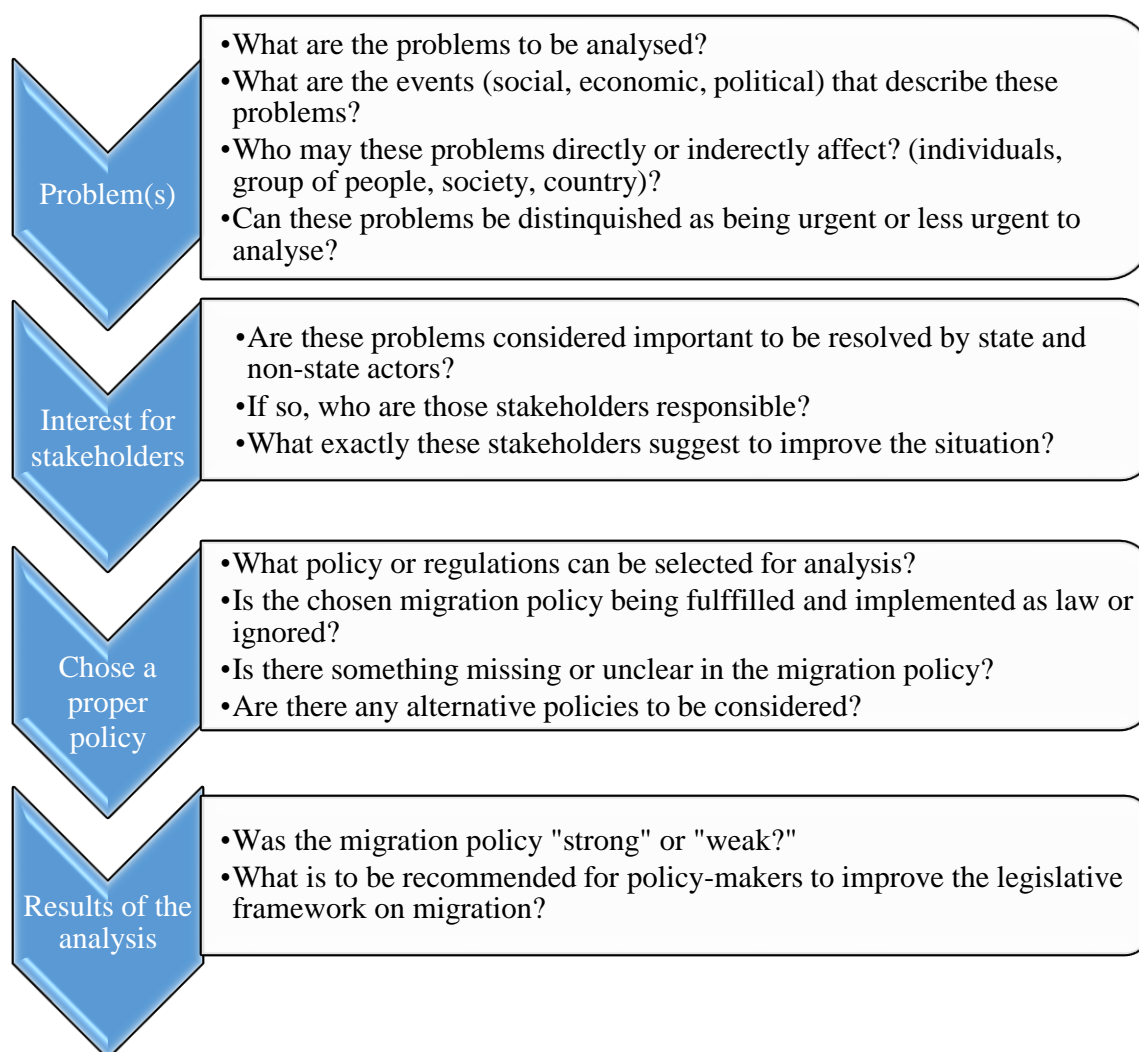
A contributing factor to the *case study* method is the *analysis of secondary data* which helped me to utilize data in the field of international migration. *Secondary data sources* include reports of local, international and governmental organizations, publications, journals, and articles from reliable mass media sources. Using secondary data is important since it discusses official information such as migration laws and regulations as well as describes historical events such as waves of migration, collapse of the Soviet system, its consequences to development of the country, and contribution of different actors (government, civil society organizations, including Tajik Diaspora) to facilitate migration. *Internet research* helped me to obtain more diverse academic materials that required for my study. While analyzed a secondary data, I examined the views of various state and non-state experts on existing migration trends and policy, about the mechanisms that can be used to improve migration policy regulations.

Policy Research

In order to answer the question concerning the consequences of existing migration policy in the post-Soviet space of Tajikistan and Russia, a thorough *policy research*, analysis of existing policy and relevant strategic documents is used in this study. Policy analysis helps to identify the problems to be addressed, examines the articles in the policy, and determines whether the policy

is being implemented accordingly or not. Figure shows the steps of the policy analysis used in my study:

Figure 3.2 Steps of the Policy Analysis



Certain criteria should be identified in order to analyze migration policy and regulations. Criteria of policy analysis are essential because it helps to compare different proposed policies. Criterion for policy research in my study is the *effectiveness* of migration policies. Effectiveness is the extent to which the proposed migration policy and regulations will attain the objectives to solve the problem(s).

The following laws and regulation were analyzed in my study:

In the country of origin (Tajikistan)

- The “Tajikistan National Labor Migration Strategy of Tajik citizens abroad” for the period 2010-2015;
- The Regulation of the State Agency for Social Protection, Employment and Migration, No. 102 (March 2007);
- The “Program on external labor migration of the citizens of the Republic of Tajikistan for the years 2006-2010,” No. 61 (2006);
- The Law on Promotion of Employment of the Population (2003);
- The Law on Migration of the Population, No. 881 (December 1999); and
- The Law on Employment of the Population, No. 908 (1993).

In the host country (Russia)

- The Federal law “On the Legal Status of Foreign Citizens in the Russian Federation” No. 115-FZ (July 2002, amended in 2010, 2014);
- “Concept of the State Migration Policy of the Russian Federation for the period to 2025” (June 2012).
- Federal Law on the Legal Position of Foreign Citizens in the Russian Federation (2002); and
- The Russian Federal Law #114-FZ: "Regulations of departure from the RF and entrance to the RF" (1996).

Although it is expected that migration policies enable to regulate migration effectively, nonetheless, they might create favorable conditions for inequality (such as structural, social, and global) and illegal migratory flows. Therefore, I have been focused on issues of migration policy and the consequences of various migration regulations to migrant workers, in particularly, migrants from Tajikistan in Russia. These legislative documents are valuable and useful sources of information about strengths and shortcomings of some migration laws in my study which can be used for further recommendations to policy-makers to regulate migration flows.

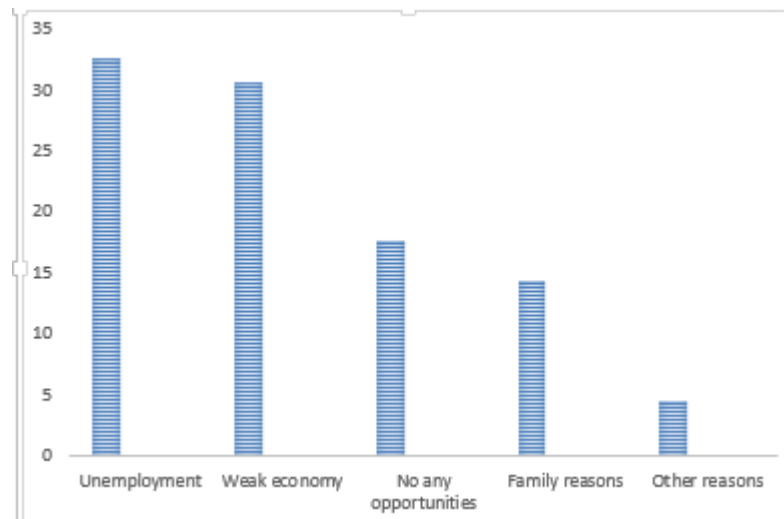
Chapter 4 - Findings

Trends and Patterns of Tajik Migration

One of the countries that has recently been incorporated into the global migration system is the Republic of Tajikistan (RT). After the Bolshevik Revolution in October 1917, Tajikistan “became integrated into the Soviet command economy” (Mughal 2007:1). Tajikistan being part of Central Asia remained peripheral geographically and administratively from the core of the Soviet Union (Mughal 2007).

Independence in Tajikistan - as in many other countries of the Commonwealth of Independent States (CIS) - became a “tragedy,” because the country was transitioning from a centralized planned socialist economy to a market-based capitalist economy (Mughal 2007:4). This transformation mostly “fell to the same elite (Nomenklatura) who were at the helm of affairs in the Soviet system” (Mughal 2007:4). Following the collapse of the Soviet Empire (1991) and the Tajik Civil War (1992-1997), the Republic of Tajikistan was faced with multiple challenges such as weak political and economic institutions, bad infrastructure and local governance, unemployment, corruption, and a “mass exodus” of Russians, and other ethnic groups of professionals (Mughal 2007:xvii). Consequences of the deterioration in social, economic, and political spheres have been influencing Tajik people to leave the country and seek a better life.

Figure 4.2 Why Tajik People Migrate?



(Olimova and Olimov 2005, cited in Florinskaya 2009).

All these problems are interrelated because they all linked to poverty in which the Tajik population lives. According to the World Bank, 47.2 percent of the Tajik population was living below the poverty level in 2009 (cited in Regamey and Kulaeva 2011).

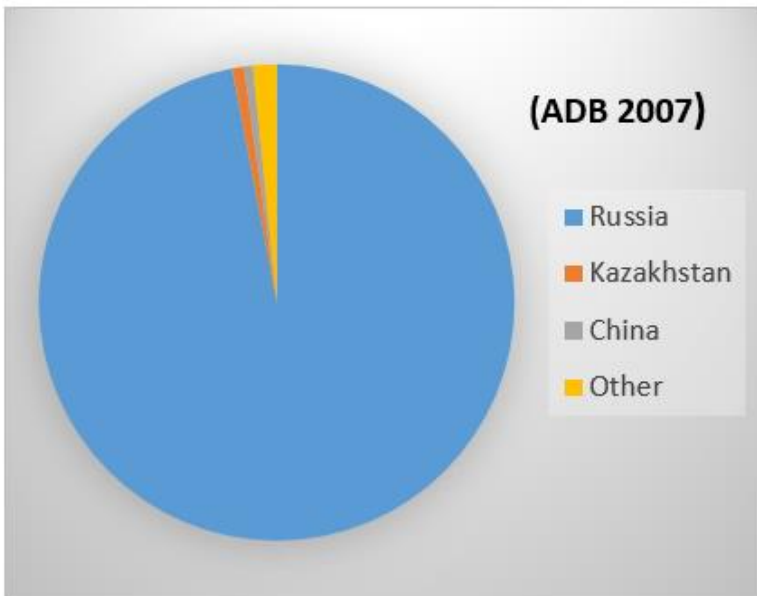
According to the Committee on Economic, Social and Cultural Rights (2006), “the current minimum wage is insufficient to provide an adequate standard of living for workers and their families” in Tajikistan. Welfare support, such as social pensions and unemployment benefits, is equally insufficient “to guarantee an adequate standard of living” (cited in Regamey and Kulaeva 2011:8). Data from the Tajikistan Living Standards Survey (2003) shows that the salaries of Tajik citizens were not enough to keep their families out of poverty, and the economy of the country was too weak for people to work in formal sector (cited in ILO and IOM 2009). According to the data provided by the Intergovernmental Statistical Committee of the CIS, the

average income of Tajik citizens working in the RT in 2008 was equivalent to about 63 US dollars versus 718 US dollars if they worked in Russia (cited in Florinskaya 2009)³.

Tajikistan is one of the CIS countries which shows a high rate of labor migration. Among Central Asian regions, Tajikistan is the poorest country and the leading migrant-sending country to Russia (ILO 2010a; Hemmings 2010; Tyuryukanova 2005). According to Latifov (2013), the total number of labor migrants from Tajikistan in 2012 was/equaled 744,360 people. In 2013, this number dramatically increased up to 1.3 million (FMS Russia, cited in East West Information Center, EWIC 2014). This number shows 74.6 percent increase of out-flow migration from the RT during one year. These numbers also show that about 16 percent of the total Tajik population (7,910,041 July 2013 est.) migrated abroad (CIA World Factbook and Other Sources 2014). According to the Asian Development Bank (ADB) Survey, more than 97 percent of Tajik migrants work in Russia, 0.8 percent in Kazakhstan, 0.6 percent in China, 0.4 percent in Uzbekistan, 0.3 percent in the United Arab Emirates, 0.2 percent in Turkey, and 0.2 percent in Afghanistan (cited in ILO 2010a). This datum illustrates that an overwhelming majority of Tajik migrants chose Russia as a point of destination (UN 2005, cited in Ivakhnyuk 2006). Figure 4.3 shows the distribution of migrants from Tajikistan in Russia, Kazakhstan, and China.

³ Average of the nominal salary in the CIS countries, May 2008 (Florinskaya 2009).

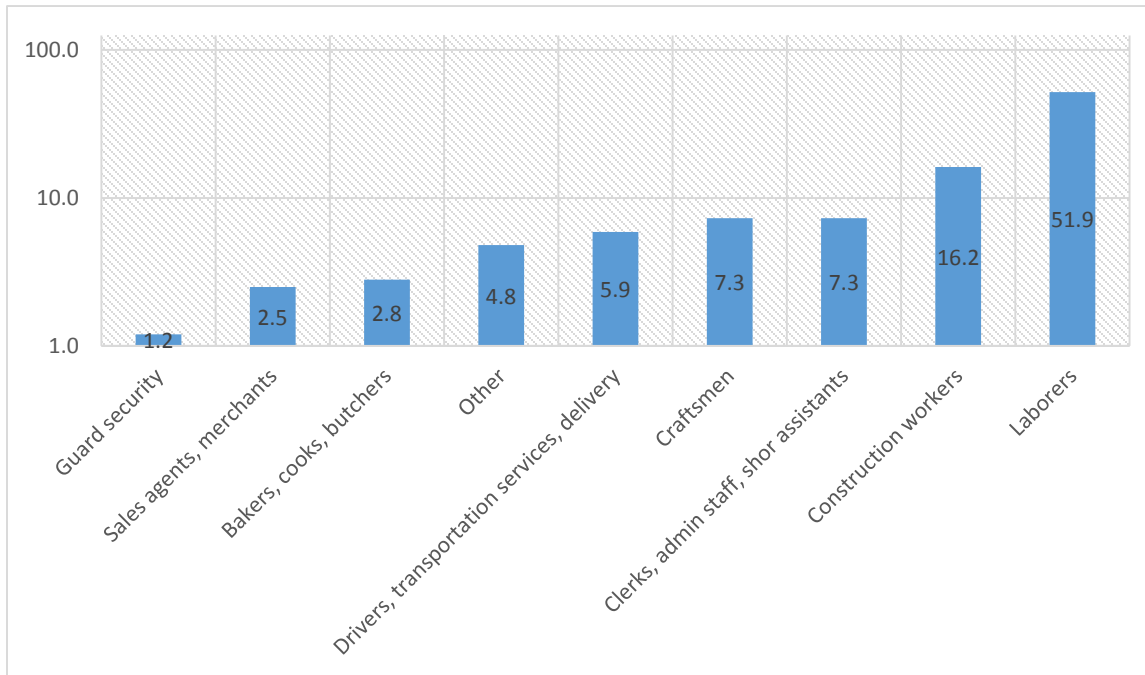
Figure 4.3 Distribution of Tajik migrants



Asian Development Bank, 2007 (cited in ILO 2010a).

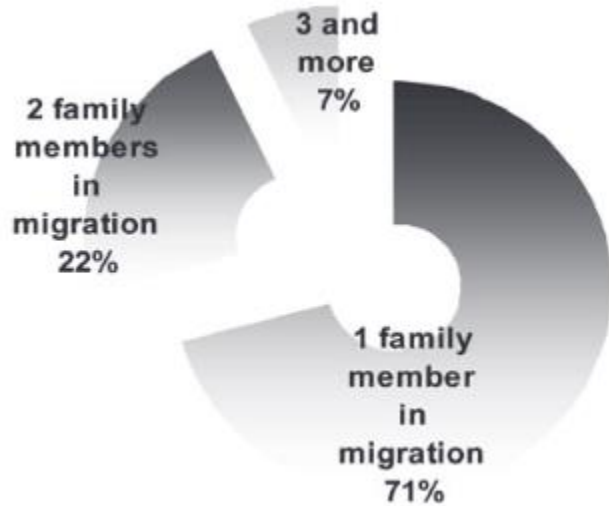
Most migrants from Tajikistan work in a host country temporarily, seasonally, and travel abroad repeatedly; they are employees of sectors such as agriculture, enterprise, construction, and communal services (ILO 2010a). As shown by the figure 4.4, in 2009 the largest portion of Tajik migrants who worked abroad are laborers (around 52 percent). However, they are often employed in different jobs in the informal economy (ILO 2010b); for example, 16.2 percent of migrants are engaged in construction, 7.3 percent of them work at stores as shop assistants, administrative staff or clerks, another 7.3 percent of migrants work as craftsmen, 6 percent of them are working as drivers, and the rest are working in other undocumented jobs (ILO 2010b).

Figure 4.4 Employment of Migrants



International Labor Organization (2010b:14).

Figure 4.5 Family Members of Tajik Households Migrated Abroad



International Labor Organization (2010b:12).

Figure 4.5 (above) illustrates the percentage of households whose family member(s) migrated abroad. Based on the survey conducted by the ILO in 2009, 71 percent of households have one family member who is a migrant; 22 percent have two migrants in a family; and 7 percent of household have three or more family members who are migrants (ILO 2010b:12).

Moreover, Olimova (2009:368) states that the percentage of migrant households in Tajikistan in 2007 constituted 36.8 percent where the percentage of rural households who moved abroad (42.3 percent) was higher than of those who moved abroad from urban areas (17 percent). The difference can be explained through the demographic influence on labor markets which is higher in rural districts than in urban districts, whereas the income in rural areas is lower than in urban areas (Olimova 2009).

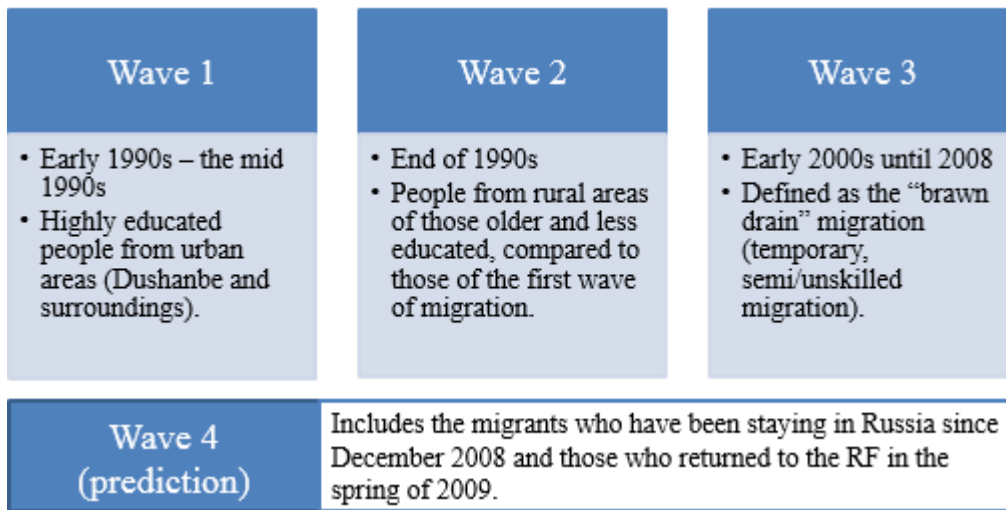
There are three waves of labor migration that have occurred since the period of Tajikistan's Independence (Jones, Black and Skeldon 2007; Hemmings 2010). The first wave of migration started in the early 1990s and continued to the mid-1990s and mainly involved highly educated people, "the urban *intelligentsia* from Dushanbe and surroundings" (Jones, Black and Skeldon 2007:9). The second wave of migration dated at the end of 1990s. This period is characterized mainly by movement from rural areas of those older and less educated, compared to those of the first wave of migration (Jones, Black and Skeldon 2007). Although Tajik migrants were lacking education, they "knew Russian from their days in the Soviet Union," therefore they were employed in Russia easily (Ibid. 9, cited in Hemmings 2010:13). The third wave of migration is started in the early 2000s until 2008 which theorists define as the "brawn drain" migration, or a temporary out-migration of semi-skilled or unskilled migrants (World Bank 2005:58, cited in Jones, Black and Skeldon 2007; Olimova and Bosc 2003). The Russian Higher School of Economics conducted a study of Tajik migration in Russia according to which a

prediction for the new fourth wave of migration was made (Hemmings 2010). According to the study, the fourth wave includes the migrants who have been staying in Russia since December 2008 and those who returned to the RF in the spring of 2009 (cited in Hemmings 2010).

Those who arrived in Russia at the beginning of the seasonal work period following the crisis proved to be incredibly flexible as they adapted themselves to the new market conditions within the country (Hemmings 2010:24).

Figure below illustrates four waves of Tajik migration after 1990s till present.

Figure 4.6 Waves of Tajik Migration



The Eurasian migration movement is one of the biggest international migration systems in the world where Russia is the major point of destination in the region after the United States (UN 2005, cited in Ivakhnyuk 2006). Citizens of the Commonwealth of Independent States (CIS) decide to migrate to Russia because of the liberal migration policy in this receiving country (Ivakhnyuk 2009). Libman and Vinokurov (2011:119) posit that labor migration movement from the former Soviet republics is relatively “unrestricted” (most of the CIS countries operate a visa-free zone for their citizens).

Migrants benefit from an easy visa-free entrance to Russia which is “a truly humane principle of the migration policy” in the post-Soviet space, stated Ivakhnyuk (2009:14). Historically, Tajikistan is strongly tied to Russia (Mughal 2007; Regamey and Kulaeva 2011). Jones, Black and Skeldon (2007:12) elicit that “strong ethno-regional ties are the basis of the social fabric of Tajik society, and an ability to rely on those ties is often the main criteria for Tajiks to select the destination area abroad.” Moreover, knowledge of Russian enables Tajik migrants to choose Russia as a point of destination (Mughal 2007). The Migration Policy Center (MPC 2013) posits that some newcomers who arrive to Russia do not speak the Russian language at all. Although some Tajik migrants do not communicate in Russian well, they are still able to find jobs and settle down in Russia (Mughal 2007). In addition, the existence of a Tajik community in Russia provides relative security to migrants (Jones, Black and Skeldon 2007; Mughal 2007).

The demographic crisis in Russia forced Russian policy makers to propose better conditions for residing migrants (MPC 2013). Starting in 2010, Russia has been encouraging an inflow of migrant workers, especially highly-qualified people from other countries (MPC 2013). The quota system for Tajik migrants in the Russian Federation has been approved by the President Vladimir Putin (MPC 2013). In two years (2010-2011), Russia issued 12,500 work permits to migrant professionals from different countries (MPC 2013). The Russian government’s strategic goal in terms of migration provides favorable conditions for the development of its economy by encouraging a labor force inflow (MPC 2013). A high demand in labor and the relatively high wages in Russia in the epoch of the oil boom encourage migration from the CIS (Mughal 2007). Tajik workers migrate and occupy many jobs in Russia that Russian citizens are not willing to perform (Mughal 2007). All this reinforces xenophobia among

local people: local citizens trying to “protect their interests, work places and social benefit from *alien competitors*” (Putin 2012).

This academically ‘innocent’ phrase has in fact many disturbing consequences, including: growing violence, racial profiling, increasing nationalism and radicalization, the majority’s silent support of some very unpleasant ideas, civic apathy and emasculation of many democratic mechanisms (Sevortian 2009:19).

Xenophobia in the beginning of the 2000s was ignored and considered as “an understandable consequence of Russia’s economic and social transition” (Sevortian 2009:19). After 2000, the Helsinki Group in Moscow, the first among other concerned people, “posed this pressing problem” to the human rights organization in the RF (Sevortian 2009:19). Recent reports of human rights organizations such as the FIDH, the ADC Memorial, and the Civic Assistance Committee in Russia contend that xenophobia and intolerance still continue to soar everywhere in Russia.

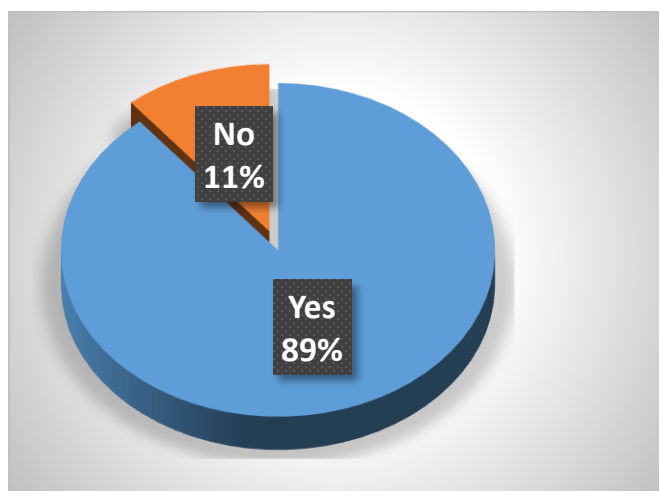
Remittances and Forecast

Labor migration to Russia provides certain stability to the CIS countries because of the remittances the migrants send back to home country. According to Hemmings (2010:15), remittances are “undeniably crucial” to the development of the Republic of Tajikistan, its economy and citizens. Migrant workers who resided in Russia in 2012 sent 20.9 billion US dollars back home, 87.1 percent of which was sent to the CIS countries (MPC 2013). In fact, 17.2 of the 87.1 percent of the remittances from migrants were sent by Tajik migrants to Tajikistan (MPC 2013).

Remittances also help to improve the livelihood of households in the RT, providing Tajik citizens with opportunities to solve their immediate needs. According to Banerjee (1981), migrants send money transfers regularly and they frequently move from their home countries and

back to host countries because of the close ties that exist between their family members. Figure 4.7 shows that 89 percent of Tajik households received support from their family members from abroad while only 11 percent of Tajik families did not receive financial support from them (ILO 2010b).

Figure 4.7 Fact of Receiving Remittances (2008)



Data collected from One Source ILO (2010b).

According to the ILO (2010b), this figure might be even higher because some households are hiding income information in order to not be reported to tax agencies. World Bank, in collaboration with the National Bank of the RT, conducted a survey among Tajik households in 2008 (ILO 2010ab). The results of the survey showed impressive data: a total volume of capital sent by labor migrants to their families in 2008 was estimated to be about US\$2.67 billion, or equivalent to 49 percent of GDP. In 2008, the Tajik governmental budget estimated for education (\$201 million) and for health services (\$74 million) which was minuscule in comparison with the amount of remittances sent by Tajik migrants (Hemmings 2010).

For more than 60% of households in Tajikistan, remittances account for more than half of their income, 31% of them claim that 100% of their incomes are made up of remittances. On average, 57% of remittances are spent on immediate

consumption needs, 12% are saved for less than six months (short-term savings), and 11% saved for more than six months (long-term savings) (Regamey and Kulaeva 2011:23).

The practice of sending remittances back home is one examples of how migrants assist and maintain relationships with the household members “remaining behind” (Caces et al. 1985, cited in Boyd 1989:643).

The forecasts for remittance patterns are quite disharmonious and controversial in terms of development and financial incentives (ILO 2010b; Regamey and Kulaeva 2011). One group of forecasters posits that certain remittance schemes will be developed by Tajikistan “since there is a big savings potential that needs to be attracted to the financial system” (ILO 2010b:54). Another forecast group contends that the usage of the remittance payment backlog in lending or in drawing deposits will not be developed, at least for some period of time, because of the global financial crisis in 2008 (ILO 2010b).

The economic crisis in Russia in 2008 seriously affected the economy of the country. According to Hemmings (2010), there was an 8.7 percent decline in GDP in 2009 compared to the 5.3 percent decline in GDP in 1998⁴ when Russia experienced the economic crisis. Even though some specialists predicted a decrease of the remittances flow to Tajikistan, the figures show the opposite. Compared to 2007, the remittance flow to the RT showed a 58 percent increase in 2008 (ILO 2010b). However, due to the global economic crisis in 2009, the number of Tajik migrants in Russia decreased by 15-20 percent; thus, the remittances declined by 30-35

⁴ World Bank. *Global Economic Prospects* 2010:125 (cited in Hemmings 2010:40).

percent⁵ accordingly (Asia-Plus 2009, cited in Florinskaya 2009). Hemmings (2010:16) posits that “the economy continued to decline,” this affected a construction sector that was financially supported by Russian banks. The construction sector made up 80 percent of the Russian economy where 40 percent of migrants were involved (Hemmings 2010). Since most Tajik migrants involved in construction sector in Russia, “their job security was unclear – yet inescapably negative” (Ibid. 2-3, cited in Hemmings 2010:16).

Debates on the subject of migration continue to be challenging due to opposing views of analysts which occasionally entail confusion between the positive and negative implications of migration. Undoubtedly, the migration movement and remittances make a significant impact on the welfare of families and a country’s development (de Haas 2007). Although there is a high dependency of Tajik households on remittance flow, the amount of money sent by migrants to the home country is not sufficient for country to invest in business development, which makes the economy excessively vulnerable to unexpected changes in remittance receipts (Regamey and Kulaeva 2011; De Haas 2007).

The Role of Diaspora

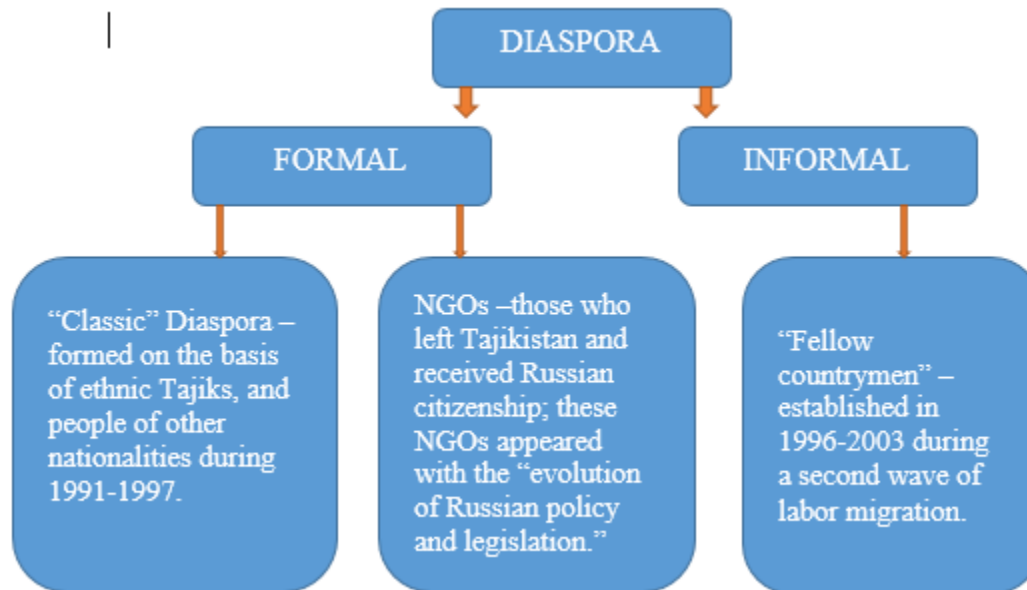
The trend of the migration movement has resulted in the establishment of networks (formal and informal) and cultural groups that “keep people with a common collective identity” (Staggenborg 2011:34). Members of coalitions and networks are influencing public opinion and government policies by improving the legal environment for migrants (ILO 2010a).

⁵ According to the State Committee on Statistics of the RT, the volume of remittances into Tajikistan over 9 months in 2009 made up 1303 million US dollars, which is 35 per cent less than the same period of 2008 (Asia-Plus, October 19 2009).

One of the influential structures that provide various services and protects the rights of Tajik migrants in a host country is a *diaspora* (ILO 2010a). The Tajik diaspora organizations differ based on the time of establishment and typology (figure 4.8):

1. Tajik first “classic” diaspora formed on the basis of ethnic Tajiks, Russians, and people of other nationalities who left Tajikistan after the dissolution of the USSR (1991) and the creation of the Independent Tajikistan (1991) which followed by civil war in 1992-1997 (ILO 2010a:38). According to the ILO (2010a), during that time about five hundred thousand people left the RT. These organizations were formal and expected to cooperate with the government in the host country (ILO 2010a).
2. Informal associations which were represented by “fellow countrymen” were established in 1996-2003 during the second wave of labor migration. Associations of diaspora are based on “fellow citizens’ solidarity” and located in different regions of the host country where Tajik migrants work (ILO 2010a:37).
3. Another group of people who left Tajikistan and received Russian citizenship in the host country created NGOs (formal organizations). They also called national-cultural associations of Tajiks that “formed with the recognition by the Russian Government, appeared with the evolution of Russian policy and legislation” (ILO 2010a:38). The formal NGOs and national-cultural associations of Tajiks and other nationalities established with the acceptance of the Tajik government at the end of the 1990s (ILO 2010a).

Figure 4.8 Typology of Tajik Diaspora



Cited in ILO (2010a).

Although diasporas were recognized as important actors for development, the international community still contend that there is no clear notion on what diasporas should imply and how to collect the statistical information about them (Mankle 2012).

The elaboration of specific measures on diaspora engagement, however, is significantly hampered by lack of clarity on which population groups should be included into the very notion of diaspora. This, in its turn, hampers the development of reliable statistics on diaspora population [...] (Mankle 2012:1).

There is no commonly accepted definition for diaspora because people in different national context apply various criteria to define “diaspora” (Mankle 2012). In the context of Tajik migration to Russia, diaspora organization can be defined as the union of individuals represented by ethnic Tajiks and people of other nationalities who came from the Republic of Tajikistan after 1991 and established the organization (formal) or community group (informal) with the purpose to assist Tajik migrants in the host country. The only difference between formal and informal diasporas is that the informal diaspora mainly assist migrants with the issues related

to job seeking, adjustment at the beginning stage, financial support, and provide proper conditions for migrants to satisfy their religious needs while official or “institutionalized” diaspora NGOs provide legal protection for the migrants (ILO 2010a:41). But this does not mean that formal diasporas are not helping migrants with issues that mainly covered by informal diasporas. Table 4.1 shows what types and volume of assistance was provided by informal associations and formal diaspora organizations in 2005-2007.

Table 4.1 Types of Assistance Received by Tajik Migrants Abroad

Types of Assistance	Informal Migrant Networks (“Fellow citizens”)		Institutionalized and Official Diaspora	
	No. of Respondents	%	No. of Respondents	%
Financial support	291	34.9	5	10.6
Employment	637	76.4	30	63.8
Legal support	46	5.5	36	76.6
Assistance at the initial period of settlement (accommodation, registration)	479	57.4	13	27.7
Vocational training	39	4.7	7	14.9
Consultations/advice	257	30.8	47	100.0
“Roof”	37	4.4	7	14.9
Moral support	68	8.2	13	27.7
Other	0	0	3	6.4

International Labor Organization (2010a:41).

According to the International Labor Organization (2010a:40), 83.4 percent of Tajik migrants in Russia receive assistance from informal and formal migrant networks. With support of migrant networks and diaspora organizations, Tajik migrants receive consultations on various issues, 76.6 percent on legal protection issues, and 63.8 percent on employment opportunities (ILO 2010a).

International Labor Organization (2010a) posits that sometimes the unions of Tajik fellows in the host country conflicting and competing with each other. These unions are lacking the skills to coordinate their activities helping migrants (ILO 2010a). As a result, only 8.4 percent of migrants interviewed received the service of diaspora organizations (ILO 2010a). Usually, Tajik migrants receive support from their relatives, friends, and own community (ILO 2010a). Although there is a lack of coordination between different groups of Tajik diasporas throughout Russia and other host countries, there have been some efforts to consolidate and achieve the “harmonization of interethnic relationships” (ILO 2010a:38). Diaspora organizations are involved in political activities such as elections, referendums, and advocacy campaigns on the territory of Russia; the leaders of diasporas protect migrants from engagement in criminal behavior, human trafficking, and labor exploitation (ILO 2010a).

Even though formal written agreements are signed between labor migrants and their employers in Russia, this usually does not guarantee that workers have appropriate working conditions, salary, medical care, and a decent treatment (Jones, Black and Skeldon 2007). Studies show that labor migrants being exploited are suffering from all forms of abuse and violations in Russia (Jones, Black and Skeldon 2007). Individuals and members of social networks engage in various activities to “express their anger and their determination to make social change” (Schaeffer 2013:13). In this particular context, migrants and diaspora networks express their protest and discontent of xenophobic attacks toward and exploitation of Tajik migrants in Russia.

The Tajikistan Foundation in Moscow, established in 1996, is one of the strongest and most revolutionary diaspora organizations in Russia. The purpose of this organization is to improve the social environment and legal framework for migrants. The leader of this diaspora

NGO Gavhar Dzhuraeva points out that the changes in Russian immigration laws introduced in January 2007 are vague and do not provide favorable conditions to migrants from the CIS countries to work “directly in markets and retail trade, thus, offsetting the benefits to immigrants from the amnesty and simplification of registration procedures” (Mughal, 2007:138). In order to increase awareness of working and living conditions of the Tajik community in Moscow, the diaspora regularly publishes a monthly bulletin “Migration and Law” (Jones, Black and Skeldon 2007:20).

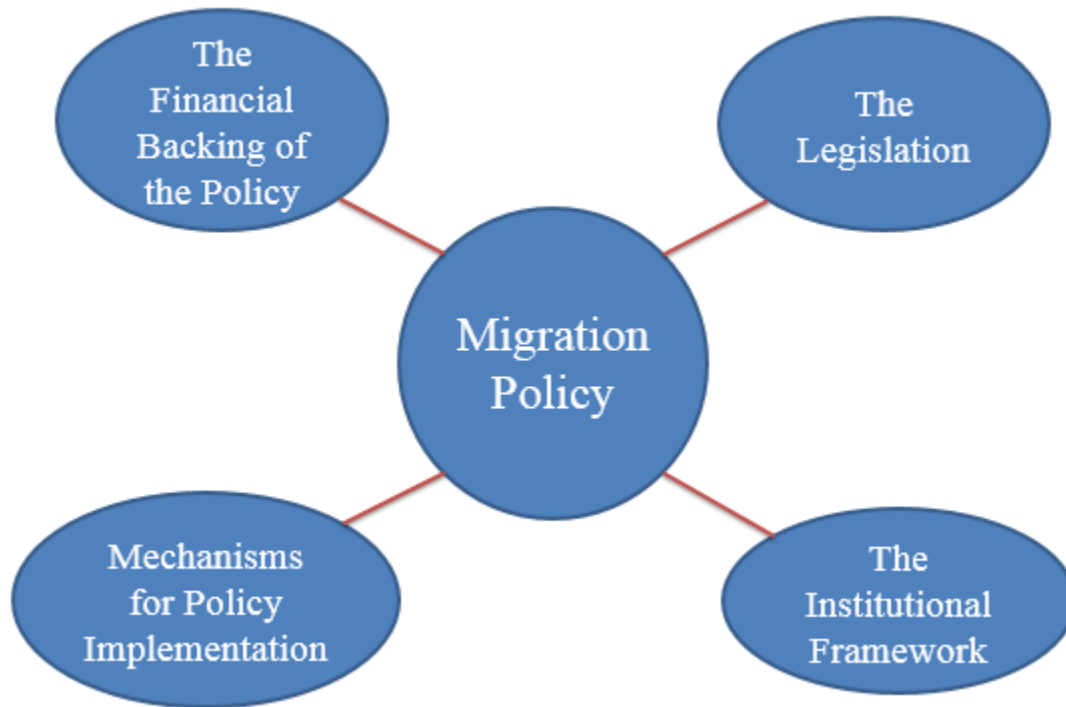
In 2003, the regional professional associations of private labor agencies from Russia, Ukraine, Tajikistan, and Kyrgyzstan initiated the International Association “Labor Migration” (Ivakhnyuk 2006). The International Association is “a structural element of a newly-shaping international migration infrastructure in the CIS region” which aims is to promote legal temporary employment options for employers and potential labor migrants through information campaigns and facilitation of working opportunities between labor institutions of sending and receiving countries. This association is working in close collaboration with the national government responsible for migration management (Yentyakov 2005, cited in Ivakhnyuk 2006).

The diaspora organizations and networks play a significant role in improving the social environment and legal framework for migrant workers. Innovative strategies enable this community of migrants and other social actors to take advantages of social, economic, and political opportunities. At the same time, Diasporas are not well performing their role as intermediaries between migrants and government authorities in host and receiving countries (ILO 2010a). There are not enough consolidating mechanisms and innovative tactics to overcome the challenges such as exploitation and xenophobic attitudes that migrants are currently facing in Russia.

Existing Practices of Migration Regulation

In this section of the chapter, an analysis of existing labor migration policies and regulations in Tajikistan and Russia after 1991 is provided. The legislation that concerns internal migration and refugees is not discussed in this section.

Figure 4.9 Components of Migration Policy



Voronina (2006:72), cited in Handå (2012:31).

The Legal Migratory Framework in Tajikistan

The legislative framework of migration in Tajikistan includes various national policies such as labor migration and migratory strategies to manage inward and outward migration. These policies mainly focus on the placement of migrant workers in receiving countries, specifically in the CIS countries such as Russia and Kazakhstan. According to ILO (2010b), these legislative documents help to resolve the issues that labor migrants face being in a host country.

The following laws and regulations about Tajik migration are relevant to my study:

- The “Tajikistan National Labor Migration Strategy of Tajik citizens abroad” for the period 2010-2015;
- Regulation on “Migration Service under the Auspice of the Government of the RT” No. 1014 (January 2011);
- The Regulation of the State Agency for Social Protection, Employment and Migration, No. 102 (March 2007);
- The “Program on external labor migration of the citizens of the Republic of Tajikistan for the years 2006-2010,” No. 61 (2006);
- The Law on the Promotion of Employment of the Population (2003);
- The Law on the Migration of the Population, No. 881 (enacted December 1999); and
- The Law on the Employment of the Population, No. 908 (1993).

On October 4th, 2007, the President of Tajikistan Emomali Rahmonov (Rahmon) approved the “Tajikistan National Labor Migration Strategy of Tajik Citizens Abroad” for the period 2010-2015 (Schmelz 2012:12). According to Schmelz (2012:37), this strategy comprises of four national prerogatives of effective implementation of migration policy and provides certain steps to be undertaken by the Tajik government. Schmelz (2012) posits that one of these priorities is governmental support to citizens finding job opportunities in potential new markets in the host countries. Moreover, the strategy addresses the issues of Tajik citizens who work abroad and implies active interaction with the diaspora organizations in the host country (ILO 2010b). This network of institutions in host countries were established with the support of the Tajik government; diaspora organizations provide specialized legal consultation services for migrants in host countries, which is expected to reduce the risk of human exploitation and trafficking, thereby providing human security to migrants (ILO 2010a). The Ministry of Labor and Social Protection of Tajikistan opened its representation in Moscow in 2001 with the plan to expand its network in the RF (Jones, Black and Skeldon 2007). According to a working paper of

Jones, Black and Skeldon (2007:20), “the main responsibility of these representatives is to provide information, legal support, and advice to Tajik migrants on the territory of [the] RF.”

Shmelz (2012:21) states that the migration strategy in Tajikistan is based mainly on the experience and lessons learned from the Philippines’ international migration management, which is considered by the consultants of the World Bank. According to Schmelz (2012), the implementation of a migration policy should include the following activities: i) to build “a comprehensive institutional structure” by a central managing agency and other respective state agencies responsible for migration management in Tajikistan and countries abroad (Schmelz 2012; Refworld 1999), and in order to facilitate migration from the RT effectively, about four hundred people need to be recruited (Schmelz 2012:26); and ii) to assign the ministries (Ministry of Foreign Affairs, Ministry of Labor and Social Welfare, Ministry of Education, Ministry of Health, the State Agency of Statistics, and Ministry of Development and Trade) responsibility for certain areas of the migration framework (Schmelz 2012). According to Schmelz (2012), the central bodies and state agencies in Tajikistan are lacking the capacity to coordinate the migration strategy effectively. Therefore, the government of Tajikistan should introduce administrative and infrastructural reforms, invest, and implement policy efficiently (Schmelz 2012).

The current Law on Migration of the Population in Tajikistan (No. 881) was signed by the President of the RT in Dushanbe on December 11th, 1999 and is comprised of 27 articles (Refworld 1999). This law provides basic and fundamental definitions of migration of the population, determines its priorities, and identifies the legal and economic bases of migration trends. The migration law (Article 3) is based on the Constitution of the RT and includes other laws and regulations, as well as international treaties recognized by Tajikistan. It also describes

pre-conditions to determine the rights of migrants and their family members living in a new location within legal realms (Refworld 1999).

Article 2 of this law includes two basic principles of migration regulation: i) it states that people have the right to a free choice of location and a profession; and ii) labor migrants and their family members have the right to move out of the country and choose their place of residence.

Article 8 of the Law on Migration of the Population indicates that state agencies should organize the process of sending Tajik citizens to work abroad (Refworld 1999). In order to assist migrants in finding employment opportunities in the host country, the Tajik government approved the establishment of a labor market information system, represented by private firms who recruit potential migrants (Schmelz 2012). This approach is identical to that implemented by the Kyrgyz Republic (Schemelz 2012). For example, the labor market information system in Kyrgyzstan provided information to their citizens on job opportunities abroad (Schemelz 2012).

However, the German Federal Enterprise for International Cooperation (GIZ) contends that the outcome of these initiatives still remains low because of insufficient management regulation of out-migration by the government and low interest of potential migrants (cited in Schmelz 2012). Under this law, Tajik migrant workers must have a contract with a potential employer in a host country and should obtain a visa before entering a host country, if required (Refworld 1999). A labor contract should include the following information: obligations and rights of an employer and employee, duration of stay of a labor migrant in a host country, occupation, conditions of work, and wage (including over-time work). It should also contain social benefits for workers, bonuses, and other conditions of work such as appropriate medical

care, housing, and nutrition (Refworld 1999). According to this law, a migrant worker should receive one copy of a labor contract and take it with him/her to the country of destination. It is expected that migrants return back to their home countries after the labor contract expires (Refworld 1999). GIZ posits that approbation of the strategy in relation to the labor market “remains an urgent political issue” (Schmelz 2012:29).

Article 9 of the Law on Migration of the Population determines the importance of gathering statistical data and information about migrants (Refworld 1999). This system can help governmental agencies and their branches evaluate migration trends and analyze the lives of labor migrants in the receiving country (Refworld 1999). Schmelz (2012) points out that in order to collect statistical data and establish the order of the registration of Tajik migrants, the government of the RT established the State Migration Service (SMS). However, this agency does not work efficiently. According to Schmelz (2012:30), SMS is “a weak institution” because it is not able to track all migrants and register them on time; this agency is able to register only 10 percent of all migrants who move abroad.

Furthermore, Article 9 (2) discusses the “transfer of monetary funds” by migrant workers who work within the territory of the RT (Refworld 2009). However, there was no information found concerning the transfer of money by means of remittances from Tajik citizens who work abroad. Taking into account that remittances are considered a significant element of the economic and social development of the RT, this Article should be enhanced.

Representation of the Ministry of the Labor, Migration, and Population Employment of the Republic of Tajikistan established a web page which includes the following information: the legislative documents of the RT on migration, the legal status of Tajik migrants in the RF, the

introduction of new regulations to the RF Migration Law, and measures that the Tajik government made towards violation of the rights of Tajik migrants in the host country.

The State Migration Service under the auspice of the RT in the RF introduced the recent changes to the Russian Migration Policy on its web page. According to the Head of the Legal Department of the SMS Roziqzoda Alikhoni Abdulhakim, in the framework of realization of the concept of the state migration policy in Russia till 2025, more than 30 regulations in the sphere of migration were introduced after 2013 (Representation of the Ministry of the Labor, Migration, and Population Employment of the RT). However, most Tajik migrants do not have access to the internet in order to read the important amendments to the migration policy posted on the website.

To summarize, the legal migratory framework in Tajikistan includes important aspects of migration and its management. However, existing laws and regulations do not suggest explicit mechanisms for implementation of these policies and the Tajik government does not have the capacity to coordinate the migration. The migration law should be enforced by increasing the capacity of governmental agencies assigned to facilitate migration. Since the State Migration Service in the RT does not collect statistical data on migrants in a timely manner, the recommendation is to improve the planning, and increase the motivation and skills of those who collect statistical data. The labor market information system in the RT should explore more job opportunities for migrants in other countries and actively inform potential migrants about new employment outlook by encouraging migrants to participate actively in such initiatives (Schmelz 2012). Since remittances contribute to the country's economy, it is worth complementing the existing migration law with information about the transfer of money by means of remittances from the migrants who reside outside the home country.

Legal Migratory Framework in Russia: Historical Background

The Russian Empire started the development of its migration policy in the mid-18th century and conceptualized it in the second half of the 19th century (Ivakhnyuk 2009). Throughout the history of the development of migration policy, the Russian government modeled its policies on those countries that had experience in managing migration (Ivakhnyuk 2009). Most migration policies modeled on western countries, however, were not applicable to the local socio-economic context of Russia (Ivakhnyuk 2009).

During the period in which Russia was a part of the USSR, the migration policy was restrictive in nature because it limited the rights of citizens to travel abroad (Ivakhnyuk 2009). The policy was mainly focused on the migration between the fifteen former Soviet republics which were internal by “nature” in relation to Russia but external in “form” (Ivakhnyuk 2009/14:11). Although the USSR applied restrictive mechanisms to migration management, this policy was successfully implemented during that time. Ivakhnyuk (2009) posits that this policy was efficient because it provided a process for the people from other Soviet Union republics to secure Russia’s economy by consolidating the human labor resources within its territory (Ivakhnyuk 2009).

The Russian Federation started the formation of its migration policy in the beginning of 1990s when the former Soviet republics became independent states (Ivakhnyuk 2009/14). This caused a high out-flow migration from the CIS countries (MPC 2013; Ivakhnyuk 2009/14). Visa-free entry enabled the former Soviet Union republics (except the Baltic countries, Georgia and Turkmenistan) to enter the Russian Federation without any difficulties (MPC 2013).

The first priority of the Russian migration policy, which was finalized in the second half of the 1990s and edited in 1995, during that time was “the reception and settlement of forced

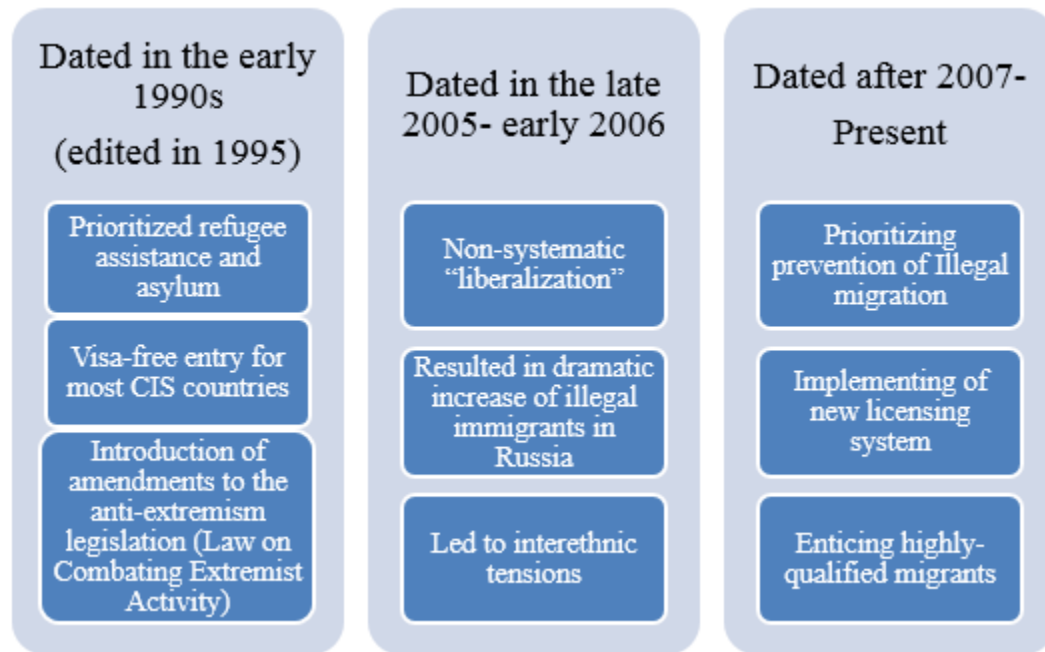
migrants” (MPC 2013:12). According to the Migration Policy Center (2013:5), “the major driving force behind these developments was the dissolution of the USSR and subsequent mass migrations across the formerly single country.”

Migration policy in Russia was “formally guided by the state migration policy concept adopted in 2003” (MPC 2013:12). The policy transitioned to a non-systematic “liberalization of migration legislation in late 2005 and early 2006.”

Migration policy became less transparent and predictable, and under the flag of a war, a war was waged on immigration as a whole; anti-migration propaganda was deployed (MPC 2013:12).

This approach led to ineffectiveness of a new migration strategy which resulted in a dramatic increase of illegal immigrants in Russia and an interethnic tension in Russia (Musina 2013; Inakhnyuk 2009/14; MPC 2013). Consequently, after 2007 Russian policy-makers introduced new migration rules to the existing migration policy prioritizing it towards illegal immigration (MPC 2013). For example, the implementation of new licensing system introduced in 2010 enabled 516,000 migrants who worked for individuals to receive legal status during the period of January to July, 2011 (MPC 2013). In the same year, the law underwent some changes, i.e. Articles 6.1 and 6.2 concerning “an exception from the rule as regards [to] hiring migrant workers entering the country within a visa-free regime as well as highly-qualified specialist[s] and their family members” were amended (MPC 2013:9). As a result, highly educated people were encouraged to move from abroad to Russia. This law provided an easy process to obtain work and residence permits in order to work in the territory of Russia (MPC 2013). Figure 4.10 illustrates how migration policy in Russia undergone the changes.

Figure 4.10 Russian Migration Policy after 1990



The Migration Policy Center (2013).

The main migration laws and concepts, established in Russia towards inward migration are listed below:

- The Federal Law “On the Legal Status of Foreign Citizens in the Russian Federation” No. 115-FZ (July 2002, amended in 2007, 2010, 2014);
- “Concept of the State Migration Policy of the Russian Federation for the Period to 2025” (June 2012);
- The Federal Law on the “Procedure of Exit from the RF and Entry to the RF” No. 389 (1996, was amended in December 28, 2012);
- The Law on Ratification of Agreement on the Legal Status of Labor Migrants and their Family Members (2011);
- The Federal Law “On Migration Registration of Foreign Citizens and Persons without Citizenship in Russian Federation” N 109-ФЗ (July 18, 2006);
- Federal Law on the Legal Position of Foreign Citizens in the Russian Federation (2002); and
- The Russian Federal Law #114-FZ: "Regulations of departure from the RF and entrance to the RF" (1996).-

The new “Concept of the State Migration Policy of the Russian Federation for the period to 2025” was approved by the President of Russia Vladimir Putin, in June of 2012 (MPC 2013:12). This document contains an analysis of migration trends in Russia as well as the strategy of migration policy development; and it defines the responsibilities of government authorities to regulate migration (MPC 2013). According to the MPC (2013:12), this “Concept declares that Russia is becoming an immigration country.”

Consequently, one of the main priorities for the state migration policy in the Russian Federation is [the] introduction of differentiated programs for short and long-term labor migration, which includes the use of different mechanisms of selection, conditions of entry, residence and employment (MPC 2013:12).

The new Russian national migration policy contains the following legislative documents:

- The Concept of National Migration Policy of Russia till 2025 (adopted in June 2012);
- The Concept of National Demographic Policy of Russia till 2025 (adopted in 2007);
- The Strategy of National Security of the Russian Federation till 2020; and
- The Strategy 2020: New Growth Model - New Social Policy (MPC 2013:13).

The MPC (2013:5) posits that the establishment of the Federal Migration Service (FMS) and adoption of the “fundamental laws *On the Right of Nationals of the Russian Federation to the Freedom of Movement, Choice of Place of Residence and Abode within the Russian Federation, On Refugees, On Forced Migrants*” as part of the Federal Migration Program enabled the Russian government to better facilitate migration. The FMS regulates migration through these territorial branches: the Ministry of Interior and Ministry of Foreign Affairs, the Federal Security Service and Federal Border Service, and the Ministry of Health and Social Development (MPC 2013).

Russia signed multilateral agreements with the CIS countries. Some of these agreements are listed as follows:

- “Convention on the legal status of migrant workers and their families, adopted by CIS Member States of 14 November 2008;”
- “Protocol on amendments to the Agreement on cooperation in the field of labor migration and social protection for migrant workers of 25 November 2005;” and
- “Agreement on cooperation in the field of labor migration and social protection for migrant workers of 15 April 1994” (MPC 2013:10).

Moreover, in 2007 the Russian government signed “readmission agreements” with some countries such as Armenia, Kazakhstan, Vietnam, and Turkey (MPC 2013:7). This agreement is important because it enables a person from the above mentioned countries to re-admit to Russia. However, the Republic of Tajikistan is not included in the list of the countries that receive readmission benefits.

The Russian Federation signed bilateral agreements with Uzbekistan (2007) and Kyrgyzstan (2012) which provide the access of these countries to “labor market and settlement rights” in Russia based on “preferential treatment” (MPC 2013:10). However, Tajikistan is not on the list of countries whose citizens get such preferences while residing in Russia.

Some migratory regulations do not provide an easy process to obtain work or residence permits. Consequently, this leads to challenges for migrants. The MPC (2013:5) contends that this is “a serious obstacle for natural development of circular migration” (MPC 2013:5). In other words, regular and temporary migration between sending and receiving countries will not be possible because of the constraints of the existing migration law.

According to the MPC (2013:7), “the Federal law *On the Legal Status of Foreign Citizens in the Russian Federation* as of 25.07.2002 No. 115-FZ defines the legal status of

foreign citizens” and facilitates the interaction of labor migrants with government agencies in the territory of Russia; it also regulates the business and other activities of migrant workers (MPC 2013). This law includes three categories of foreign citizens in the RF: i) *temporary stayers* who reside in Russia up to 90 days; ii) *temporary residents* who stay in the RF up to 3 years; iii) *permanent residents* who reside in the RF over 5 years (MPC 2013:8). Usually, the Russian government issues a “temporary residence permit” to foreign citizens within the annual establishment of a quota with the regional distribution (MPC 2013:8; Ryazantzev 2010). However, these quotas are being managed ineffectively, because the Russian government does not implement explicit evaluation mechanisms for actual labor demand in the country (Ryazantzev 2010). Moreover, Article 7 of the federal law indicates that a “temporary residence permit can be refused or revoked” because i) a foreign citizen has previous involvement in court cases or violated administrative regulations on migration twice a year; ii) in case of serious health problems; or iii) when a migrant worker does not have the financial ability to survive in the host country (MPC 2013:9). It is expected that *temporarily staying* migrants work in the same region where the work permit was issued; their movement is limited within the territory of the RF (MPC 2013).

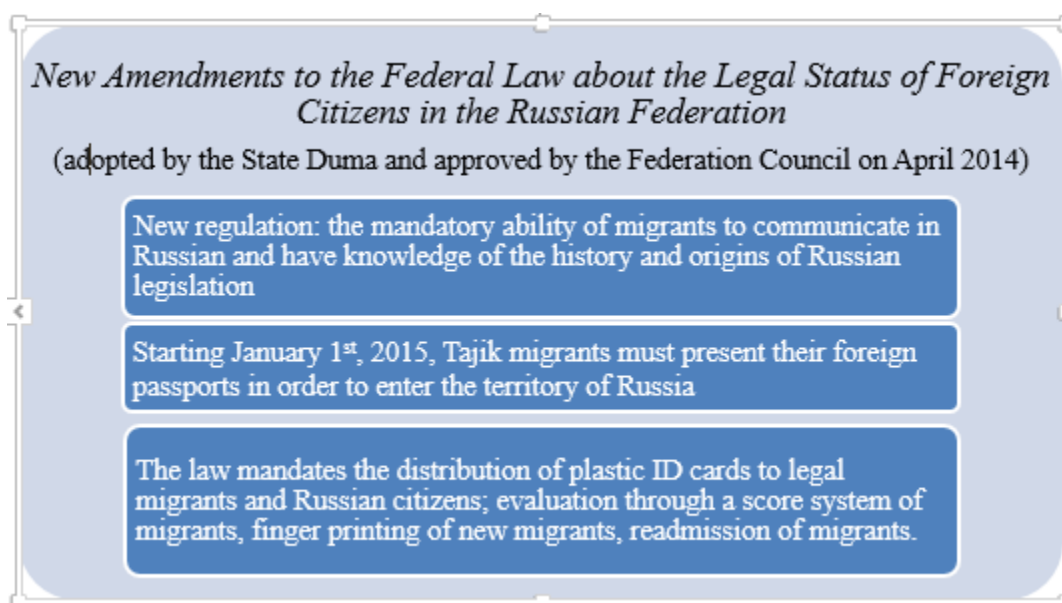
In 2014, the Russian President, Putin, signed a Federal Law on “New Amendments to the Federal Law about the Legal Status of Foreign Citizens in Russian Federation” (*President Russia* 2014). This law was adopted by the State Duma⁶ on April 4th, 2014 and approved by the Federation Council on April 16th, 2014. The amendment to the Federal law concerns the regulation of migration, specifically the mandatory ability of migrants to communicate in

⁶ *State Duma* is the “(initial capital letter) an elective legislative assembly, established in 1905 by Nicholas II, constituting the lower house of parliament” (Dictionary.com).

Russian and have knowledge of the history and origins of Russian legislation. Hence, it is expected that foreign citizens who receive work and resident permits by January 1st, 2015 must present appropriate documents to prove their good command of the Russian language and demonstrate their knowledge of history and the origins of the Russian legislation (*President Russia* 2014). Since most of the Tajik migrants found it challenging to communicate in Russian, they will most likely be filtered out and not be able to work in Russia.

The new migration policy mandates the distribution of plastic cards to citizens of Russia and legal migrants, thereby dividing the flow of settlements into “useful” and “illegal” (Tihomirov 2013). This innovative approach also includes an evaluative score system of guest workers, finger printing of new migrants, the examination of migrants to determine the level of Russian language, restrictive amendments to the Criminal Code, and readmission of migrants (Tihomirov 2013).

Figure 4.11 Migration Policy in Russia in 2014



According to the MPC (2013), the document entitled “The concept of the demographic policy of the Russian Federation up to 2025” was approved by the President of Russia in 2007 (No. 1351). This document introduces the principles of effective employment, adaptation and integration of foreign migrants and their families in the territory of the RF (MPC 2013; Tihomirov 2013). This approach is called “Russification” (Tihomirov 2013). It is worth mentioning that this document provides an opportunity to potential foreign workers to get a proper education in the spheres that are in demand in the Russian labor market (MPC 2013). The colleges that offer educational programs in the spheres that are in demand are located abroad and/or supported by Russian government (MPC 2013).

The MPC (2013:9) also refers to Articles 12 and 13 of this law entitled “Conditions of Participation of Foreign Citizens in Labor Relations.” According to this article, foreign workers who receive a temporary residence permit for “individual entrepreneurial activity” are expected to work with employers “granted permission to attract and employ foreign workers” (MPC 2013:9). The foreign workers are not allowed to work for another employer at the same time, even though the migrants have a work permit (MPC 2013). If migrants are unemployed, they are authorized to find another job within one month. A potential employer is required to have permission to recruit a foreign worker (MPC 2013).

The latest change to the existing law (Article 13.3) provides conditions to labor migrants to work without a work permit (MPC 2013). Instead, foreign workers can obtain a license which enables them to work up to 3 months with the possibility to extend it up to 12 months. After the expiration of the license, a foreign worker can apply for renewal of the document (MPC 2013).

Migration policy indicates the importance of the participation of NGOs financed by Russian government and the foundation “Russian World” (MPC 2013:14). The NGO network

plays “the mediatory role between the migrants and the official bodies of power,” as well as assists migrants with legal aspects and other demands (MPC 2013:14).

In 2004, Russia and Tajikistan signed a bilateral agreement on “Labor Activity and Protection of the Rights of Citizens of the Russian Federation in Tajikistan and of Citizens of Tajikistan in the Russian Federation” (Regamey and Kulaeva 2011:26). The document is comprised of articles that introduce the important principles for the protection of the human rights of Tajik migrants in Russia and are described below (Regamey and Kulaeva 2011):

- Article 4 of the law determines that immigrants who reside in the territory of Russia “enjoy the same rights and bear the same responsibilities as RF citizens, unless the federal law provides otherwise” (MPC 2013:8). However, the current situation of labor migrants in Russia shows the opposite: the rights of labor migrants are not protected enough.
- The government should prevent the illegal employment of migrants and advertisement of fraudulent job announcements overseas (Article 7).
- According to Article 9, an employer is obliged to provide to a migrant worker a contract and the information regarding monthly wages and working hours (Article 6);
- Article 9.4 states that a wage for migrants and nationals should be accrued equally, i.e. there should be no discrimination of wages for migrant workers and citizens for the same work;
- In the case of health problems of migrants, an employer should cover the expenses for their medical care (Article 8); plus, Article 15 states that a contractor is expected to be compensated for the injuries that are related to work, and if a migrant dies during his work activity, an employer is obliged to repatriate his/her body (Article 15).

As it can be seen, some of these legislative articles contradict the real picture of migration because it does not provide conditions for migrants in terms of their human rights and freedoms. According to Regamey and Kulaeva (2011:27), this agreement does not refer to the “United Nations human rights conventions ratified by both states such as the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights.”

One of the successes of the bilateral agreement between Russia and Tajikistan, signed before new amendments were introduced into the migration law, was an opportunity for Tajik citizens to enter Russia with their internal passport. However, starting January 1st, 2015 citizens of Tajikistan must present their foreign passport in order to enter the territory of Russia (Churakova 2014). According to the Director of Institute of the CIS countries Konstantin Zatulin, this will not improve the situation of illegal immigration:

Such populist a measure will not resolve the problem, in order to get rid of the migrants, there is a need to invest in Tajikistan, creating places of work, and not playing with them like *cat and mouse*. We have closed a door for them, but they entered through the window anyway (cited in Churakova 2014).

Hence, this new migration policy can increase social control, regulate migration flows, and thus is expected to prevent illegal immigration to the Russian Federation. At the same time, along with growing economy in Russia, the restrictive migration policy could cause labor force shortages and lead to an increase in illegal migratory flows.

Since illegal immigration is indulged by local corrupt and bureaucratic state officials, it is expected that a new migration policy will improve the migration management by Russian state authorities. Migration policy in both countries (sending and receiving) can be effective as long as it anticipates a balanced approach based on the supremacy of law and legal standards. It can be

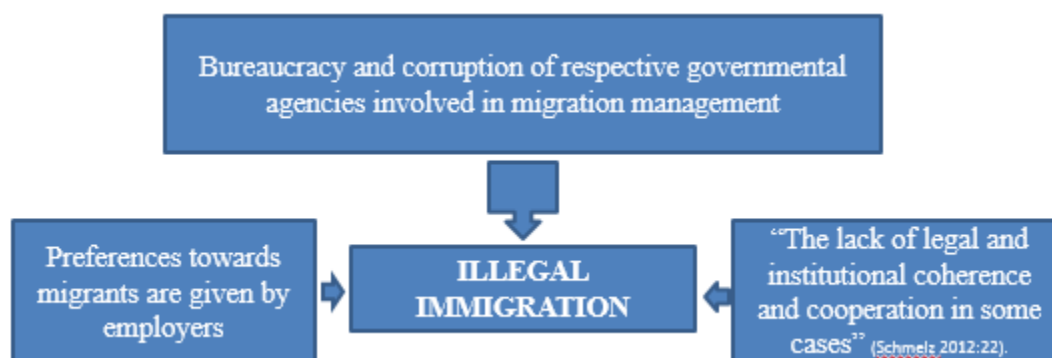
used as an important tool to regulate migration and strengthens the legal protection of migrants. The Tajik and Russian migration policies differ from these standards because these policies do not provide appropriate conditions for Tajik migrants in terms of their human rights and freedoms.

Consequences of Existing Migration Policies

Illegal Immigration

One of the consequences of existing migration management in Russia is illegal immigration. Illegal migration is ensued by the bureaucracy and corruption of respective agencies involved in migration management and the preferences given by employers towards migrant workers (Hemmings 2010). According to Schmelz (2012:22), the reason for illegal migration is “the lack of legal and institutional coherence and cooperation in some cases.”

Figure 4.12 Causes for Illegal Immigration in Russia



The Migration Policy Center (2013:6) provides the definition of illegal immigration, which is included in the “Criminal Code (art. 322.1. Organization of Illegal Migration)” of Russia:

Illegal migration is defined as illegal entry into the Russian Federation of foreign citizens or stateless persons, or their illegal stay in the Russian Federation, or illegal transit through the territory of the Russian Federation.

A significant portion of migrant workers is not registered by any statistical agency in Russia (MPC 2013). Those migrants who enter the territory of the Russian Federation illegally are considered illegal aliens and subjected to punishment measures (Libman and Vinokurov 2011; MPC 2013).

The International Organization for Migration (IOM 2006) conducted a survey, according to which “the share of workers with an unregulated status reaches 52%” (ILO 2010a:5). Another study of the IOM (2006) on human trafficking showed that more than 70 percent of Tajik migrants in Russia “are prone to various forms of trafficking; in other words their freedom of movement is restricted, frequently, they do not have any documents, these documents have often been withdrawn by employers (ILO 2010a:5).

The former mayor of Moscow city Yuri Luzhkov during his speech on February 26, 2010, stated that “46 percent of all crimes committed in Moscow are perpetrated by illegal migrant workers” (Hemmings 2010:26). However, the statistic is deluded intentionally because the main problem of crimes in Moscow is concerned with violations of migration policy (Hemmings 2010).

Violation of Migrants' Rights and Discrimination in Russia

Migrant workers from Central Asia live in bad “inhumane” working environment in Russia, and their rights are tremendously violated (Schmelz 2012:22). Human rights organizations such as the International Federation for Human Rights (FIDH), the Civic Assistance Committee, the Anti-Discrimination Center (ADC) Memorial, and their partners reported that migrants in Russia, especially migrants from Tajikistan, are facing with “denounced serious human rights violations” (Regamey and Kulaeva 2011:11).

The bureaucracy of some administrative agencies in Russia force migrants to find alternative ways to stay and work in Russia. Being illegal in the host country, Tajik migrants are “vulnerable to extortion by police, exploitation by employers, dangerous work conditions, harassment, and violent attacks from right-wing nationalist and neo-Nazi groups” (Hemmings 2010:7).

The Russian government identified main principles of migration policy such as respect of human rights and “freedoms of movement, choice of place of residence and work,” prevention of any forms of discrimination, regulation based on a specific situation such as socio-demographic and professional (Regamey and Kulaeva 2011:29). However, due to current hostile environment in which Tajik migrants live and work in Russia, the conclusion can be made that some principles of the existing migration policy are being violated.

In order to find a solution to prevent xenophobic attitudes of the Russian citizens towards migrants, Russian government introduced amendments to the anti-extremism legislation, the Law on Combating Extremist Activity (Sevortian 2009). The concept of xenophobia was presented in this legislation as an “extremist activity” (Sevortian 2009:22). As a result, some cases of xenophobic attitudes as a “counter-extremism” were considered by the court (Sevortian 2009:22). Although the Russian government has been remarkable in terms of providing proper working conditions to labor migrants in Russia, they are still considered the most vulnerable category of people in this country (Human Rights Center 2011). The existing policy on promoting human rights of migrants contradicts the basic conditions of Convention on the Human Rights of Migrant Workers and Members of their Families because the migrants still suffering from xenophobic attitudes and intolerance.

Administrative Barriers

The new migration law in Russia indicates that foreign citizens have rights to enter and reside in the territory of the country in order to obtain necessary documents such as work and residence permits (EWIC 2014; Regamey and Kulaeva 2011). According to the Code on Administrative Offences (Article 18.8) and the decision made by FMS, the immigrants who violate the migration law become subjects for deportation from the country, losing the opportunity to regain the entrance to the host country (EWIC 2014; Regamey and Kulaeva 2011; MPC 2013).

Additionally, one of the administrative obstacles for migrants in Russia is that they have to prove their registration (detachable approved section of registration notification) which should always be kept by migrant workers (Florinskaya 2009; Regamey and Kulaeva 2011). Registration process in Russia requires migrants to present a valid migration card (Florinskaya 2009). In a survey conducted by the Aga Khan Foundation in Russia in 2008, about 54 percent of respondents had a valid migration card; the remaining respondents have had either a forged migration card or an expired migration card; some Tajik migrants did not have a migration card at all (table 4.2).

Table 4.2 Does a Migrant have a Migration Card?

Answers	Percentage of Respondents
Yes, a valid migration card	54.3
Yes, but an expired migration card	10.2
Yes, but it is forged	31.7
Had, but lost or damaged it	1.6
No, and never had a migration card	2.0

N=500 (Florinskaya 2009:8).

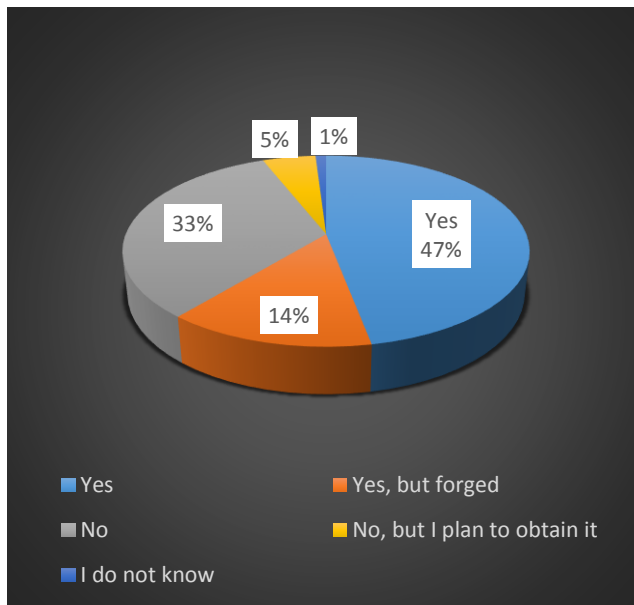
Some Tajik migrants cannot comply with the requirement to register at the migration registry within 7 days because of the high cost for registration and time constraints to find a host which usually involves intermediaries (Regamey and Kulaeva 2011). These intermediaries are represented by firms that provide services to migrants such as work and temporary residence permits, as well as they assist migrants to get medical exams (Regamey and Kulaeva 2011).

Most of the times, these firms provide forged registration documents to migrants (Regamey and Kulaeva 2011; Florinskaya 2009). For example, the firms “Inostranets” (*Foreigner*) and “Zakonnoe Pravo” (*Legal Rights*) promote their services to migrants and present themselves as accredited agencies by using symbols of the government and “official-sounding names” (Regamey and Kulaeva 2011:12). In order to prevent and prosecute the unlawful activity of false firms, the ADC Memorial conducted investigation of their activities. However, these attempts were not successful due to unscrupulous attitudes and unfair consideration of cases by respective legislative agencies (Regamey and Kulaeva 2011). Only one case was successful in 2011, when “a female citizen of Tajikistan (“S”) was detained on suspicion of fraud”⁷ (Regamey and Kulaeva 2011:12). After disclosure of forged documents, migrants are subject for criminal persecution, deportation, and a 5-year ban to enter the Russian Federation. The migrants also have to pay penalty in amount of 2-5 thousand Russian rubles which is an equivalent of 50-120 US Dollars (Florinskaya 2009).

⁷ Regamey and Kulaeva (2011:12) refers to the investigation conducted on 28 June, 2011 by the Operational Group of the Second Branch of the Organized Crime Unit, Economic Crimes Department, Municipal Department of the Ministry of Internal Affairs for St. Petersburg and Leningrad Province, in collaboration with the Russian FMS for St. Petersburg and Leningrad Province (<http://www.ufms.spb.ru/news/idn-995.html>).

Starting in 2010, work permits are issued to foreign workers for the period of 3 months (Regamey and Kulaeva 2011). Those migrants who have an agreement with their employers can get work permit for one year. Florinskaya (2009) posits that 47 percent of migrants from Gorno-Badakhshan Autonomous Oblast (GBAO), which is part of the RT, had a work permit; and 14 percent of migrants stated that they obtained a forged document (Figure 4.13).

Figure 4.13 Does Migrant Have a Work Permit in Russia?



The Survey of the Aga Khan Foundation (Florinskaya 2009:12).

Migrants found it difficult to extend the permission to work after one year, even though the request of the employer was provided (Regamey and Kulaeva 2011). This compels migrant workers to leave Russia after their work permit ends and re-enter the country again (Regamey and Kulaeva 2011). Most migrants who leave the RF re-enter the country on the same day. They leave to the nearest country around the RF such as Ukraine, Belarus, or Kazakhstan, and then come back to Russia (Regamey and Kulaeva 2011). However, these migrants often have problems on the border of these countries when re-entering the RF (EWIC 2014). For example,

the frontier guard at the Kazakh border asked the migrant to explain the reason of crossing the border on the same day in order to return to Russia. The migrant by name Muhammadjon answered: “Ah...but if you give them money, it’s ok. Not much, say 50 rubles. Anyway, I don’t have time to wait. I have to work”⁸ (Regamey and Kulaeva 2011:12).

Migrant workers have the option to work for individuals in Russia. In order to work for individuals, migrants need to purchase a work permit, which is 1,000 rubles per month, an equivalent to 25 US dollars (Regamey and Kulaeva 2011). This process is called a “*patents* system,” which was introduced by the Russian government in 2010 (Regamey and Kulaeva 2011:12). This system provided the opportunities to over 200,000 Tajik migrants to be employed for individuals in the RF, and “more than 130,000 patents were issued in the first six months after the system was introduced” (Regamey and Kulaeva 2011:12).

According to Regamey and Kulaeva (2011:12), “this system has caught on very quickly but remains expensive and does not address the problems of those migrant workers employed by companies.” By introducing the patents system, Russian government “brought people out of the shadows and [gave] them the opportunity to work legally,” stated V. V. Sebelev, the head of the local service of the FMS Russia in the Republic of Tajikistan (Regamey and Kulaeva 2011:12). By implementing this system, the Russian administration was able “to tax those who would otherwise continue to work on the black market” (Regamey and Kulaeva 2011:12).

Registration in the host country provides relative security to migrants in Russia because they can reside there with fewer restrictions (Regamey and Kulaeva 2011). In 2012, about 900

⁸ Interview by the FIDH and the ADC Memorial with Muhammadjon, Qurghonteppa, 7 May 2011 (cited in Regamey and Kulaeva 2011).

thousand out of 1.3 million Tajik migrants were registered at the migration registry (EWIC 2014). This number constitutes 70 percent of all migrants from Tajikistan (EWIC 2014). Moreover, in December 2010, the United Nations Committee on Migrant Workers reported that in the first half of 2010 there were 131,265 Tajik citizens who were “prosecuted for administrative offences” (cited in Regamey and Kulaeva 2011:17). This survey of the Aga Khan Foundation (AKF) in Russia introduced the reasons why Tajik migrants do not register in Russia. As table 4.3 shows, only 16 percent of respondents did not know “what it is” and “how to do it;” the remaining percentage of migrants were not able to register because their employers or landlords refused to register them (Florinskaya 2009:10). Thus, the absence of registration or having forged migration registration is not only the fault of the migrants who suffer persecution because of it (Florinskaya 2009).

Table 4.3 If a Migrant did not Register, What is the Reason for That?

Response Options	Percentage of Respondents who did not Registered (CMR Survey)
I was not aware about the registration	11.6
I did not know how to do that	22.0
My employer refused to register me	8.8
The landlord of the house where I live refused to register me	6.6
I do not have a migration card or invalid	14.8
I did not find the agency to register	39.0

Survey of the Center Migration Research (2008-2009); N=318 (Florinskaya 2009:10).

Exploitation of Tajik Migrants

One of the key agents of migration is entrepreneurs who mainly operate their business in informal economy. Entrepreneurs are trying to relieve themselves from the responsibility of any unforeseen situations, as it relates to the working conditions of labor migrants. Therefore, they use intermediaries in order to arrange the recruitment process of migrants (Regamey and Kulaeva 2011). This approach enables entrepreneurs to safeguard themselves from responsibility for violations of migrants' rights because the migrants were hired by intermediaries. Therefore, the migrants would not be able to prove such cases in a court (Regamey and Kulaeva 2011).

There are different organizations which protect Tajik migrants from violations of their rights by entrepreneurs in Russia. For example, the NGO "Tajikistan Fund" in Moscow one of the leading organizations in Russia (Regamey and Kulaeva 2011). Usually, 90 percent of complaints received by this organization were concerned with "non-payment of wages" to migrants (Regamey and Kulaeva 2011:13). In response to this, the FMS Russia initiated the meeting with the retailers of the grocery chains in Moscow in July 2011 (Regamey and Kulaeva 2011). The head of the FMS, Romodanovskii addressed the issue of employment of foreign workers in Russia. He stated: "It is not our intention to make things hard for you but to urge compliance with migration legislation. We do understand you need workers, but we are responsible for the law being followed" (Regamey and Kulaeva 2011:13). According to Regamey and Kulaeva (2011), the response of the FMS was not strong and persuasive enough to prevent the cases of discrimination against laborers from the CIS countries.

The ADC Memorial provides the legal assistance to migrants in Russia. An example of violation of the rights of Tajik migrants is provided below:

[...] a citizen of Tajikistan named Sevarhon Bozorboevna Mannonova, reported that she had worked as a street cleaner for Housing Service No. 2 of the Nevsky District, cleaning courtyards and playgrounds. Sevarhon and 60 Tajik coworkers had been working since December [1], 2010 but had not received their pay for more than three months, while continuing to work. The Tajik workers had been hired through “contractors” - in essence intermediary firms that specialize in providing workers for housing services. No documents had been provided and the foreign workers had no employment contracts or work permits (Regamey and Kulaeva 2011:13).

Being desperate of not being paid by an employer, Sevarhon approached a television station in order to report the case of violation of her and other Tajik migrants’ rights by housing services (Regamey and Kulaeva 2011). In response, the housing services refused to speak with aggrieved workers and mass media representatives because “they were not the direct employers and *do not hire migrant workers*” (Regamey and Kulaeva 2011:13, 14). Besides, the contractor along with the police came to Sevarhon’s apartment which is provided by the housing agency, and forced her to leave it. Police representatives knew about the existence of the “intermediary firms” and their illegal activity, but they did not contact and incur them for criminal responsibility (Regamey and Kulaeva 2011:14). Instead, the police obliged Tajik migrants to clean the police and nearest territory with no payment for their work (Regamey and Kulaeva 2011). The migrants cleaned the police area because they were threatened by police to be prosecuted if they refused to work; this is a “*natural form of bribery*” (Regamey and Kulaeva 2011:14). According to Hemmings (2010:28), Tajik migrants found it challenging to deal with the local police officers and contractors; 80 percent of migrants respondents who participated in the survey reported that “their relationship with law enforcement has taken a huge dive in 2009,” with 39.6 percent of migrants paying bribes to police officers.

Migrants in Russia are represented by the local media as “slaves” (Regamey and Kulaeva 2011:15). Entrepreneurs detain migrant workers at their work places, take away their passports,

do not pay their salary on time, or refuse to pay wages at all (Regamey and Kulaeva 2011). The ADC Memorial provides another example of inappropriate treatment of Tajik workers by contractors in Russia (cited in Regamey and Kulaeva 2011). The Tajik migrants, Said Jafari Zaripzoda, Dilovar Saripov, and Ahletdin Timurov, during two months had been working at a saw-mill in Sosnovy Bor (Regamey and Kulaeva 2011). Their employer's son Andrey Borisovich took their passports and refused to pay their salary, using an excuse of them not having a work permit. In order to get a work permit for the migrants, Andrey requested 23,000 rubles fee for each (Regamey and Kulaeva 2011). The employer Boris Ivanovich promised to increase their wages, but during two months migrants did not receive anything. On the contrary, the migrants were in debt because of the fees to be paid for work permits. Said, after frequent requests to return his passport, received the warning from Andrey that the passport will be burned if he will continuously assert his rights (cited in Regamey and Kulaeva 2011).

As evidenced by these examples, migrant workers rely on and expect the support of their employers in Russia, excluding the possibility to be protected by the legislative agencies in Tajikistan and Russia.

The decision not to pursue legal action in this case, as in many others, reveals a mistrust of the system in both the Russian Federation and in Tajikistan. Workers and their family members prefer to find and trust a "good employer" who will help to recover documents and perhaps even salaries from former employers, most likely by illegal methods, than to pursue justice (Regamey and Kulaeva 2011:16).

The life of migrants from Central Asia, particularly Tajik migrants, working in Russia is very tough. The migrants work in hostile environment, and their rights are severely violated (Schmelz 2012:22). Most migrant workers are mainly employed in construction jobs that require physical labor (Regamey and Kulaeva 2011). They experience a workload working 6 - 7 days a

week (Sharq Research Centre 2010, cited in Regamey and Kulaeva 2011). Moreover, Tajik migrants have concerns related to their housing, labor safety, and health problems (Regamey and Kulaeva 2011).

According to Regamey and Kulaeva (2011:16), the migrants are not protected in the case of an accident. Entrepreneurs cover the accident expenses “when a problem occurs or call an ambulance that will render emergency assistance regardless of the victim’s status.” Sharq Research Centre conducted a survey according to which 22 percent of the respondents (Tajik migrants) who work in Russia had health insurance, and 67 percent of them did not have any coverage in case of accident or trauma from their employers (cited in Regamey and Kulaeva 2011). Therefore, the migrant community in Russia supports their compatriots in such situations.

Doctors who provide emergency assistance look at whether you have a residence permit. When there are accidents, we collect money between ourselves to send the injured person home (interview with a migrant worker, cited in Regamey and Kulaeva 2011:16).

The majority of Tajik migrants live at their workplaces such as construction sites because the access to housing is very limited and expensive in Russia. Migrants rent apartments, non-residential rooms, and basements illegally and usually overfill them (Regamey and Kulaeva 2011). Therefore, Bloknot.ru (2013) calls these apartments “rezinovie” (elastic). These apartments often have no running water, electricity, and gas (Regamey and Kulaeva 2011). This eventually leads to health problems of migrants such as tuberculosis, infectious diseases, and other illnesses.

Xenophobia and Intolerance

Tajik migrants are portrayed hostilely by the Russian society. Hemmings (2010:26) posits that Russian public applies “negatives stereotypes” towards migrants (Hemmings

2010:26). Therefore, xenophobic attitudes of Russia society is a contemporary problem.

Sevortian (2009:21, 22) describes the contributing factors to this problem:

The list of factors which probably added to the spread of xenophobic sentiments usually includes the economic difficulties of the 1990s and the growing economic divide, disintegration, tensions and geopolitical reconfiguration on the post-Soviet territory, which included a wave of labor migration.

More specifically, the growth of unemployment in Russia, social problems, and anxiety among Russian citizens entail “anti-migrant sentiments” (Sevortian 2009:25). Many people in Russia believe that labor migrants can be potentially dangerous to them, especially if they “lose their jobs” (Sevortian 2009:25). According to the SOVA Center for Information and Analysis, in 2008 there were “no less than 525 victims of racist and xenophobic violence, 97 of whom have died” (Sevortian 2009:20). Later on, in 2010, more than 368 migrants were injured and total of 37 migrants were killed “as a result of racially motivated violence” (Regamey and Kulaeva 2011:17)⁹. In 2008, the racist and neo-Nazi attacks were initiated in 44 regions of the RF (SOVA, cited in Sevortian 2009). One of the active nationalist groups in Russia is called the *Movement Against Illegal Immigration* (Sevortian 2009). Another group, an informal body of skinhead movement activists, is represented by 10,000 - 20,000 “youths painting racist graffiti,” who are attacking minority groups in Russia (Sevortian 2009:21).

Regamey and Kulaeva (2011) provide an example of mass demonstration of nationalists against migrants in Russia. The demonstration was organized on December 11, 2010 in St. Petersburg, where a Tajik migrant, Firdavs Yusupov, was exposed to xenophobic attack (Regamey and Kulaeva 2011). Four young nationalists wore skinhead clothes; they insulted

⁹ 2010: *The Year in Review*, <http://www.sova-center.ru/en/xenophobia/news-releases/2011/01/d20670> (cited in (Regamey and Kulaeva 2011:17))

Firdavs with humiliating slogans and attacked him with knives. Although Firdavs received more than 9 knife injuries, he was able to save his life because he escaped the attackers. He called his brothers, who lived in the nearby neighborhood using a cell phone. Firdavs' brothers found him in severe condition and took him to the hospital. Police officers investigated the scene of the incident and they found the culprits who perpetrated the cruel act, however "criminal charges for inflicting serious bodily harm were not filed against them" (Regamey and Kulaeva 2011:17). Instead, Firdavs' brother, Furkat Yusupov, received criminal charges, because he inflicted the Russian citizen Udal'tsov during the fight. The police were lacking a fair attitude towards the crime that occurred against Yusupov, therefore the ADC Memorial investigated this situation in order to assist Yusupov (Regamey and Kulaeva 2011). The main Investigations Security Directorate (ISD) one and half years since the crime occurred responded to the ADC Memorial's inquiry by stating that examination of the crime case is still under review. This example demonstrates injustice towards migrants in Russia.

Moreover, the Russian police stop and detain migrants because of their "non-Slavic" physicality, and then extort bribes from them (Regamey and Kulaeva 2011:18; Sevortian 2009:19). Those migrants who are unfortunate to be "arbitrarily" arrested by police, "are sometimes subjected to violence and mistreatment" (Regamey and Kulaeva 2011:18). Police are cruel during spot-checks, as they pick up migrants at work, even those who have registration, and take them into the woods where they beat and humiliate migrants. According to the Institute of Social Research and Civil Initiatives (2011), safety police such as the Patrol and Inspection Service and the Police Department for the Metro are lacking knowledge of the existing migration law, therefore the problems between them and migrants occur frequently (cited in Regamey and Kulaeva 2011:18). Moreover, the Russian police are biased towards all migrants, and they

consider them potential criminals because migrants often violate the migration law (Regamey and Kulaeva 2011).

Migrant workers who perpetrate administrative violations are at risk of being detained with further deportation to Tajikistan. In December 2010, the RT presented the report to the “United Nations Committee on Migrant Workers that 131,265 citizens of Tajikistan were prosecuted for administrative offences in the first 6 months of 2010, including 45,907 who were prosecuted for violation of migration regulations and 2,022 deportation orders were issued”¹⁰ (cited in Regamey and Kulaeva 2011:19). According to the Public Oversight Committee, the detention center “completely unsuitable for long periods of detention and lacks elementary sanitary conditions” (cited in Regamey and Kulaeva 2011:20). However, the Russian government is lacking effective mechanisms to improve the situation for migrants, so the latter are suffering in detention centers are being mistreated, living in inappropriate living conditions, freezing, and starving.

According to the testimony of Pavel Gabor, who spent more than a year there, including months in a room without windows, with a light that was permanently on, deprived of walks and visitors, he completely lost track of time and did not know whether days, weeks, or even months had passed¹¹ (Regamey and Kulaeva 2011:20).

Migrant workers suffer from ostracism, xenophobic attacks, and exploitation; migrants are psychologically damaged because the society where they live in “does not accept them” (Regamey and Kulaeva 2011:22). Most Tajik migrants visit mosques in order to get religious and

¹⁰ Full report available at: http://www2.ohchr.org/english/bodies/cmw/docs/CMW.C.TJK.1_en.pdf (cited in Regamey and Kulaeva 2011:19).

¹¹ *ADC Memorial Bulletin No. 34*, <http://www.memorial.spb.ru/www/1062.html?lang=ru> (cited in Regamey and Kulaeva 2011:20).

moral support (Regamey and Kulaeva 2011). Mosques and prayer houses in Russia become places where migrants communicate, receive social and moral support. Moreover, migrants receive social integration support in the mosques such as courses in Russian (ILO 2010a).

Impact of Migration on Migrant Families

The subject of the impact of migration on migrant families is receiving greater attention in discussion of maintaining family ties between migrants and their family members. Fabian and Sharipova (2010) state that the lack of employment opportunities in the RT has caused a high out-migration of male population, which is 25 percent of the 3.7 million labor force in the country. Therefore, the migrant wife has taken the heavy responsibility of caring for the household, she "substitutes a father" and raises a child (or children) by herself (Regamey and Kulaeva 2011; ILO 2010a:36). Sometimes, mothers leave their children without care and support, so their children are at higher risk to be involved in labor (Regamey and Kulaeva 2011:22).

These changes in the family structure have cause the conflicts between wife and husband. Specifically, when the husband returns home from migration, he faces increased dominance of his wife and her reluctance to depend completely on him (ILO 2010:36). Banerjee (1981:322) considers the migration of at least one family member as "an expression of individual maximization which results in the dissolution of the family as an integrated unit." This might explain the reasons for the dramatic increase of divorces in migrant families. According to Regamey and Kulaeva (2011:22), abandoned women are very vulnerable because "their fate often depends on the response of their husband's family." The ILO (2010a:37) provides statistical data according to which 2.5 percent respondents-migrants who returned home are divorced; 9.4 percent migrants mentioned that "decisions in the family are taken without their

involvement;" and 40.9 percent stated that "they have estranged from their family." This shows the influence of migration on the family structure and family relations. It is important to build a strong family unit by keeping the family structure intact instead of separated, and by doing so, the country would be stronger and more productive.

The Main Obstacles towards a Better Migratory Framework:

Recommendations

Restrictive migratory measures impose challenges to migrants upon their arrival to Russia. These measures lead to violation of existing migration law by the migrant workers in order to survive and sustain their livelihoods (ILO 2010a). In many cases, migrants seek alternative means (usually illegally) to continue to reside and work in Russia.

An analysis of the GIZ on migration strategies in various countries including Tajikistan, reports that development of migration strategies is built upon “internal (domestic) and external (foreign) political interests and strategic objectives” (Schmelz 2012:37). Sending and receiving countries outline the main objectives of migration policy in action plans and strategic documents. However these strategies are ineffective and “the respective measures are only addressed on the level of planning” (Schmelz 2012:22). Although developed strategies of migration management contribute to “coherent migration policies,” nevertheless, these policies are difficult to investigate because of insufficient data and information about the actual realization of such policies (Schmelz 2012:3):

The analyzed migration documents take into account the institutional coordination and connect sector-specific issues to the responsibilities of the relevant ministries (e.g. foreign affairs, education, health, labor and social affairs).

Governments of both countries (i.e. Tajikistan and Russia) should improve the statistical registration of migrants as well as strengthen the monitoring system of migration. Gathering reliable statistical data about migration flows and exchanging the experiences in collecting data on migration are important to predict and describe the dynamics of migration (Schmelz 2012).

In order to manage migration policy effectively, government of the RT should introduce “enormous administrative and infrastructural reforms,” and allocate capital and perform various

actions, and should integrate “own interests” into the strategy for successful implementation of migration strategy and labor migration policy (Schmelz 2012:26, 37). Therefore, “coherent” policy should help migrant workers to have appropriate working conditions, security, and social protection (Schmelz 2012:22). Migration policy should be logically and coherently developed, systematic, where the mechanisms of its implementation could work in each unit of the migration management.

A crucial element of effective facilitation of migration policy is the capacity of those who involved in the sphere of migration in Tajikistan. The selection of candidates to manage migration and develop an effective statistical system should be made on a competitive basis, made up of experienced individuals with strong managerial skills. For example, a nominee can be a former or current manager of diaspora or a representative of an international organization such as the ILO, IOM, AKF, and UNDP which has an experience in the migration field. In order to manage this task effectively, it is recommended to expand the staff of respective governmental agencies involved in migration policy implementation.

The states of Tajikistan and Russia can play a crucial role in managing migration that can shape the present picture of migration. For instance, to improve migration policy and strategy, Tajikistan government can help to find market opportunities for their citizens in other countries. The insufficient number of recruitment intermediary agencies, both formal and informal, cannot satisfy the needs of potential Tajik migrants. According to the International Labor Organization and International Organization for Migration (2009:1), private employment agencies (PrEAs) are not involved sufficiently in job placement; they do not provide enough information about job opportunities abroad, and/or organize educational programs for them. The ILO and IOM (2009:1) contend that “PrEAs seem to be the *weakest link* in the migration process.” Therefore,

migration policy in Tajikistan should include some provisions concerning preparation of Tajik citizens to work abroad. Particularly, it is essential to improve the system of professional education and pre-departure orientation for migrant workers that can help migrants to work in Russia based on market needs. Moreover, potential migrants should participate in seminars on legislation in Russia, basic knowledge of Russian language, ethical behavior, proper documenting skills, conflict management, and other subjects. The government of the RT can consider the idea to open specialized courses at the local colleges that touch upon the subject of migration. It will help potential policy-makers, managers, and future professionals in various spheres such as informational technologies, statistics, security, human rights, banking system, gender, etc. to facilitate properly the migration policy.

A labor brokerage system can be a good example for the country to manage out-migration (Rodriquez 2010). The State Migration Service of Tajikistan has presented the Philippines labor brokerage system as a good model to be used by the country (Regamey and Kulaeva 2011). However, this practice received some criticisms that might be taken into account by the Tajik government while developing migration policy. In order to make this model workable, the government should reconsider approaches of assigned consulates to work with migrants. The consulates should encourage and help migrants to fill complaints of the cases of exploitation and abuse at working place; they should properly protect migrants; and provide information (administrative procedures, human rights, resources) to migrants. The government of the RT should involve migrants in discussions of legal migratory issues. The relatives of the migrant workers should be aware of some challenging situations that they are facing in the host country.

Consequences of the existing migration policy such as xenophobia, exploitation, and intolerance illustrate the weakness of migration management within the governments of Russia and Tajikistan. Sevortian (2009:22) posits that “the absence of comprehensive policies” contributes to the dramatic changes in Russian xenophobic attitudes towards migrants. Moreover, Regamey and Kulaeva (2011:31) contend that “the Russian authorities have the primary responsibility for preventing violations of the rights of migrant workers on Russian territory and investigating and prosecuting those responsible.” Since there are some of injuries and death cases among Tajik migrants in Russia (in professional sphere and beyond), I consider that conducting fair investigation of every case is important. This can help to bring justice and punish those who are found guilty.

Even though the Russian government has made a few positive steps in order to tackle issues of racism, nationalism, and intolerance as a crime for the last decade, the country should put more efforts to combat these problems (Medvedev 2009, cited in Sevortian 2009).

As this phenomenon has not yet been adequately explored and understood, xenophobia in Russia cannot be considered fully “manageable” – neither is it, in this sense, politically controlled or effectively restrained (Sevortian 2009:26).

The restrictive migratory laws could not overcome “open racism,” the indignation and hostility towards ethnic minorities who reside in Russia is still continuing (Sevortian 2009:23). Russian authorities in collaboration with human rights organizations should prevent any anti-migrant sentiments of racist and neo-Nazi groups. According to the European Commission against Racism and Intolerance (ECRI) report, “anti-discrimination legislation [in Russia] is sector-based and is rarely applied. No independent body specialized in combating racism and racial discrimination has been set up” (cited in RIA Novosti 2013). Likewise, the assigned Tajik Ministries and their branches must reinforce the migration strategy in order to protect the basic

human rights of Tajik citizens abroad (FIDH and ADC Memorial, cited in Regamey and Kulaeva 2011). This dialogue should imply effective communication, discussion, and consideration of all intertwining factors that influence the xenophobic attitudes towards migrants. Mass media plays an important role to increase awareness about the problem of racism that migrant population is currently facing in Russia. Police officers should be capable to prevent the consequences of racist based street attacks of migrants by local citizens, mass demonstrations of nationalists, and skinheads' movements. It would be beneficial for children at kindergartens and school students in Russia to learn the principles of tolerance and understanding of other ethnic groups. As long as the growing economy of Russia is being disintegrated and the high influx of migrants will be continuing, the situation with xenophobia and intolerance in Russia will not be improved completely, besides the states' efforts to introduce new laws and regulations.

One of the main obstacles in contemporary Tajikistan and Russia is corruption and bureaucracy in the area of migration regulation which “became a major impediment of legal immigration and a main source of corruption in the immigration process” (Ivakhnyuk 2009/14:14). Having a great demand for labor, especially in the oil rich and underpopulated regions, Russia encourages migrants from the CIS countries to migrate. At the same time, “over-bureaucracy” of Russian administrative officers who are in charge of registration and work permits is “irrational” and has made the employment process of migrants a “largely illegal sphere” (Ivakhnyuk 2009/14:14).

Russia's new migration law has increased the barriers labor migrants face. They will have to invest time and effort to overcome these obstacles. Individual success may often depend on having the right contacts and the resources to pay higher bribes. It is fair to assume that one effect of the law will be to boost the level of corruption in the official bodies supervising the migration and employment of foreign workers (Olimova and Bosc 2003:70).

Due to the harassing attacks of migrants by police officers in Russia, it is important to prevent such actions and include legal repercussions by the criminal law on violence and bribery from the side of police. The activities of the Russian governmental officials involved in migration management as well as local police should be monitored at each level of its implementation (airport, registration office, etc.). This might prevent the acts of bribery and hostility towards migrants. People who work with migrants in the host country should be compassionate and understanding, therefore, they should be taught how to relate to migrants with tolerance and ethic. Migrants usually spend long hours or days standing in long lines in order to reach the registration agency. Therefore, it is suggested that administrative application through a set time schedule in order to simplify and eradicate unnecessary chaos in controlling excessive waiting time in line and overwhelming population seeking registration. In doing so, the atmosphere will be safer for everyone, including security guards who control the crowd.

In the case of Tajikistan, corruption is another issue that poses a significant problem not only for migrants but the community and families at large. For instance, in order to get a job within the government, or to get documents from its administration, or to receive medical service, or to be admitted by the universities, Tajik citizens have to buy their way in before these benefits can be processed (Regamey and Kulaeva 2011). This involves “string-pulling” so-called “blat” (Regamey and Kulaeva 2011:24). Usually, potential Tajik migrants (both with and without money) offer bribes in order to gain the benefits of this unhealthy system.

Although some efforts are made by both countries (Tajikistan and Russia) to combat corruption, the problem still remains largely unresolved (Regamey and Kulaeva 2011).

Since Russia has been facing a demographic and economic crisis, as well as insufficiency of labor force in underpopulated areas, the restrictive measures of new migration policy may

affect not only the lives of migrants, but also the entire Russian Federation. Therefore, the Russian government should anticipate some measures to prevent outflow of laborers due to administrative barriers. It is important to extend the timeframe for migrants to go through all the bureaucratic procedures in order to obtain a legal status in Russia.

The recent ban on “elastic” apartments in Russia can influence both migrants and landlords who do not provide necessary registration. It would be beneficial to regularly emphasize to the owners of apartments/houses the importance of providing conditions for migrants to be registered under a certain address. Otherwise, illegal accommodation of migrants can lead to punishing measures. If landlords will officially register a migrant, the latter will be able to get a work and residence permit, thus to have a legal status in the territory of Russia.

Furthermore, the implementation of migration policy depends on the stakeholders to establish a harmonious relationship by “exchanging ideas, good practices and lessons learnt,” stated Schmelz (2012:36). Nevertheless, this task is not easy to be completed because the implementation of migration policy “depends on the political will and coordination interests” of the states and other stakeholders (Schmelz 2012:36). Governments and stakeholders of sending and receiving countries should be institutionally and financially capable of successfully implementing migration strategies. Unfortunately, the economy of the RT is unstable, therefore it is not realistic to expect enough financial support of migration management in the country. There are various international organizations such as the World Bank, Asian Development Bank, European Bank for Reconstruction and Rehabilitation, foreign embassies, and other international organizations that invest huge amount of finances to support different projects in the RT. Since migration became a central and critical issue in Tajikistan, it would be beneficial if these organizations partly re-direct their priorities towards migration. They can also help to create

industries to encourage citizens to work and thus build the economy within the Republic of Tajikistan.

It would be beneficial for the RT to create an agency under the Ministry of Finance, or other respective agency to track financial flows (remittances) from migrants who reside in Russia and in other countries directed to Tajikistan. This can bring transparency to the banking system and improve the statistical basis of financial inflows to the country. Under this agency, a trust fund composed of 1-2 percent of remittances from community of migrants (individuals, diasporas, and initiative groups) could be established. This accumulation of funds could be directed to support recruitment of Tajik citizens and income-generating activities. In order to assure the community of migrants that this system is functioning as it was designed to do, transparency of how the funds are being used would be accessible to those who financially support it in a monthly report. It will be filtered by a committee of non-governmental workers supported by the community of migrants, which would have the power to remove anyone who lacks integrity in its function.

Another obstacle relates to inconsistencies in policy making. EWIC (2014) argues that the development of new migratory initiatives are constantly contradicting one another. The head of the Professional Union of Labor Migrants Renat Karimov contends that recently signed agreement between Tajikistan and Russia allows Tajik migrants to get a work permit up to three years (EWIC 2014). However, this is inconsistent to the new initiative of Russian government to introduce maximum 90 days of residence permit to migrant workers (EWIC 2014). Inconsistency and imposition in immigration policies negatively affects migrants and migration flows in general (EWIC 2014). Therefore, governments of sending and receiving countries should discuss new laws, concepts, and strategies thoroughly, taking into account the conditions indicated in the

previous bilateral agreements and policies signed by these countries. Moreover, some bilateral agreements signed by Russia with CIS countries excluded Tajikistan to get some benefits such as “readmission” and “labor market and settlement rights” (MPC 2013). There should be deliberation open to the public and citizens of Tajikistan as to why such bilateral agreements excluded Tajikistan. Bilateral agreements on issues of labor migration made between the Tajik and Russian government in 2007 should be reinforced. Moreover, government should sign a bilateral agreement with Russia regarding the provision of appropriate working conditions to migrants.

One of the biggest problems for the Tajik nation is that migrants, who are especially qualified, prefer to stay in Russia and not return back to their home country. According to the ILO (2010b:72), existing migration policy is lacking the mechanisms that can encourage the return of migrants, especially skilled workers who might be an asset for the country’s development in terms of “facilitating the transfer of technology, skills or attract investment or savings.” This so called “brain drain” phenomenon should be a concern for policy-makers because the “brain drain reduces a country’s stock of skilled people, which in turn harms the provision of public services, as well as depriving the private sector of an important resource” (IOM 2010:13). For example, there are some countries such as Russia, Kazakhstan, and Germany that developed certain policies to attract their citizens to return (ILO 2010b). Meanwhile other countries such as the Philippines, in collaboration with a Migrant Welfare Fund, designed programs which help to reintegrate migrant workers and facilitate the return of professionals and educated nationals (ILO 2010b). The International Organization for Migration (IOM) has been implementing the programs in Africa, Iraq, and Afghanistan which encourage the return of qualified workers (ILO 2010b). Another example of successful migration strategy

towards return of qualified workers is Taiwanese migration policy which enabled country to facilitate the return of 50,000 highly skilled migrant workers to Taiwan during the period from 1985 until 1990 (ILO 2010b, cited in Hugo 2003). Tajik government ought to plan some steps towards encouraging qualified Tajik citizens to return back in order to contribute to the development of the RT.

Due to the new changes in migration policy in Russia in 2014, the Republic of Tajikistan is currently in an unfavorable situation. Specifically, new requirements of migration policy in Russia can put migrants in a difficult predicament: i) migrants should be able to pass through administrative barriers (registration, work, and residence permits) in a short time to prove their legal status; ii) Tajik migrants who arrived in Russia should be able to pass the exam on Russian language and laws; and iii) migrants should obtain foreign passport until January 2015. Most likely, the majority of Tajik migrants will not be able to go through all the procedures within a tight timeframe, and will be deported back to Tajikistan. Hemmings (2010:7) contends that the mass-media in Russia forecasted a huge number of Tajik migrants outflow to home country. This made political analysts and international observers concerned because they question “how the largely apathetic government of President Emomali Rahmon” will react to the inflow of their own citizens who will be seeking employment opportunities at home (Hemmings 2010:7, 8). This situation may cause political instability in Tajikistan, because the Tajik government at the current moment will not be able to provide job opportunities to migrant-returnees, and if the government can offer jobs to migrants-returnees, the wages will not be enough to feed their families. In order to prevent the negative consequences of restrictive migration policy in Russia to Tajik society, the Tajik government should start negotiating the issue of having a bilateral agreement with Russia that can provide some conditions (timeframe, benefits, etc.) to migrants to

go through all the bureaucratic barriers to gain residence, work permits, and pass the exams in order to be legitimate in the territory of Russia. Government of Tajikistan should provide support to potential migrants to obtain a foreign passport. It would be helpful if the Tajik Embassy in Russia can provide the opportunities to current migrants to obtain a foreign passport in the territory of Russia.

While this thesis was at its final completion stage, the news about forthcoming meeting of Tajik citizens planned on October 10, 2014, was announced in the media. According to Asia Plus (2014), the main purpose of the planned demonstration is an expression of resentment of Tajik citizens especially migrants towards the current government. Meanwhile, the Tajik enforcement agencies received an order to start preparation to prevent the unprecedented actions.

In order to prevent another unpleasant event in Tajikistan, the recommendation is to undertake some steps ahead in order to prevent the disturbances that can be caused by discontented unemployed citizens of the RT. Incoming investments to country should be used rationally. For instance, instead of renovating or constructing some governmental objects and other unimportant projects such as building historical monuments, etc., there is a need to contribute industrial development in Tajikistan, and thus build the economy of the country. Although the policy on economic development was approved by the President of Tajikistan, the economic situation in country has not been improved.

Apart from the obstacles of migrations outlined in this discussion, CSOs and donor community play significant role in improvement of social environment and legal framework for migrant workers. The most active CSOs (local and international) working in sphere of migration are the following: International Organization for Migration in Eastern Europe and Central Asia,

and International Labor Organization, International Federation for Human Rights, Anti-Discrimination Centre “Memorial,” Institute for Development Studies, the Aga Khan Development Network, as well as local NGOs such as Diaspora networks (formal and informal). Thus, it is important for both countries (Russia and Tajikistan) to move towards a mature level of collaboration with CSOs while developing policy reforms.

The role of diaspora organizations in implementation of migration policy is significant. A working paper written by Mankle (2012:1) mentions about the importance to mobilize diaspora organizations as a “practical solution [...] to increase positive benefits from migration for all involved – individuals and communities; countries and regions.” Diaspora policy can promote “dialogue on *good practices* regarding the establishment of ties with national Diasporas or citizens abroad” that can contribute to social-economic development and “knowledge-transfer schemes” in sending and receiving countries (GIZ, cited in Schmelz 2012:34). Cohesive linkage between the government and migrants, diasporas should be pro-active in protecting the rights of Tajik migrants in the territory of Russia. At this level of management, the planning and implementation of their role is insufficient. Diasporas should meet with the government of the RT in Russia and Russian authorities on a regular basis. At each level of discussion, analysis, follow up, and reporting of activities should be made. Diaspora associations should increase the awareness about their existence and activities among migrants in the country of origin.

Government of Tajikistan has been implementing some grants programs (based on the Social Order Law, Presidential Grant, etc.) to public organizations and entrepreneurs to implement various projects in the RT. It would be worth to allocate some budget to diaspora organizations working in the host country in order to help migrant community (for example, for organizing seminars, legal support, social protection, and other activities). Diaspora

representatives can write a proposal and submit to Tajik representation in Russia for consideration. The grants can be consolidated with the Russian efforts to improve the situation, so that both country will mutually benefit from those projects.

The resources both human and financial allocated to various research projects by international organizations towards migration are useful and pragmatically stated. However, most of reports of these organizations are remaining on paper only due to certain reasons. These organizations cannot force the governments of sending and receiving countries to change their migration policy but they can suggest some tools to improve the policy. The international organizations are mainly keeping neutrality towards the countries' priorities. I think that the governments (Russia and Tajikistan) should be considerate and very attentive to those reports of international organizations aimed at improving the situation of migration management.

Chapter 5 - Conclusion

In response to the political and socio-economic changes in contemporary society, global migration has shown its vacillating character, thereby creating more complexities to migration trends. As Ghosh (2000) posits, global migration issues create inappropriate management arrangements of migration in the modern world. Migration (both legal and illegal) is a major insurmountable phenomenon because of the economic, political, and social disparities between the countries in the global world. Having efforts of the states (both sending and receiving) to eliminate illegal immigration through introduction of efficient migration policy and regulations, management of migration flows is still problematic. The reason for that is a great demand in cheap labor in developed countries and economic needs in developing countries (Mughal 2007). Another problem is corruption in both countries that exacerbates illegal immigration. The wide out-migration from the post-Soviet Tajikistan to Russia is considered a part of globalization because it implies remittances, movement of goods, and various services.

After the collapse of the Soviet Empire and the Independence of the Republic of Tajikistan, migration to the Russian Federation has been crucial to the RT because of unemployment, poverty, devastated economy, and deterioration in spheres of education and health. Based on the numerous effects of migration described in this thesis, the relevance of international migration for poverty reduction and regional economic development is evident.

Even though migration movement of Tajik citizens to Russia can bring about social changes, there are still some structural issues and challenges that should be addressed by the policy-makers and other social actors such as various CSOs. Having the significant number of Tajik people migrating abroad and experiencing challenges in the host country such as

xenophobia, segregation, racism, and exploitation, the conclusion can be made that government, international community, non-governmental organizations, including diaspora networks should strive to effectively facilitate migration through the improvement of social environment and legal framework. International and local initiatives towards management of migration should be comprehensive and strategic enough to address the political, social, economic, and security aspects that drive contemporary migration.

In addition, governments of the RT and the RF play a fundamental role in adjusting the national development strategy and concepts to new patterns of migration; they ought to find the innovative strategies and consistent mechanisms to reach a balanced approach towards migratory regime and make migration an effective tool for development. In order to achieve this, the governments should study the models of other countries in diverse fields of migration policy, their good experiences and lessons that they have learned. This, in turn, can bring economic and political opportunities for migrants, accumulate initial and improve human capital in order to sustain livelihoods.

Schemlz (2012:34) contends that given “demographic and economic imbalances” between different countries and differences in labor market opportunities and living standards, migration flows will very probably increase. Hence, this correlation provides evidence that the Tajik migration into Russia is a clear case of the inefficiency of migration policies.

This study highlights the efforts of the RT and the RF in the need to gain a better understanding of the migration management. It also demonstrates how the structural factors and conditions push the migration from the contemporary Tajikistan to Russia. It is also imperative to analyze those who are involved as stakeholders (government, CSOs, and businesses) in order

to improve the mechanism being used to strengthen the existing migration policy that may allow a favorable environment for migrants. This thesis also evaluates the steps undertaken by the Tajik and Russian authorities towards protecting migrant workers in the Russian Federation.

By studying the contemporary migration and its management, my hope is to gain a greater insight into the complexity of this phenomenon through the theories involved when constructing further policy implications. Given that little scholarly work has been focused on issues of how migration policy contributes to structural inequality and illegal migration in the former Soviet Union, I hope to contribute to the existing body of literature.

The main responsibility for the structural inequality caused by migration lies within the hands of the governments in both countries. If Tajikistan and Russia continue to function as they do now, then the future of Tajikistan will not improve nor will the lives of the Tajik citizens, who seek better lives in their country and beyond.

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Appendix A - List of Organizations

Source	Russia	Tajikistan
State	Federal Migration Service (FMS) (http://www.fms.gov.ru/useful/novisas/index_eng.php)	Migration Service of the Ministry of Labor Migration and Employment of the Government of Tajikistan (http://www.migration.tj/index.php/en/)
	The Ministry of Foreign Affairs/Migration Registration of Foreign Citizens in Russian Federation (http://www.mid.ru)	Ministry of Labor/State Agency for Social Protection, Employment and Migration (http://www.kor.tj)
	Goscomstat/Federal State Statistic Service of Russian Federation (http://www.gks.ru/wps/wcm/connect/rosstat_main/rosstat/en/main/history/до_1112270585922)	Ministry of Labor/Scientific Research Institute of Labor and Social Protection of the Population (http://www.niitruda.tj)
Local NGOs	Форум переселенческих организаций Forum of migratory organizations (http://migrant.ru/)	League of Women Lawyers of Tajikistan (http://www.worldcoalition.org/League-of-Women-Lawyers-of-Tajikistan.html) (http://www.irinnews.org/report/23124/tajikistan-ngo-helps-raise-labour-migrants-legal-awareness)
	Foundation "Tajikistan" (changed to Integration Center "Migration and Law" in 2012) (tajfond@gmail.com ; http://migrocenter.org/)	Research Center "Sharq" (sharq@tajik.net)
	Профсоюз трудящихся мигрантов Professional Union of Labor Migrants (http://www.profmigr.com/index.php)	Public organization "Nakukor" (http://tajikngo.centreict.net/ru/ngo-info/-othermenu-81/item/304-obschestvennaya-organizatsiya-nakukor.html)
	Foundation to support migrants from Republic of Tajikistan "Tojik Diaspora"/Tajik Diaspora in Russian Federation Phone: (095) 465-94-66, 506-45-83	Association "Surhob" Phone: 8(3154) 21-5-58, 918-23-05-47. (surhob@inbox.ru)

	Региональная общественная организация «Землячество Таджикистанцев» -- Regional public organization "Friendly association of Tajik people". Phone: 749-33-34, 375-74-71	Public organization "Ahtari Baht" (ahtari_baht@mail.ru)
	Комитет "Гражданское содействие" Committee "Civic Assistance" (Public Charity Organization (http://refugee.ru/))	Международная ассоциация по защите прав женщин-трудовых мигрантов -- International association on protection of women-labor migrants (http://women-migration.tj/)
	Migration Policy Center (MPC) (www.migrationpolicycenter.eu)	NGO "Kalam" Phone: 35220-2473/4378
	Центр Миграционных Исследований Center of Migration Studies (fmcentre@ecfor.ru http://migrocenter.ru/)	Информационно-ресурсный центр для трудовых мигрантов Information-resource center for labor migrants. Phone: (992) 37-227-02-06 (www.migrant.tj)
International NGOs	International Organization for Migration (IOM)	(www.iom.int)
	Aga Khan Development Network in Russia and Tajikistan (AKDN)	(www.akdn.org)
	International Labor Organization (ILO)	(www.ilo.org)
	The International Federation for Human Rights (FIDH)	(http://www.fidh.org)
	Development Research Centre on Migration, Globalization and Poverty Arts, University of Sussex	(http://www.migrationdrc.org)
	Anti-Discrimination Centre MEMORIAL	(www.memorial.spb.ru)

Mass Media	Migration Pool (Kazakhstan, Tajikistan, Kyrgyzstan and Russia)	Пул «Миграция»	(http://caucasia.at.ua/news/migranty_i_migracija/1-0-41) Facebook page
	Journal "Migration of 21st century"	Журнал «Миграция 21 века»	(http://www.mirpal.org/migrjournal.html)
	Electronic newspaper "News about labor migrations"	Электронная газета «Вести трудовой миграции»	(http://www.profmigr.com/index.php)
	IRIN News. 2006. "Labor Migrants in Russia Continue to Face Legal Challenges."		(http://www.irinnews.org/report/34312/central-asia-labour-migrants-in-russia-continue-to-face-legal-challenges).

Appendix B - The Migrant Workers' Convention

(excerpt cited from Regamey and Kulaeva 2011:31, 32)

The provisions that are relevant to the particular context of Tajik migration are listed below:

No migrant worker or member of his or her family shall be required to perform forced or compulsory labor (Article 11.2);

No migrant worker or member of his or her family shall be arbitrarily deprived of property (Article 15);

Migrant workers and members of their families shall be entitled to effective protection by the State against violence, physical injury, threats and intimidation, whether by public officials or by private individuals, groups or institutions (Article 16.2);

Any verification by law enforcement officials of the identity of migrant workers or members of their families shall be carried out in accordance with procedures established by law (Article 16.3);

Accused migrant workers and members of their families shall, save in exceptional circumstances, be separated from convicted persons (Article 17.2);

It shall be unlawful for anyone, other than a public official duly authorized by law, to confiscate, destroy or attempt to destroy identity documents, documents authorizing entry to or stay, residence or establishment in the national territory or work permits. No authorized confiscation of such documents shall take place without delivery of a detailed receipt. In no case shall it be permitted to destroy the passport or equivalent document of a migrant worker or a member of his or her family (Article 21);

Migrant workers shall enjoy treatment not less favorable than that which applies to nationals of the State of employment in respect of remuneration and (a) Other conditions of work (...) (b) Other terms of employment (Article 25);

The Tajik authorities have a clear responsibility under international law for facilitation of migrants' return home (without assessing taxes or demanding formalities, but on the contrary assisting return), as well for preparing migrants for migration, including creating favorable conditions for obtaining a passport and documents, disseminating information and supervising the activities of employment agencies and other intermediary organizations working in Tajikistan (see further below). Preparation also requires the dissemination of information on the rights contained in the Migrant Workers' Convention (Article 33).