NEW LABOR AND IMMIGRATION LAWS IN RUSSIA AND THEIR IMPACTS ON CENTRAL ASIAN IMMIGRANT WORKERS

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Abstract

Russia is the second largest destination for immigrant workers after USA in the world. A vast majority, almost one third of this migrant labor force, comes from Central Asian states particularly Kyrgyzstan, Tajikistan, and Uzbekistan. Millions of workers from these countries contribute substantially to their national economies. A series of new labor and immigration laws introduced by Russian Federation has toughened the workers economic and social conditions. Immigrant workers have to face discrimination by Russian society as well as authorities. Police, after execution of new laws, routinely check ‘Asian’ immigrant workers and extort money from them. The new laws have forced many of the workers to leave Russia either to their home countries or to new destinations especially Kazakhstan and Turkey.

This article tries to explore the reasons for labor migration from Central Asian states to Russia and the treatment they get from both Russian authorities and society. The major focus is on series of new laws implemented by Russia. The research is primarily exploratory, descriptive and analytical in nature.

Keywords: Labor Migration, Russia, Central Asia, New Labor Laws, Harsh Working Conditions, Hate Crimes.

Introduction

Central Asians substantially contributes to global immigrant workers, especially in Russia. The local poor economic conditions along

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with fewer employment opportunities and meagre wages at home are the major reasons for this immigration. Being the ex-colonial master and having close geographical proximity along with basic understanding of Russian language has made Russia an attractive destination for Central Asian labor migrants. More importantly, visa free regime for many of its ex-colonies also makes it easier for the immigrant workers to go to Russia. It is estimated that around four million immigrant workers enter Russia annually, out of which, majority comprises of Uzbeks, Tajiks, Kyrgyzs, and other parts of the Commonwealth of Independent States (CIS).

The Central Asian workers are one third of the total immigrant workers in Russia. Along with this external migration, there is also inland migration within Russia, primarily from North Caucasus, to Moscow and St.Pietersburg.

Central Asian region is well connected with Russia through a network of roads, railway lines, and air routes. Visa free regime for Uzbekistan and Kyrgyzstan also expedite this migration. Similarly, Russian had been a lingua franca within the region; therefore, many people can speak and understand this language. Furthermore, Central Asian diaspora and the relatives of immigrant workers in Russia also encourage labor migration from Central Asia to Russia. The local Russian labor force is shrinking rapidly and it is expected that by year 2020 this shortage will reach up to 10 million. To fill this gap, migrant labor force is direly needed there. Immigrant workers from Central Asia also contribute to the national economies. Besides raising the living standard back in their homes, they send a huge amount of remittances. The World Bank estimates round 52% of Tajik GDP and 31% of Kyrgyz GDP comes from the remittances especially from Russia. Similarly, around 20 percent of Uzbek population works as immigrant workers. Such favorable conditions make Russia a good choice for immigrant workers from Central Asian region. According to data for 2015, “there were 616,000 residence permit holders from Kyrgyzstan; 138,000 from Uzbekistan; 100,000 from Tajikistan, and 85,000 from Kazakhstan” in Russia.

3 “Labour Migration, Remittances, and Human Development in Central Asia,” Eurasian Development Bank, (2015), 8
New Labor and Immigration Laws in Russia and their Impacts on Central Asian Immigrant Workers

Image 1: Number of Migrant Workers in Russia (2011-2015)

The most occupied field by the immigrant workers in Russia is construction industry. Other areas of engagement include retail and services, domestic servants, salesmen and saleswomen, cleaning, loading, jobs at restaurants, and communal services. One of the reasons for immigration policy by Russia is demographic imbalance in population of Russia and Central Asia. Population growth rate in Russia is extremely low while in Central Asia it is
stable, making a surplus pool of labor force in the later which is accommodated in the labor deficit markets of the former.

In order to regulate the affairs of migrant workers, the Russian authorities have been introducing new laws for immigrant workers time to time. However, the series of new laws introduced since 2011 have made the life and working conditions of labor force extremely tough and miserable. There has been a steady decline in the numbers of immigrant workers during the recent years. Furthermore, harsh treatment by Russian police under new laws has forced many workers either to leave for their homes or forced them to stay at their living places, thus cutting off their networking with the local population. Russian media also portrays the ‘Asian’ workers as evil. This negative propaganda by media has created further problems for the immigrant workers. They are mistreated, hated, and sometimes, face violence by the Russian citizens.

After the introduction of new laws in 2017, under which each of the migrant worker has to pass a Russian language test, provision of residential address, paying taxes, and so on, migrant workers are treated harshly not only by police but also by their employers and landlords because later have to pay taxes now. There have been many cases of forced labor and human trafficking; both men and women. Although, there is no discrimination of gender, women and children are most vulnerable whether they migrate or left behind. They have to suffer at the hands of their relatives who exploit them. Women have to face harassment especially where they work as domestic workers. In order to save money, they have to live with men in dormitories in pathetic conditions.

**Working and Living conditions of Central Asian Migrant Workers**

The harsh working conditions are major reason for immigrant workers’ weak health conditions. They face psychological issues, social isolation, and use drugs as well. There have been isolated cases where few workers got involved into terrorism and joined Islamic State (IS) and went to Syria as well. However, majority of the migrant workers obey rules and regulations and are extra conscious in this regard to avoid any inconvenience or police interrogation. Hiring authorities do not stand by their words and give low wages than promised one to the workers. Their working hours are also different from the promised one. Furthermore, they are provided extremely worst places to live. According to Human Rights Watch, “almost 40% of the immigrant workers are in the highly unregulated construction field.” Most of the workers go there for seasonal work which spans from six

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to nine months. “Migrant workers are deceived on a regular basis. They’re hired for construction work and promised a good wage and then left to fend for themselves once their employers disappear.” The employer takes handsome amount from them before they are sent to Russia. However, once they reach their destination, they are forced to work in far flung and difficult areas. Most of the times their passports, work permits, and other relevant documents are withheld. Most of the time, they are not given any copy of legal document especially, their contract. Such conditions make them vulnerable to forced labor and many times they become illegal and are unable to contact police as well.

“Traditional fields of employment for migrants are: construction (38.2%), trade (22.5%), transportation (12.7%), communication (8.8%), catering (7.8%), industry (5.9%), and medicine (2.9%).” Besides these jobs, they also clean streets, work as security guards at different buildings and houses, work as laborer at roads construction, and babysitters. Most of the times they are not entitled to health insurance or are given less accessibility, their wages are far less than the prescribed wages, live in abandoned buildings or containers which are without sanitary facilities, and work for extra time with no money paid.

Image 2: A Worker at Construction Site

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8 Olga K. Vokova et al., “Pridnestrovian Migrant Workers in the Country of the Recipient: Quality of Life and Employment Features,” Journal of History, Culture, and Art Research, 6(3), (June 2017): 1522-23, URL: https://pdfs.semanticscholar.org/60a2/79720bb7c6d6b71d99d2324f0b70590ce18c.pdf
According to reports, conditions become worst when its winters. They are not even provided with drinking water. While describing living conditions of one construction site, Leonid Ragozen says “there’s no shower, sink, or toilet—instead there’s a row of blue portable outhouses, each half-filled with stalagmites of frozen excrement. In the morning, the men shiver over a fire cooking carrot gruel and melting ice from a nearby stream to drink. Most are poorly dressed for the 10 degree weather—one laborer emerges with nothing on his feet but wool socks and flip-flops.” Those who live in rented rooms, have to live in congestion. There are always 5 to 15 people in room according to its capacity which is not gender specific.

Image 3: Living Place

As discussed in the introductory section, migrant workers seldom interact with the local population due to different issues. This isolation has brought them closer to each other. Main points of interaction for the immigrant laborers are either Halal Cafes or Mosques. According to Rano Turaeva, “migrants in Russia live mainly isolated lives. There is little space, time or opportunity to interact with the host population in all but the most perfunctory transactions.” Differences of language, religion, culture,

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traditions, and so on have also contributed for this isolation. The migrants consider Russians ‘ultramodern’ while Russian consider Central Asian workers as ‘Muslims’ and not as Uzbeks, Tajiks, and Kyrgyz. They are regularly interrogated by police even when have all the legal documents. They are suspected as terrorist and extremists.

Police treat them harshly and extort money from them as well. They are locked up routinely besides beating and interrogation. In a police raid “migrants were forced to strip naked in freezing winter temperatures, their clothes then tossed onto a bonfire. More commonly, the police would confiscate cash or make the migrants their personal slaves.”

Cultural differences are the major reason for anti-migrants sentiments among the Russian population. Russian migration policies fail to integrate and accommodate the country’s millions of migrants. “Russia for Russians and “White Power” were the slogans of Russian protesters when an Azerbaijani immigrant worker killed a Russian citizen over a dispute. The immigrant workers are considered as “criminal and diseased” by Russian people. An Uzbek immigrant worker, currently a private driver says that “the locals think we are second-class people, and it comes out in their everyday attitudes toward us. They call us Gooks’ or 'monkeys' -- we have to tolerate every possible kind of insult.”

There have been increasing incidences where migrant workers are abandoned once they land in to Russia. The agents take money from them to get entry but run away after the workers are entered in Russia. According to Human Rights Watch, four men from a far flung area of Tajikistan paid the agents for jobs to be paid between $800-$1000 in Sochi. However, they were abandoned by the intermediaries 250 KMs away in a small village from their destination. They had no money to buy a ticket to go home. Their passports were then sold to a construction contractor who kept them in his custody for 85 days with no salary, less food, and filthy and abandoned

barracks by Russian military to live. They, along with other such workers had to break large and hard rocks with obsolete equipment. They used to collect rain water for drinking. They were fortunate enough that an organization working for the rights of immigrants got knowledge of them and was able to get them out of the custody of that contractor.\textsuperscript{16}

In most of the cases, workers continue their labor even without getting salary for months in a hope to receive the same by the end. They need to send that money to their families in their home countries. One of such case is of Azmat and his co-workers. They were sent to Moscow from Kyrgyzstan for a large construction work at a local university in Moscow. For three months, they were paid irregularly due to which many of the workers left that site while some others including Azmat continued to work in hope for delayed payments. Azmat had to work for three more months until he also decided to leave the job for non-payments. He left back to Kyrgyzstan. The contractor usurped US $42,220 of Azmat and his co-workers.\textsuperscript{17}

There is a surge in hate against the Central Asian migrant workers in Russia. Xenophobia is very common against them. Uzbek taxi driver Sherzod Astanayev was stabbed into his forehead by a Russian passenger. The recent polls depict that majority of Russians want to restrict the entry of immigrant workers from Central Asia. However, Moscow cannot revert its policy to let the migrant workers to Russia due to cheap labor as well as odd jobs done by these workers.

\textbf{New Labor Laws and the Life of Immigrant Workers}

In 2018, new law was enforced under which a migrant worker has to register his actual residence address rather than the employer’s office address. This situation is complex for the immigrant workers as their landlords do not get their tenets registered with authorities to avoid taxes. If they are caught, they pay fine or bribe police to settle down the issue.\textsuperscript{18} The absence of written contract is another major issue for migrant workers. Some companies make fake permits in return of money for the immigrant workers in order to avoid police interrogations. However, such permits are not registered with the authorities. Thus, they are always vulnerable to


deportation or heavy fines. According to new laws, employer has to pay 50,000 Rubles per unregistered employee while immigrant worker has to pay 400,000 Rubles for fake or no registration.

The law also says that upon two infractions like smoking in prohibited areas, jaywalking, traffic violations, or non-registration of residence can ban one’s re-entry into Russia. Even the migrants are not aware of their offenses and got to know once they try to re-enter into Russia after spending some time in their own countries. A migration specialist at Manchester University, Madelene Reeves says that “it’s a kind of deportation by stealth…There has been a real increase in the severity of how the law is being implemented, especially in terms of re-entry.”

Those migrant workers who have their own properties after living for decades have no clue how they would get themselves register as they do not have any landlords. One of such worker stated that “I, for example, don’t know where to go, who to speak to or how to register myself in my own apartment, which I’ve owned for almost 20 years now.” Many experts believe that such laws are to control the illegal migrants from Central Asia as well as to increase national revenues.

Even if a worker has been there for several years and has not violated any rule, he/she is ineligible for long term residence permit. The new laws say that “migrants must now pass an exam proving a basic knowledge of the Russian language and the country’s laws and history.” Other issues which migrant workers have to face are “significant delays in issuing work permits; early expiration of quotas for work permits; and other bureaucratic obstacles.”

Furthermore, declining oil prices in international markets and overall economic decline in Russia has forced the construction industry to slow down, resulting in the joblessness of about 20-25% of immigrant workers. A Tajik migrant women in Chelobityevo town says “almost

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19 Maria Lipman and YuliaFlorinskaya, “Labour Migration in Russia,”
everyone has gone home now that there’s no more work.”

Police interrogation is a routine now. They stop everyone and everywhere because of their Asian identity. “You are walking around always nervously thinking you could get stopped and if you don’t have any money, the police will ask you to call some friends and [have them] bring money,” one migrant from Central Asia says. "For [us] living in Moscow is no dream anymore; it's about working to send some money back home.”

According to Baktygul Bayalieyava, a 38 years of Kyrgyz migrant worker in Moscow, one day police stopped me and asked me to show my documents which I showed them. She states that "my documents were in order, but they obviously did not want to let me go…They pushed me into their car and drove me away somewhere ... and suggested that I pay them off. They let me go after I gave them 3,000 Rubles ($51). At that time, it was almost an entire week's pay for me.”

Similarly, another migrant worker from Uzbekistan, Usmanov says that “‘When I saw a patrol car, I usually ducked into the nearest [apartment] courtyard... They easily figure out their victims -- a Kyrgyz or an Uzbek. For them, we're a cash cow.’

Image 4: Police Interrogation

Rise of terrorism and extremism are also reason for police interrogation. Involvement of migrant workers in terrorists and extremist activities make the Central Asians vulnerable to police interrogation. The authorities have also tightened rules and regulations for the migrant workers especially from Central Asia in this regard. Since, the ‘Muslim’ identity is attached to the Central Asian migrants; they have to obey the new laws. Moreover, “the collapse of the Soviet Union, the war in Syria, domestic terrorist attacks, public opinion, and political platforms all support and sustain the securitization of migration in Russia.”

There are evidences where IS has recruited online few of the Central Asian migrant workers in Russia. They went to Syria to fight as well. According to Sergey Abashen, a leading political analyst on Central Asia, the number is very small. He says out “of the three million Central Asian migrants in Russia, only around 5000 have gone to Syria.”

Akbarjon Jalilov, a 22-year-old Russian citizen and ethnic Uzbek born in Kyrgyzstan, blew himself up in the St. Petersburg metro system on April 3, 2017, killing 14 people.” That incident also forced Russian authorities to re-think about their migration policies vis-a-vis Central Asia.

The 2015 labor laws forced the migrant workers from non-Eurasian Economic Community (EurAsEC) countries to get registered and acquire work permit within one month of their entry to Russia. It also says that they must register themselves with tax system and give a Russian language exam. Such kind of retractions have been fatal for the Central Asian immigrants especially because around 1.2 million Tajik migrant workers out of total 7.5 million population work in Russia. They are a major source of Tajik economy as well. Similarly, a substantial number of Uzbek workers are in Russia. Both these states are not the member of EurAsEC. Steady decline in Rubles value has also brought the living standard of the families of migrant workers down. Furthermore, all the legal formalities cost around $500, to get a work permit besides getting a passport along with biometric verification, medical tests, and Russian language certificate course, to a Tajik migrant worker. The tax to get work permit was 1100-1200 Rubles per month in

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which reached up to 4500 rubles in 2018.\textsuperscript{33} Migrant workers, whether employed or not, have to pay 16000-18000 Rubles at the time of entry into Russia.

One of the immigrant workers from Tajikistan says that with the introduction of new immigration and labor laws, things have been complicated for us. We need to get our place of residence registered with police which, in most cases, is not acceptable to our landlords because they do not want to pay taxes. What they have asked us is to pay 3000 Rubles extra every month. We are here to earn money in order to feed our families back at home. We bear all harsh conditions and hate in order to provide a better life for our dependents back at home but such kind of laws will reduce our incomes and our families will suffer subsequently.\textsuperscript{34} Similarly, affordable places are overcrowded and the landowners avoid to rent those to the immigrant workers. Sometimes, in order to avoid police, immigrants have to get themselves registered with luxury apartments which cost them most of their monthly income.

Immigrant workers from Central Asia have to face discrimination “with respect to contractual status, level of wages, hours worked and occupational safety and health issues.”\textsuperscript{35} Such discrimination has led to the immigrant workers limited access to health care, education opportunities for their children, and other social discriminations besides all times fear of deportation.

Valentina Chupik, a human rights activist from Moscow says that "the person (immigrant worker when detained) is put into a basement, a cubicle, a tiny cell, without any furniture, with vermin, without food or water or the chance to go to the bathroom… They take their phones away … [and] … hold them for days, so that the migrants want to ransom themselves.”\textsuperscript{36}

**Positive side**

Immigrant workers from Central Asia especially from Tajikistan and Kyrgyzstan contribute significantly to their national GDPs. Tajikistan and Kyrgyzstan have been the top countries in the world during 2017 which were heavily dependent on remittances. According to the World Bank,  

\textsuperscript{33} Maria Lipman and Yulia Florinskaya, “Labour Migration in Russia,”
\textsuperscript{34} Nicholas Muller, Russia: New Migration Registration Rules Threaten the Tenuous Livelihood,” Eurasianet, (July 17, 2018). URL: https://eurasianet.org/russia-new-migrant-registration-rules-threaten-tenous-livelihoods
around 36.6% of Tajik GDP and 30% of Kyrgyz GDP relied upon remittances primarily coming from Russia. Such a high dependence on remittances make Russia an attraction not only for the immigrant workers but for governments of these states as well. Kyrgyzstan and Tajikistan have charted out state level policies to encourage immigration of labor force. The immigrants living in Russia for several years have managed to bring their families along with for jobs and education. Their children go to local schools and colleges. Moreover, there is a trend where migrants are marrying local Russian women. Furthermore, recent ban by the West on Russians have changed societal behavior towards immigrants substantially. Such developments have increased the chances of acceptability of immigrant workers as well as good living conditions for their children. These children, when grown up, will also merge in Russian society and will be more Russified than Central Asians.

Having diverse and modern knowledge and experience of the Russian model of developing, the migrant workers would eventually influence policy makers of their own states for future planning. It will also help the communities back at home to better understand the Russian culture and its acceptability. The social capital of the immigrant workers as well as Central Asian diaspora living in Russia needs to be utilized effectively. It can not only bring social transformation but the small and medium enterprises can get benefit and develop from their experiences. Their know how and skills will add upon into this development process.

In order to avoid police and hatred from the ethnic Russians and to heal themselves, “Muslim migrants fill [this] gap with alternative systems of belonging to a Muslim spaces of self-support, economic and other trust networks, alternative medical care, social and cultural spaces and moral support.” Such Muslim spaces are mosques network within Russia, especially Moscow. Many of the immigrant workers say that they were not only able to avoid hate crimes but were blessed to know about their religion and practices which, in their native areas, is known and practiced by elderly people only.

Many of the migrant workers from Uzbekistan, Kyrgyzstan and Tajikistan eye Kazakhstan as their potential destination because of better working conditions. Kazakhstan has the second highest GDP and per capita income after Russia in the whole CIS. Although, less in job opportunities than Russia, Kazakhstan is more acceptable to the Central Asian workers due to shared culture, history, language, and religion. Although, Kazakh population is far less than Russia, the potential investment in the hydrocarbon sector as well uranium and gold production along with

38 Rano Turaeva, “Imagined Mosques Communities in Russia” 135.
initiation of key routes under Belt and Road Initiative (BRI) of China, have opened up new job opportunities in Kazakhstan. The whole scenario may contribute not only for the development of Kazakhstan but also for the whole Central Asia region.

**Recommendations**

Instead of spending their earnings in non-development sectors, especially construction and renovation of houses, the immigrant workers must invest into small and medium businesses in their home countries in order to generate economic opportunities.

Russian government must chart out comprehensive and migrant friendly policies which are not only helpful for the immigrant workers to work peacefully but would encourage them to integrate into the broader Russian society. It should be quick to redress their grievances and must punish those employers who cheat the immigrant labor.

Russian media must do sensible reporting in order to create a positive and friendly environment for the immigrant workers. Negative attitudes inculcate helplessness and rage among the workers, which sometimes had been transformed into extremism. So, in order to avoid such negative tendencies on the part of immigrant workers, it is necessary that Russian media plays its role positively.

The policy makers in Russia must focus on the demand of immigrant workers and hence, positive aspects of immigration must be considered while policy formulation.

Immigrant workers’ home states must also own them and chart out strategies and policies to help the workers during their travel to and from and their stay in Russia. Since, immigrant workers contributes substantially in the national economies of Central Asian countries, these states must be at their front foot in order to protect and promote the interests of immigrant workers.

The governments of Uzbekistan, Kyrgyzstan, and Tajikistan must focus on good governance and economic development. They must be investing and encouraging small and medium enterprises in order to generate employment opportunities at home. This may limit the outflow of immigrant workers who face harsh conditions in Russia now.

The International Labor Organization and International Organization for Immigration must also intervene into the matter and must try to convince the Russian government to review its new immigration and labor laws. This may ease the working conditions for immigrant workers.

**Conclusion**

The research has shown us that Russia is in dire need for cheap labor for its construction sector primarily. Moreover, it also needs workers for low grade jobs which the Russian citizens are not interested to do.
Central Asian states are building their nations and face economic hardships. Therefore, millions of laborers migrate to Russia for jobs. The Central Asian state, especially Uzbekistan, Kyrgyzstan, and Tajikistan encourage labor migration to Russia because remittances sent by the workers have positive impacts on their national economies.

The Central Asian migrant workers have to face many difficulties especially after a series of new labor and immigration laws. They have to face mistreatment not only by employers but also from Russian authorities especially police which extort money from them. Many times, the workers do not report mistreatment because of the fear of deportation. Many times they are subject to forced labor. Despite their valuable share in the Russian economy, migrant workers are considered as criminals and in worst cases terrorists. Migrants from Central Asia face negative treatment and discriminatory attitude most of the times.

This maltreatment has forced many of the workers to take refuge into religious gatherings notably in mosques and Halal cafes. They socialize and share their experiences in such gathering because they are not welcomed into the mainstream Russian society. There are few organizations and individuals who are working for the rights of these workers but they are just few. The new immigration and labor laws have forced many of the Central Asian migrant workers to look towards alternative destinations out of which Kazakhstan and Turkey are at the top list.

Bibliography


