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# THE RIGHTS OF MIGRANTS

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## THE SECOND YEAR OF WAR: PERSECUTION OF MIGRANTS IN RUSSIA IN 2023

### From populist statements to restrictions of rights, discrimination, police raids, recruitment for war

*In 2023, against the background of war, anti-migrant populism has firmly reemerged in Russian politics. Politicians and official figures are actively expressing anti-migrants' views, and negative news about migrants has become a noticeable part of the media agenda. At the grass-roots level, quasi-civil ultra-right organisations specialising in anti-migrant themes, such as "Russkaya Obshchina" (Russian Community) and "Severnny Chelovek" (Northern Man), have gained influence. Against this backdrop, discussions and restrictions on migrant rights are being introduced. Regular and demonstratively harsh police raids are taking place, followed by forcible recruitment of foreign citizens and those who have recently acquired Russian citizenship for the war. At the same time, racist violence is escalating on the streets. However, due to military mobilisation and the state's attempts to achieve import substitu-*

*tion, the demand for cheap labour of foreign workers has paradoxically increased. This creates a situation where, on one hand, the Russian state and its associated businesses actively attract labour migrants from Central Asian countries, and on the other hand, they restrict migrant rights and engage in the harassment of migrants to increase the population's loyalty.*

#### CONTEXT

The anti-migrant discourse emerged in Russian politics in the early 2000s, spurred by nationalist organisations such as the Movement Against Illegal Immigration (DPNI), which sought to emulate similar European movements. It remained a prominent part of the political agenda until the beginning of the first war in Ukraine in 2014. Both opposition politicians (for example, Alexey Naval-

ny's campaign for Moscow mayor, which actively exploited migration issues), and official political players (such as the incumbent Moscow mayor Sergey Sobyanin who organised a symbolic camp of illegal migrants on the outskirts of Moscow during the same elections) actively used this theme.

The resurgence of the migration theme in the political mainstream became evident only in 2021 against the backdrop of the elections to the State Duma. Anti-migrant narratives started regularly appearing in the media, and several high-ranking politicians made populist anti-migrant statements. With the onset of the war, the issue of migrants once again receded from the public attention. However, by the end of the year, there was a trend indicating its return to the main societal agenda.

In this context, it is symbolic that one of the first significant events of 2023 was a massive police raid on migrants in the center of St. Petersburg on New Year's

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Eve. Law enforcement officers detained around 2,000 citizens from ex-USSR countries on Palace Square, loaded them onto buses, and took them for a “document check.” Out of the 1,960 individuals detained, document issues were identified in only 69 cases. The majority of the latter were fined, and four were placed in the migration detention facility. The rest of the detainees had nothing to incriminate – for them, this “preventive operation” just spoiled their New Year’s holiday.

## MIGRANTOPHOBIA AND RACISM

The anti-migrant discourse in Russia is marked by pronounced racist characteristics. The targets of these attacks are not all foreign citizens living in Russia, but specifically those who are ethnically or culturally different from Russians. Opponents of migration, in their statements, contrast migrants from Central Asia and the South Caucasus with ethnic Russians from the same regions and residents of the occupied territories of Ukraine. Striking examples of such expressions can be found in the words of Kirill Kabanov, a member of the Human Rights Council under the President of the Russian Federation.

On January 23, in his official Telegram channel, Kabanov published a call to temporarily restrict the issuance of Russian citizenship under the compatriots resettlement program. According to him, instead of «bearers of the Russian language and our culture,» the program is being used by inhabitants of some «kishlak on the Panj River with the support of their diaspora and money.» Meanwhile, «our brethren, bearers of the common language and culture, and, most outrageously, residents of new territories, often go through months, and some even multi-year bureaucratic ‘circles of hell’ to obtain the citizenship of Russia rightfully and dear to them.»

Kabanov consistently makes such statements and is not an exception in the Russian establishment. Similar remarks are made by both official figures and representatives of influential societal institutions. By the end of the year, amidst criticism of police raids in mosques and prayer houses by Muslim influencers, Patriarch Kirill of the Russian Orthodox Church (ROC) joined the harassment of migrants. On October 25, during a meeting with students at the Moscow Pedagogical State University (MPGU), he expressed concern about the long-term consequences of attracting cheap labor from abroad to Russia. In his view, such individuals «do not become close to us in terms of faith or culture.» He fears that if a different faith and culture were to «God

forbid, dominate,» Russians would «lose the country.» He referred to the Russian people as the «core» of Russia.

The Patriarch continued his critique of migration from the perspective of the «state-forming people» at the World Russian People’s Council on November 28. The head of the Russian Orthodox Church (ROC) stated that erroneous migration policies could lead to «the most unfortunate consequences» in Russia. He expressed concern that the influx of labor migrants, who are «neither capable nor willing to integrate» into Russian society, is altering the appearance of cities and changing the «legal, cultural, and linguistic space» of the country.

## RECRUITMENT AND FORCED MOBILISATION OF MIGRANTS

Despite the disdainful and hostile attitude towards migrants from Central Asia, the Russian state actively recruits them for the war in Ukraine. Reports of recruiting migrants for the “Special Military Operation” (SVO) started emerging as early as the spring of 2022. The Ministry of Defence reached out to foreigners who had recently obtained Russian passports or those planning to acquire citizenship, promising them a fast procedure. Wagner Group structures sought collaboration with foreigners serving sentences in the Russian penal system, offering them release. Information from the relatives of those convicted indicated that the promises extended beyond release and financial rewards to include torture. A wide-ranging campaign to attract migrants was unfolded in Russian cities, especially in migration facilities. For instance, a recruitment point was established in the Sakharovo migration centre (near Moscow).

### Recruitment of foreigners

All these methods of recruiting migrants for the war persisted into 2023, with some undergoing additional development. In April 2023, the Ministry of Defence began involving heads of diasporas in recruitment efforts, and recruiters continued to contact migrants with contract offers. Reports indicated that inmates in deportation centers were being approached with offers to join the war, promising financial rewards and documents. This extended not only to individuals from Central Asia but also to migrants from distant countries who had unsuccessfully attempted to enter Europe through the Finnish border but were detained due to expired visas. Moreover, starting from the fall of 2023, contract service in the army was offered to women

as well, including those serving sentences in Russian prisons. Previously, only men had been recruited for such roles.

The practice of coercing foreigners into service in the Russian army has also persisted. Human rights activists and journalists have reported that individuals from Central Asian countries, including those held against their will, are being sent to war. In August, following reports from the Kaluga region about the coercion of Tajikistani citizens in detention to sign contracts with the Russian Ministry of Defense, the situation required intervention from the Ministry of Foreign Affairs of Tajikistan. After this intervention, the threats ceased.

Reports of recruiting foreigners through deception and blackmail continued. For instance, in the Kaluga region, migrants were reportedly illegally denied the acceptance of documents for obtaining Russian citizenship unless they signed a contract with the Ministry of Defense.

## Military Mobilization of Migrants Who Have Obtained Russian Citizenship

However, the most significant changes occurred in the practice of recruiting migrants with acquired Russian citizenship for the war. If in the spring of 2022, they were merely contacted by phone, and in the fall, attempts were made to enlist them on par with Russians, by the end of the summer of 2023, naturalised individuals from Central Asia became the targets of specifically organised manhunts.

On an official level, the idea of prioritising the mobilisation of naturalised individuals from Central Asia in Russia was publicly articulated early in the year by the head of the Investigative Committee of Russia (SKR), Alexander Bastykin. He stated that participation in combat actions for naturalised foreigners is a constitutional duty and that consideration should be given to prioritising their deployment to the front lines. Following this, cases of travel restrictions for individuals from Tajikistan and Kyrgyzstan with Russian passports came to light at the end of the month. They were informed that they were on mobilisation lists, preventing them from leaving the territory of Russia for this reason.

In May, Mikhail Matveev, a State Duma deputy from the Communist Party of the Russian Federation (KPRF), announced that he was developing a draft law allowing the deployment of migrants with Russian citizenship to war. According to him, the need for drafting the bill arises from the fact that individuals with dual citizenship are not subject to conscription; they can only join the ranks of the Russian armed forces as volunteers

by signing a contract. In reality, conscription of citizens with dual citizenship is possible, even if a man has completed his military service in his home country. Relevant amendments to the «On Military Duty» law were introduced as early as 2013. The only exceptions are citizens of Tajikistan, with whom Russia has signed corresponding agreements.

In May, Bastrykin reiterated the idea of prioritising the involvement of naturalised citizens in military service at the St. Petersburg International Legal Forum. He justified this approach by highlighting the increasing number of serious and especially serious crimes committed by «non-Russian» migrants in Russia:

*«Here's the idea expressed by people: while Russkie (ethnically Russians) are on the front lines, migrants are attacking our rear. People suggest that if they are citizens of Russia, having acquired citizenship, please, go to the front. If you don't go to the front, if you don't fulfill your civic duty, please, go back to your homeland.»*

Thus, a representative of the authorities publicly justified the call to war with a statement about migrants' heightened propensity for crime and their hostile attitude toward members of the «state-forming people.»

In July, a similar idea was put forward by Valery Fadeev, the head of the Presidential Human Rights Council, who proposed synchronising the issuance of Russian passports to foreigners with their enlistment in military service. Fadeev lamented that upon obtaining citizenship, men often forget to register with the military enlistment office.

On the day of Fadeev's speech in St. Petersburg, raids took place in two cities in Chuvashia, during which the police targeted not only migrants but also those who had recently acquired Russian citizenship. The Chuvashia FSB reported that 10 people were brought to the military enlistment office, while the police in St. Petersburg claimed to have forcibly registered more than 100 individuals.

Subsequently, this practice spread to other cities in the Russian Federation, and raids on migrants were accompanied by representatives of military enlistment offices. Throughout August, reports of raids on migrants followed by their compulsory registration with military enlistment offices emerged from Chelyabinsk, Perm, Moscow, Nizhny Novgorod, and other cities.

Since the fall, administrative cases have been initiated against naturalized Russian citizens for failing to fulfill the duty of timely military registration, and the Investigative Committee began initiating criminal cases for evading military service. Raids continued across the country, with individuals subject to conscription and dual citizenship becoming the main target for law enforcement agencies.

## THE RAIDS

Starting the year with raids on festivities during New Year's Eve, Russian law enforcement continually expanded the list of their targets. While in the past, raids mainly took place in markets, construction sites, and dormitories, in 2023, almost any space or event where Central Asian natives were present could attract the attention of law enforcement. From mid-year onwards, representatives of military enlistment offices joined the raids, targeting individuals with acquired Russian citizenship.

The number and brutality of raids in 2023 were so egregious that they even raised questions from countries that are migration donors. Normally, authorities of these countries, economically dependent on Russia, do not criticize the actions of Russian law enforcement.

For example, in May 2023, law enforcement conducted a brutal anti-migrant raid in a university dormitory in Komsomolsk-on-Amur. According to media reports, hundreds of Tajik students were beaten during document checks. The incident was so resonant that the Prosecutor General of Tajikistan urgently sent a telegram to the Prosecutor General's Office of the Russian Federation requesting an investigation into the actions of law enforcement and a legal assessment. The Tajikistan Ministry of Foreign Affairs invited the Russian Ambassador to clarify the situation. On June 6, the foreign ministers of Russia and Tajikistan discussed the matter during a personal meeting in Dushanbe.

However, these efforts did not reduce the scale or brutality of the raids. In August, the leadership of the Tajikistan Ministry of Labor and Migration stated that the raids were linked to the resumption of the «Illegal» operation, which had been suspended due to the pandemic. It was emphasised that all migrants, not just those from Tajikistan, were being targeted by the pressure.

According to police reports, during the operation conducted from June 19 to 25, approximately 7,000 people were deported from Russia, and criminal cases were initiated against another two thousand under various charges. In November, new data was released, with law enforcement claiming that more than 15,000 individuals were deported, and approximately 3,600 criminal cases were initiated during the operation.

A distinctive feature of the raids in 2023 was not only their demonstrative brutality but also the media coverage. Many of these operations were presented as responses to complaints from local residents.

In May, prompted by far-right organizations, the police began detaining migrants at sports facilities and football stadiums near schools. The formal pretext for these crackdowns was reports claiming that foreigners allegedly prevented local children from using sports infrastructure. Such detentions were documented in Moscow, St. Petersburg, Blagoveshchensk, Sochi, and Rostov-on-Don.

## Raids in religious institutions

A significant shift in the raids on migrants to a fundamentally new level, coupled with racial profiling, was exemplified by the crackdowns in mosques and Muslim religious centers. These raids targeted individuals from Central Asia, where Islam is traditionally prevalent.

The first raid in a mosque took place on February 17 in Yekaterinburg, initially escaping widespread public attention. The situation changed after a raid on a Muslim center in Kotelniki (Moscow). While emphasizing the multi-religious character of Russian society, authorities had previously refrained from targeting Muslims as a whole, though they supported pressure on unregulated religious associations. In the summer of 2023, the situation shifted: raids now targeted centers associated with the official Spiritual Administration of Muslims, and its advocacy failed to halt these operations.

In mid-May, a group of individuals «on behalf of the remaining few Russian residents of the area» recorded a video appeal to the president, urging him to address the «mosque» in their residential building. According to their claims, the mosque attracts migrants, making the «locals» feel unsafe and unable to park their cars. The message was widely circulated on far-right social media platforms, where users were encouraged to forward it to the Investigative Committee's office.

On May 17, investigators from the Lyubertsy Investigative Committee inspected and sealed the premises. They also conducted a raid during which «34 protocols on administrative offences committed by foreign citizens were drawn up, including the identification of 6 violators of migration legislation and 8 violators of traffic rules.» Subsequent raids took place in other locations in Kotelniki, frequented by migrants.

The Spiritual Administration of Muslims of the Moscow Region appealed to the prosecutor's office, but it did not yield results. In July, the raids continued in other premises in Kotelniki, rented by local Muslims for prayers and religious meetings. In one of them, law enforcement officers burst in during prayers, roughly arrested the worshippers, fright-



ened children, and even sprayed a fire extinguisher on people. According to ultranationalist organizations, which claimed credit for the police raids, more than 70 people were detained.

Muslims also decided to record a video appeal to the president, arguing that the actions of law enforcement cause «significant damage to interethnic and interreligious harmony in society.» They were supported by the head of Chechnya, Ramzan Kadyrov, who called the actions of law enforcement «unprofessional.» Protesting against police raids, a group of Muslims marched through the center of Moscow after Friday prayers. However, this action received criticism from Kadyrov and the Muslim establishment.

Nevertheless, neither the appeals to the president, nor Kadyrov's statements, nor street actions stopped the raids in mosques. In September, the Investigative Committee launched a criminal case against one of the religious centers, and the practice of raids during Friday prayers spread to other cities. Moreover, the victims of the raids were taken to military enlistment offices, where they underwent an urgent medical examination and were handed military summons.

## Raids in public and private spaces

Following the raids in football stadiums and religious centres, the crackdowns began to take place in other unexpected locations. In July and September, raids occurred in several sports clubs in Moscow, where migrants often train. In October, in Khabarovsk, police checked documents during a mixed martial arts tournament called «Strelka.» Foreign citizens were taken aside for document verification, and the tournament had to be shortened due to a shortage of athletes.

In October and November, the police started conducting raids at festive gatherings. On October 31, an Azerbaijani wedding at the «Kurakina Dacha» restaurant in St. Petersburg became the target of a raid. The formal reason for the raid was the search for the scandalous blogger Tural Mamedov, who had filmed the beating of Russian teenagers. Despite Mamedov's absence at the event, documents were checked for all 500 guests and kitchen staff. As a result, 5 people were detained for document issues. Similar checks took place in the restaurants «Bakinskiy Dvor» and «Nevskaya Zhemchuzhina» and a sports hall associated with the Azerbaijani diaspora. A similar raid occurred in Voronezh at the «Fort» restaurant in November during a birthday celebration. Law enforcement not only checked documents but also handed out about 50 military conscription notices.

At the end of November, a raid was conducted on migrant taxi drivers at Norilsk Airport. Law enforcement claimed that the reason was complaints from residents about «intrusive taxi drivers.» As a result, about 40 drivers were detained, accusing them of violating military registration rules (Article 21.5 of the Code of Administrative Offenses of the Russian Federation).

The media spotlight was on the raids at the warehouses of the largest online retailer, Wildberries, which took place before «Black Friday» in December. The police were searching for migrants and those who had recently acquired Russian citizenship. According to law enforcement reports, 105 Wildberries employees with acquired citizenship were taken to military enlistment offices. Following this, a similar raid occurred at warehouses in the Tula region.

In December, a food court in the «Greenwich» shopping centre in Yekaterinburg was subjected to a raid, where the police checked documents of individuals resembling migrants. As a result, 16 people who had recently acquired Russian citizenship were detained. They were lined up, taken out of the shopping centre, and transported to the military enlistment office for enlistment. The pretext for the raid was a recent fight involving migrants, which ended in a shootout. In Saratov, a raid occurred in bars, cafes, and nightclubs.

## ALLEGATIONS OF THE PARTICULAR CRIMINALITY OF MIGRANTS

The main justification for police raids and other repressive measures against migrants is the claims of their alleged increased propensity for criminal activities. Paradoxically, this is often used to explain the necessity of involving them in military service, even though participation in war implies training in weapon handling and the practical application of it.

One of the most prominent speakers on this topic in recent times has been the head of the Investigative Committee of Russia (SKR), Alexander Bastrykin. In March 2023, he stated that in 2022, compared to 2021, the number of criminal offenses involving migrants had tripled.

The reliability of these data is highly questionable. According to official data from the Prosecutor's Office of the Russian Federation, in 2022, foreigners and stateless persons committed 40,154 crimes, compared to 36,420 the previous year. Thus, the increase was only 10% and occurred against the backdrop of an increase in the number of foreign workers entering the country after the easing of coronavirus restrictions. Moreover, ac-

cording to the same data from the Prosecutor's Office, foreign workers commit crimes less frequently than Russians. They account for only 2.04% of the 1.96 million crimes committed in Russia in a year, although various estimates suggest that the proportion of migrants in Russia ranges from 6% to 10%.

Contrary to these figures, tendentious news about crimes committed by migrants is circulated in the media. A number of media projects associated with far-right political groups, through social media, have managed to make «migrant crime» a widely discussed public topic.

This myth is not only exploited by representatives of law enforcement, who enhance their own significance by appealing to the fight against migrant crime, but also by systemic political figures of all shades. In August, Vladislav Davankov, a member of the formally «liberal» party «New People,» proposed a law that would allow the deportation of migrants for «harassing citizens.» In September, LDPR deputies and Senator Elena Afanasyeva introduced a bill requiring the expulsion of migrants from Russia for violating certain articles of the Administrative Code of the Russian Federation. In September, Mikhail Matveev, a deputy from the Communist Party of the Russian Federation (KPRF), suggested a ten-year ban on issuing weapon licenses after obtaining Russian citizenship. Later, deputies from «A Just Russia» supported a similar initiative. However, all these populist initiatives faced negative feedback from the legal department of the State Duma and are unlikely to be implemented in practice.

## DEPRIVATION OF CITIZENSHIP

Populist proposals to revoke acquired citizenship, voiced by many politicians in 2023, did not find support in the government as well. In February, the governor of the Kaluga region called for revoking citizenship without a trial if it was obtained based on questionable documents (language proficiency). In March, the legislative assembly of the Kaluga region proposed a similar initiative against sham marriages. Both initiatives were rejected because existing law already allows for revoking citizenship in cases of providing knowingly false information. In late August, KPRF deputy Matveev introduced a bill on revoking citizenship for evading military registration or mobilization. In October, the head of the Investigative Committee, Bastrykin, proposed a similar idea. However, these proposals were also rejected.

However, the main reason for the failure of initiatives in this area was that in October of this year, a new citizenship law came into effect, which already allows

for the revocation of acquired citizenship for a significant number of reasons – for committing crimes falling under the 64 articles of the Russian Criminal Code. On December 13, two men were deprived of their citizenship for crimes related to drug trafficking. On December 15, a Chelyabinsk court revoked the citizenship of two brothers aged 21 and 24 who failed to enlist in military service after receiving Russian passports. The court interpreted their evasion as the submission of «knowingly false information.» In addition to drug crimes and terrorist articles, citizenship revocation is imposed for a whole list of political offenses: calls for imposing restrictive measures against Russia, rehabilitation of Nazism, discrediting the armed forces of Russia, as well as «public calls for unleashing aggressive war.»

## LABOR RESTRICTIONS AND REDUCING THE ATTRACTIVENESS OF MIGRANTS FOR BUSINESS

One of the consequences of the mass conscription, attempts to establish import substitution, and the activation of the defense complex was a shortage of labor resources. By the summer of 2023, the official unemployment rate in Russia had dropped to 3%, and experts noted a shortage of personnel, which primarily affected the manufacturing industry and agriculture. The simplest way to replenish labor resources is to attract foreign workers, as suggested by Minister of Economy Reshetnikov in September of this year. However, similar ideas and statements about a shortage of labor re-

sources had been coming from businesses earlier, and according to demographic forecasts, attracting workers from other countries is the only way to maintain the necessary number of working-age population in the foreseeable future.

In contrast to the economic bloc, proponents of immigration control advocate for a reduction in the number of migrant workers and lobby for measures that would decrease the attractiveness of foreign labor for businesses. Most of these statements carry a populist tone and are unlikely to be implemented in reality.

In April 2023, the head of the Investigative Committee, Bastrykin, proposed introducing a “significant tax” for using migrant labor, aiming to motivate employers to hire Russians. In August, “Spravedlivaya Rossia” party advocated for a fourfold increase in the cost of a patent to reduce competition from migrants. In September, a State Duma deputy Kolunov revealed his involvement in drafting a law that would require employers to provide housing for migrants—renting apartments for them or organising special dormitories. The proposed law included substantial fines for non-compliance. In April, the Ministry of Internal Affairs suggested granting itself the authority to annul a migrant’s work permit at the employer’s request.

In June, the head of the Presidential Human Rights Council, Fadeev, called for the establishment of quotas for migrant workers for companies and industries; a similar idea was put forward by deputies of the “Spravedlivaya Rossia – For Truth” party. They submitted a bill to the State Duma prohibiting migrant labor in certain industries and setting a

maximum number of migrants in various sectors. As of December 2023, none of these initiatives had been implemented.

These statements are populist and reveal the incompetence of their initiators: in Russia, a government decree has been in effect already for several years establishing the permissible share of foreign workers at the federal level, and in some industries, this share is zero. Moreover, restrictions on the employment of migrants in certain sectors of the economy have long been in place in several regions.

In the Chelyabinsk region, a ban on employment in passenger transportation for foreign workers with patents was introduced as early as 2015. However, citizens of Euro-Asian Economic Union member states – Kazakhstan, Kyrgyzstan, Belarus, and Armenia – are not subject to this restriction. In the Tyumen region, a similar ban was adopted in 2019. In the Kaliningrad region, since 2021, there has been a ban on foreign labor in the production of bread, confectionery, and baby food, in passenger transportation by buses and taxis, in short-term rental housing, in the field of preschool and school education. Starting from 2024, this list will also include work in the field of data processing and information services. Similar restrictions, as well as the suspension of naturalisation of foreigners under the “resettlement of compatriots” program, have been introduced in the Kaluga region since 2022. In 2023, these regions were joined by the Tula region, where migrants were prohibited from working in catering, public transport, as well as trading in alcohol and tobacco, and the Magadan region, where the ban was limited to passenger transportation.



## ADC MEMORIAL-BRUSSELS: 10 YEARS OF WORK (2013-2023)

A new publication dated to the 10th anniversary of ADC Memorial in Brussels reflects the diversity of the organization’s activities: protection of the rights of minorities (Roma, Crimean Tatar people, Central Asian minorities (Pamiris, Dungans, Karakalpaks, Uighurs)); the rights of vulnerable groups of children (migrants, refugee children from Ukraine); women’s rights to work and a campaign against lists of prohibited professions; protection of LGBTI+ rights in the region; protection of the rights of migrants and stateless persons.

## AT LEAST WIN SOMEONE OVER

### Migrantophobia – a new wave

*In the spring of the current year, against the backdrop of exciting news from the Ukrainian fronts, the topic of persecution of labour migrants in the Russian Federation started to attract more and more attention, especially regarding Tajikistanis. At first, only some nationalists wrote about it in their Telegram channels (of course, presenting information in an anti-Tajik spirit), but in May and June, the problem was also heard in the media, which covered among other things Tajik-Russian diplomatic discussions of the rights of migrants in the Russian Federation. Thus, at a meeting of the Ministers of Foreign Affairs on June 6, when the Minister of Foreign Affairs of the Russian Federation arrived on an official visit to Tajikistan, his colleague, the head of the Ministry of Foreign Affairs of the Republic of Tajikistan, Sirojiddin Mukhriddin, raised the issue of observing “the basic rights and freedoms of Tajik citizens staying in Russia in the course of scheduled and unscheduled measures by the Russian state bodies to streamline migration processes,” and also stressed that “through the country’s law enforcement agencies, an official appeal was sent to the Russian side with a request to check the legality and acceptability of such treatment of our citizens.”*

Experts talked about the pressure on Tajikistan, expressed (which has happened more than once) in the form of anti-migrant police raids, mass detentions and deportations of Tajiks. A variety of versions were sounded, offering explanations for these persecutions: someone saw this as an attempt to drive Tajikistan into the EAEU, others connected relations with Tajik migrants with the war in Ukraine, mobilization and the desire of the Russian authorities to force labour migrants to fight. Both opinions are not groundless: it is obvious that Russia is interested in Tajikistan’s accession to the EAEU, which Lavrov openly spoke about when visiting Tajikistan. It is no less obvious that the citizens of Tajikistan are being recruited into the active Russian army, many have already died in battles in Ukraine, although official Dushanbe (as well as the authorities of other republics of Central Asia) warn about the illegality of participation in the war on the territory of other countries, which, according to the Criminal Code of the country, is recognized as mercenarism and is subject to criminal punishment.



Information has appeared that migrants sentenced to deportation by a court in St. Petersburg are sent directly from the Centre for the Temporary Detention of Foreign Nationals (CTDFN, actually an immigration prison) to military units, where they – against their will – are being prepared to be sent to the front. Tajik human rights activists say that in the course of police raids, Tajik citizens are treated worse than other detainees, they are beaten.

According to Karimdzhon Yorov: “They hit precisely the Tajik migrants.” And the activists of the National Alliance of Tajikistan even compared the persecution of compatriots with the “traditions of the treatment of Jews and prisoners of war by Hitler’s Nazis”, noting that the police “raids are accompanied by deliberate humiliation human and national dignity, deliberately defiantly brutal infliction of injuries and mutilations on Tajik students in their dormitories and workers at their workplaces.”

But there is another opinion: the well-known defender of the rights of migrants in the Russian Federation Valentina Chupik does not believe that it is specifically Tajik migrants who are being persecuted, stating that citizens of Uzbekistan and Kyrgyzstan constantly turn to her suffering from police violence. According to Chupik, the only difference is that the authorities of Tajikistan raise the topic in negotiations with the authorities of the Russian Federation (not only the embassy staff, but also at the level of communications of the General Prosecutors and Ministers of Internal Affairs), while the authorities of Uzbekistan do not react at all, and the government of Kyrgyzstan even blames migrants in creating problems.

It should be noted that the “discontent of citizens”, expressed in various video appeals to the president, the mayor and other figures, was often expressed in relation to immigrants from Tajikistan, but the conclusions of these attacks, which are quite racist in essence, turned out to be of a general anti-immigration character. Increasingly, there is a “requirement” for the introduction of visas for citizens of the Central Asian republics, and deputies of the State Duma of the Russian Federation, including the head of the faction “A Just Russia – For Truth” Mironov.

It is difficult to disagree with the explanation offered by Valentina Chupik, who believes that the authorities need the fight against migrants during the pre-election period in order to show that “they are defeating someone.” The need to amuse “national pride” at the expense of people from poor republics who are discriminated against and exploited in the Russian Federation is probably experienced not only by regional authorities and security officials. The abundance of racist attacks on social networks, where stories about some kind of “ethnic crimes” are circulated, videos of various incomprehensible fights are replicated, and age-old fears of “molestation of our girls” are reproduced, speaks of a wide demand for migrantophobia. Once again in a country where people are dying in a brutal war unleashed by their state, carrying only defeats and humiliations, and the population, despised by the whole world, is rapidly impoverished, they are looking for “guilty people”. They find, as always, the most unprotected, in order to take it out on them.

Stefania KULAEVA

First published on the Radio Liberty blog

Photo by Ute Weinmann



## STATELESS PERSONS IN RUSSIA: THE VICIOUS CIRCLE OF PROBLEMS CANNOT BE BROKEN

### Stateless persons continue to be detained at Centers for the Temporary Detention of Foreign Nationals

***Imprisoning stateless persons for the purpose of deportation is a cruel and senseless practice widely used by Russian courts and law enforcement agencies. Being only a “provisional measure” for expulsion, such deprivation of liberty turns into a punishment. In 2013, the long-term detention of stateless Roman Kim in the Center for the Temporary Detention of Foreign Nationals (CTDFN) led to proceedings before the European Court of Human Rights. At that time, the court made an important decision for stateless persons imprisoned in Detention Centers and ordered the Russian Federation to take general measures to prevent the deprivation of liberty of stateless persons only for violating migration rules. Unfortunately, 10 years later, stateless persons continue to be issued decisions on deliberately impracticable expulsion, which dooms them to years of detention in CTDFNs. For some of our applicants, such decisions have become fatal.***

In Russia, the administrative legislation which regulates the procedure for bringing stateless persons to responsibility for violating migration rules is outdated. For many years, ADC Memorial has been trying to draw attention to the systemic violation of the rights of stateless persons who have been in custody for years in detention centers in the harshest conditions. Their fault lies only in the fact that they lost their belonging to any state and by coincidence once ended up in Russia, where they are considered violators of the current migration rules. They have no legal right to be in the Russian Federation, therefore they are detained, administrative proceedings are initiated in this relation and decisions on expulsion are issued, after which they are imprisoned in Centers for the Temporary Detention of Foreign Nationals – in fact, for an indefinite period of time and without purpose, since it is impossible to deport such people to any country.

In 2014, the European Court of Human Rights made a major decision in the case of stateless person Roman Kim, declaring the long-term detention of stateless persons in CTDFNs a violation of the European Convention, and the conditions of detention in detention centres of Saint Petersburg – a torture. The general measures prescribed by the ECtHR were not carried out, therefore, a decision of

the Constitutional Court of the Russian Federation in a similar case of a stateless person Noe Mskhiladze was required to declare unconstitutional the norms of Russian legislation that turn imprisonment in CTDFN in anticipation of an impracticable expulsion into additional punishment. Both of these decisions have become strategic in the fight for the rights of prisoners in detention centers. With reference to the decision of the Constitutional Court, it was possible to achieve the release of dozens of foreigners and stateless persons from the CTDFNs.

However, the legislative changes demanded by the high courts never happened. So far, no judicial control has been introduced over the terms and grounds for placement in Centers for the Temporary Detention of Foreign Nationals. Human rights activists register not only cases of prolonged detention of stateless persons in custody in different regions of Russia, but also the deaths of prisoners of CTDFNs, directly related to unfixed terms and the harshest conditions of detention.

In many cases, imprisonment in CTDFN, if does not kill a person, then breaks a person's life. An example of this is the dramatic story of a stateless person, who repeatedly ended up in detention centers and stayed there for a long time, and for the second time – having already won the case at the ECHR and received compensation. Still he was never able to legalize his status.

A native of Dushanbe, Khurshed Mardonshoev, like many former citizens of the USSR, did not become a citizen of any country in the 1990s. Since 1993 he has lived in Russia.

In 2014, Mardonshoev ended up in the Center for the Temporary Detention of Foreign Nationals of Saint Petersburg, the conditions in which were recognized by the ECtHR as torture. He was transferred there from the detention center of the Arkhangelsk region, where he ended up due to non-execution of a court decision on expulsion (earlier, the Office of the Federal Migration Service for the Arkhangelsk region recognized his stay in Russia as undesirable, but without documents, he could not leave Russia, of course). Mardonshoev spent a total of 9 months in terrible conditions:

*“Natural light does not penetrate well into the cells. The windows are trans-*

*lucent, with bars on each side. There is not enough daylight, and the lamp in the cell is very dim. The toilet is located in the cell itself. There are no cabins. There is a wall of medium height, about a meter high. There is no toilet. Shower every 5-7 days. Often under ice water, as there is often no hot water. We wash our clothes in buckets, also in cold water. There is no place for cooking, food is delivered ready-made. There is no clean drinking water in the cells, water can be taken from the shower room, but access to it is periodically restricted. The food is very scarce. They never give one fish, dairy products, fresh vegetables and fruits. They feed us mainly with primitive porridge and soups. Meat is rare and of terrible quality (mainly cartilage, veins, skin). Sweets are never given, even primitive chocolate or cookies. They take you for a walk for 15 minutes. Not every day. Walks take place in the courtyard between trailers – ‘cabin houses.’ There are no sports facilities and nothing at all. There is a horizontal bar in the part of the yard which prisoners cannot access.”*

The court decided to expel Mardonshoev from the territory of the Russian Federation, despite the fact that he did not have identity documents and a country ready to ensure his departure from the Russian Federation. The bailiffs and the Federal Migration Service attempted to cancel his expulsion, but the court considered that even a stateless person could be taken out of Russia and that the length of the applicant's detention was not unreasonable even if there were no prospects for expulsion. Only after months spent by the lawyer challenging this decision, in August 2015, the applicant was released.

After his release, Mardonshoev's lawyers filed a complaint with the ECtHR for unlawful prolonged detention in inhuman conditions. On January 29, 2019, this complaint was upheld. In its decision, the European Court again found Russia guilty of violating the right to liberty and security of a stateless person, and the applicant was awarded monetary compensation.

During the time that he was out of detention center, Mardonshoev did not manage to get even a temporary identity card, he remained an “illegal immigrant”, and 2 years and 10 months after his release he was again found guilty of violating the rules of stay in the Russian Federation and again got into CTDFN.

The ruling of the Kirovsky District Court of Saint Petersburg dated November 1, 2021 states that the term of detention in a Center for the Temporary Detention of Foreign Nationals should not exceed 3 months, but in reality, Mardonshoev spent 1 year and 1 month in custody.

On December 19, 2022, thanks to the efforts of a lawyer, Mardonshoev was again released, but during the time that he was at the Center for the Temporary Detention of Foreign Nationals, serious changes took place in his life. His sister with whom he had lived before his imprisonment had died. Due to the lack of documents, he was never registered in her apartment, and therefore, after his release, he was left without a roof over his head. Nobody took him to work, and there was no opportunity to rent at least a room in a communal apartment. Constant wanderings around the rooming houses and abandoned houses, where he spent time with other homeless people, greatly affected his psychological and physical condition: he began to drink and fell ill with tuberculosis. In his position, his life is currently in serious danger, but without valid documents, he cannot even receive stable medical care.

All this could not have happened if the procedure for documenting and legalizing stateless persons on the territory of the Russian Federation had been introduced into Russian legislation in a timely manner and began to operate effectively. Changes to the Law on the Legal Status of Foreign Citizens, which came into force in August 2021, have already allowed hundreds of stateless persons to obtain a temporary identity card. However, as we see in the case of Khurshed Mardonshoev, the documentation procedure does not work well, stateless persons can be detained at any time for “illegality”, imprisoned for two years, released in the same status of “illegal immigrants” with the risk of being deprived of liberty again. 400,000-500,000 people in Russia face the risk of such a fate – this is how human rights activists estimate the number of stateless people (according to the 2020-21 census – about 95,000 people).

Now that Russia has been expelled from the Council of Europe and is denouncing European conventions, including the Conventions on Human Rights, the prisoners of the Centers for the Temporary Detention of Foreign Nationals will lose the opportunity to seek the protection of their rights in the ECtHR, and the judgments of the European Court will no longer be enforced by the Russian authorities and taken into account by the courts.

## RELEASE OF UKRAINIANS FROM CENTRES FOR THE TEMPORARY DETENTION OF FOREIGN NATIONALS (CTDFN) REQUIRES SIGNIFICANT EFFORTS FROM LAWYERS

*On February 20, 2023, the Moskovsky District Court of St. Petersburg ruled to release a native of Ukraine, Oksana Kukharchuk, who remained in a CTDFN “in order to ensure expulsion” for a year and three months, since December 22, 2021. It took several court hearings in different instances to release her.*

On December 22, 2021, by a decision of the Moscow District Court of St. Petersburg, Oksana Kukharchuk, a native of Ukraine, was found guilty of violating migration laws for not having documents confirming the right to stay on the territory of the Russian Federation. Her only fault was that while working in Russia, she lost her documents just before the start of the Covid-19 pandemic. Kukharchuk was unable to receive a temporary identity card in time and leave for her homeland: the borders were closed, and transport connection was interrupted. After two months of her imprisonment, a full-scale war began in Ukraine, due to which the restoration of documents and the return home became impossible.

When applying to the court to check the legality and justification of Kukharchuk's detention in the Centre for the Temporary Detention of Foreign Nationals, the lawyer appealed to the decision of the Constitutional Court in the Mskhiladze case and proved the absence of a legitimate and achievable goal of keeping the applicant in the CTDFN. She cannot be expelled, because due to the termination of diplomatic relations with Ukraine and the closure of Ukrainian consular offices in Russia, it is impossible to restore her documents, there is no air traffic, the border is closed, and there is a war going on. Thus, the further content in the Centre is meaningless and does not pursue a legitimate aim. In addition, in January 2023, Kukharchuk wrote an application for temporary asylum.

However, on January 13, 2023, the Moskovsky District Court of St. Petersburg refused to satisfy the application, considering that Kukharchuk's expulsion was possible. The court's arguments are more than strange: Kukharchuk's presence in the CTDFN cannot be considered arbitrary, since the bailiffs turned to the Department of Internal Affairs of the Main Directorate of the Ministry of Internal Affairs of the Russian



Federation for assistance in documenting it; the lack of air communication with Ukraine is temporary, which means that the closure of the borders cannot be considered as a basis for terminating the implementation of the resolution. Finally, the current legislation of Russia does not establish the obligation to expel a foreign citizen from the Russian Federation directly to the country of which he is a citizen – that is, the court seriously believes that Kukharchuk can be expelled not to Ukraine, but to some third country.

During the consideration of the complaint, the court refused all motions of the defence and even refused to interrogate an employee of the Office of the Commissioner for Human Rights who appeared in court as a witness.

On February 13, 2023, Kukharchuk's case was again submitted to the Moskovsky District Court of St. Petersburg, the same one that ordered her expulsion. When considering the case, the court agreed that due to the complete absence of diplomatic ties with Ukraine, as well as any responses from the Consulate General of Ukraine in St. Petersburg to requests for documentation of Kukharchuk, the execution of the court order on expulsion became impossible, respectively, the further detention of Kukharchuk in the Centre has no legitimate purpose. On the basis of these findings, on February 20, 2023, the court decided to stop the execution of its own decision to deport Kukharchuk from the Russian Federation and place her in the Centre for the Temporary Detention of Foreign Nationals. Immediately after the announcement of the decision, Oksana Kukharchuk was released.



## PROTECTION OF THE RIGHTS OF UKRAINIAN CHILDREN MUST BE PRIORITIZED

*On the World Refugee Day, June 20, Anti-Discrimination Centre Memorial Brussels presented three reports on the situation of Ukrainian children affected with the war in 2022-2023. In the reports prepared in cooperation with Ukrainian experts, the results of monitoring of IDP children in Ukraine, of refugee children in Europe, and of children taken to Russia are analysed. The event took place in the framework of the #CrossborderChildhoodUA campaign (with the support of Fondation de France).*

*The reports are presented in English, Ukrainian and Russian.*



### The situation of children from families displaced within Ukraine due to Russia's military aggression after 24 February 2022

*The report was prepared by the Ukrainian Institute for Social Research after Oleksandr Yaremenko.*

*Analytical team: Tatyana Bondar, Alexey Ganyukov, Alexey Durnev.*

*Assistant researchers: Nataliia Dmytruk, NGO Gender Creative Space, Svitlana Shcherban, sociologist, NGO "Kharkiv Institute for Social Research".*

*With the support of the Anti-Discrimination Centre Memorial- Brussels and the public movement «Faith, Hope, Love».*

Russia's military invasion of Ukraine and the intensive fighting that has taken place there since Feb. 24, 2022, have dealt a severe blow to all kinds of living activities in the Ukrainian state. The military escalation and unprecedented deterioration in

the security situation have caused the mass displacement of the civilian population within Ukraine and beyond in numbers unprecedented in modern European history.

Over 1.5 million people left Ukraine at the very beginning of the war – is from 27 February 2022 to 9 March 2022, over 150,000 people left the country every day. On 6 March 2022, a historic high of 210,500 people were recorded crossing the border. Since 24 February 2022, approximately one-third of all Ukrainians, including children, have been forced to flee their homes. According to data that is regularly updated by the Office of the UN High Commissioner for Refugees, as of 9 May 2023, 8,207,977 Ukrainian refugees were in Europe. Of these, 5,093,606 had registered for temporary protections and similar national protection mechanisms. In addition, the UNHCR has recorded 2,875,215 refugees in the aggressor countries of Russia and its satellite, Belarus. As of 23 January 2023, the International Organization for Migration (IOM) put the number of internally displaced people in Ukraine at 5,352,000.

Because of the hostilities and the fact that men aged 18 to 60 who are eligible for military service cannot leave the country, with the exception of individual cases, most migrants are women and children, which differs from previous years.

There are no exact figures on the number of Ukrainian children abroad because of the constantly changing situation and differing approaches to calculations, among other things. Various analytical systems put the percentage of children among refugees at 34%-40%, which means that almost 3 million children and young people have left Ukraine since the beginning of the Russian invasion. In the summer of 2022, 672,000 Ukrainian schoolchildren were in different countries (interview with Ruslan Gurak, the head of the Ukrainian State Service of Education Quality, 21 July 2022); 185,000 Ukrainian children started the 2022-2023 academic year in Polish schools (interview with Polish Education Minister, 2 September 2022).

Russia's armed aggression against Ukraine has caused a significant deterioration in the situation with observance of children's rights in migrant families. Communication between migrants and their family members who stayed in Ukraine has been complicated by the destruction of established migration processes.

Restrictions on the departure of men of draft age from Ukraine have caused many family separations. The extended stay of one or both parents abroad disrupts traditional ties and causes alienation and

misunderstandings between members of their families. Trusting relationships between children and their absent fathers deteriorate and become more distant on both sides.

In general, the Russian-Ukrainian war has significantly complicated and even precluded observance of the rights of migrant children to education, rest and leisure, and a decent standard of living, the right not to be separated from parents, the right to the benefits of social security, and so forth.

Protecting children's rights and analyzing compliance with the rights listed in the Declaration of the Rights of the Child requires accurate and verified information on the situation related to Russia's armed aggression against Ukraine and the mass evacuation of families with children from dangerous areas to other parts of Ukraine or abroad.

This report is based on an analysis of over 20 in-depth interviews and dozens of ad hoc surveys of parents from internally displaced families that were conducted from October 2022 to January 2023 both remotely and in person. The people questioned represent especially vulnerable groups, including large families, families with children with disabilities, and Romani families. It also includes the opinions of experts, government officials, and nonprofit organizations. In addition, it cites other studies on similar topics and data from other open sources.

This analysis highlights different aspects of the situation of Ukrainian children forced to flee their communities because of danger to their lives and health and the destruction of housing and infrastructure. It also describes the conditions and risks of forced migration and ways to overcome them.

This analysis has the following limitations:

- Absence or scarcity of the accurate statistics required for analyzing the situation and calculating a sample set of quantitative surveys to correctly apply the resulting data to the total population.
- The traumatic nature of the evacuation experience, respondents' desire to avoid unpleasant memories and conversations about them.
- Potential respondents' lack of devices needed to participate in online surveys or their inability to use such devices.
- Unstable internet connections in certain countries or localities.
- A rapidly changing situation, which means that the data obtained during the study quickly lose their relevance.

#CrossborderChildhoodUA



**VIOLATION OF THE RIGHTS OF CHILDREN TAKEN FROM UKRAINE TO RUSSIA AND BELARUS as a Result of Russian Military Aggression**

2023

## Violation of the Rights of Children Taken from Ukraine to Russia and Belarus as a Result of Russian Military Aggression

The violation of children's rights in removing them from Ukraine to Russia and Belarus is an extremely relevant issue. The specific topic of children's rights might never before have attracted as much attention as it does today. After all, children's rights are often not seen as a key human rights issue and are overshadowed by other, better researched issues. But in 2023, it was the Russian Federation's violation of international law as the aggressor state specifically with regard to children that drew the attention of international human rights organizations. This is due to the fact that, among the many war crimes Russia has committed with regard to the Ukrainian population, the removal of children came to be the most glaring indication that the international rule of law had been violated, which in turn led the International Criminal Court at the Hague to initiate criminal proceedings. Many human rights investigations have already undertaken to collect data on the forcible removal of children, including unaccompanied minor citizens of Ukraine and children from orphanages, care facilities, shelters and hospitals.

It bears mentioning that in many instances the situation is viewed through the lens of gathering evidence of war crimes, the violation of the rules of war-time, attempts to deprive children of their civil and political identity and thus also to trample the rights of the Ukrainian people. But there is another, no less important aspect of the issue of Ukrainian children in the Russian Federation and the Republic of Belarus: the violation of the children's own rights in the sense defined in the UN Convention on the Rights of the

Child (UNCRC), an entire set of rights to family life, health, emotional and social wellbeing, protection from discrimination, education, rest, leisure time and many other things. Ukrainian children who found themselves in Russia and Belarus in 2022-2023 had these rights persistently violated, while monitoring of the situation was made complicated and sometimes even impossible.

This matter involves hundreds of thousands of children – those who have lived or currently live at “Points of Temporary Placement” (PTPs) – who, often together with parents or other family members, are experiencing difficult material circumstances and have minimal opportunities to overcome the psychological trauma of war and displacement from their home areas, who lack almost any support in issues of education, who lack protection from violence (including, unfortunately, domestic violence) or any chance of preserving ties to friends and family who have remained in Ukraine.

In writing this investigative report on the status of Ukrainian children taken to Russia and Belarus over the course of the war in 2022-2023, the authors have attempted to combine two approaches: to study the issue as both a violation of international law with regard to Ukrainian children and their families and as a violation of the basic rights of the child put forth in the UNCRC.

Protecting the rights of Ukrainian children in Russia is a very important but very complicated task. Of course, all children taken from Ukraine without the consent of their legal guardians (and these are not only the parents, but in many instances the Ukrainian government) must be returned home.

Unlawfully applying foreign citizenship and placing children with citizens of the aggressor state under permanent guardianship (or by adoption, if such instances are discovered) must be ceased, recognized as unlawful and undone (if it has already taken place). All children who have found themselves unaccompanied in Russia and Belarus should be helped to find their relatives in Ukraine, establish contact with them and have the opportunity to reunite with living family members. We must push for the right of children to keep their identity and defend them from the militarism and ideologized Russian instruction being thrust on them.

Under these general approaches, there should be comprehensive measures for cooperation between government agencies and representatives of civil society, volunteer groups and parents' initiatives.

We must not allow international human rights structures to withdraw their attention from the issues of the violation of Ukrainian children's rights, and

we must push for experts on children's rights and international law to conduct independent monitoring and assessment of the situation.

It is worth calling special attention to children who remain at points of temporary placement and various government camps.

Ukrainian children should not be subject to discrimination; they need help and support to overcome the trauma of war and the loss of homes and loved ones. If we do not work on the problem of trauma among both children and adults who spent many months in basements under shelling, left under automatic rifle fire and lost their whole previous lives, this will lead to the growth of domestic violence and a doubling of the children's suffering. It is important to defend children from any manifestation of aggression and to create for them a safe environment and conditions for rehabilitation and growth.

We must arrange ongoing informational cooperation at the intergovernmental level on issues of searching for children who have gone missing during the war and provide Ukrainian child welfare agencies with access to data on all Ukrainian children in Russia and Belarus.

Children's rights should be a priority in overcoming destructive war.

#CrossborderChildhoodUA



**THE SITUATION OF UKRAINIAN CHILDREN IN EUROPEAN COUNTRIES after 24 february 2022**

2023

## The situation of Ukrainian children in European countries after 24 February 2022

*ADC Memorial thanks the colleagues who carried out monitoring of the situation of Ukrainian children in Europe:*

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Katerina Nazarshoeva (Germany)  
Riccardo Nicosia (Italy)  
Oksana Maslova (Czech Republic)  
Elena Plotnikova (Lithuania, Latvia)  
Larysa Klopova (Switzerland)*

*AVE Copiii (Moldova)*  
*Ana Riaboshenko (Georgia)*

*ADC Memorial expresses its special thanks to Tatiana Bondar for the analysis of the monitoring data and preparation of the text of the report.*

Russia's military invasion and the intense fighting that has continued in Ukraine since 24 February 2022 have caused the mass displacement of the civilian population within Ukraine and beyond in numbers unprecedented in modern European history.

Countries throughout Europe and the world have shown unprecedented solidarity with Ukrainian refugees. This involves both general institutional measures of support at international and country levels and the mobilization of nongovernmental organizations, volunteer activists, and concerned citizens.

This report is based on data from monitoring studies and surveys of dozens of parents and children from refugee families, as well as officials, NGO staff, volunteers, and other people involved in helping Ukrainian refugees. The monitoring studies were conducted from October 2022 through March 2023 both remotely and in person in Ukraine, Moldova, Georgia, Switzerland, Norway, and EU countries (Poland, Czech Republic, Lithuania, Germany, Italy, Spain, and Belgium). Many people questioned represent groups with certain vulnerabilities, including families with many children, families with children with disabilities, and Romani families. The report also cites other studies on similar topics and data from other open sources.

This report does not claim to be a comprehensive study of emigration by Ukrainians caused by the war. The situation is changing quite rapidly in terms of statistics, refugee movement between countries, their return to Ukraine, success integrating into new communities, and the creation of opportunities for them abroad. The survey was conducted of people who have been traumatized by the war and suffered the loss of loved ones, shelling, life in shelters, the tragic experience of evacuation and crossing the border, and adaptation to the difficulties of life in other countries. All of this left a distinct impression on their responses, their willingness to speak openly, and their assessments of their situation. The monitoring studies were not conducted in every country that hosts Ukrainians. However, this data helps identify important problems related to refugee integration, best practices, and questionable decisions made by host countries. This report is also important as a document of the times

that records the words, opinions, and moods of children and adults suffering from the war.

The problems associated with observance of the rights of children who left their communities in Ukraine falls under the purview of a wide range of institutions in dozens of countries; there are no simple or ready solutions during wartime and in the face of a complex migration crisis. Therefore, the authors of this report are first and foremost attempting to define problems, both obvious ones and ones that may not have been given enough attention yet.

### **Summary: main problems identified during monitoring of the situation of Ukrainian children in European countries**

- Incomplete statistical and other information about children, including unaccompanied children, who left Ukraine; insufficient awareness of Ukrainian children's protection services concerning the situation of children abroad; poor cooperation between children's protection services abroad and in Ukraine. This problem could be resolved by bilateral agreements between Ukraine and other countries similar to Ukraine's existing intergovernmental agreements with Poland and Lithuania.
- Difficulties encountered by Ukrainian residents of temporarily occupied territories and/or frontline territories entering the EU caused by the lack of recognition of documents they were forced to obtain (passports of the so-called "DPR" and "LPR," Russian birth certificates, and so forth); arbitrary decisions by border guards on allowing into the EU people who spent a significant amount of time in Russia.
- Discrimination of Romani refugees caused by both xenophobia and systemic problems typical for this group (problems with documents, poor integration, low level of education). Romani people from Ukraine experience difficulties crossing the border and discrimination when seeking accommodation in refugee centers and, later, housing; attempting to receive humanitarian aid; and attempting to enroll their children in school. Difficulties with integration force Romani families to seek better conditions, which means their children fall out of the education system and they experience deintegration.
- The war has stalled the deinstitutionalization of Ukraine's children's institutions. Europe has taken various approaches to accommodating children's homes that were evacuated in an organized manner. These

have including retaining the existing structures of the Ukrainian institutions, dissolving them, not recognizing the rights of the directors of these institutions, and appointing local guardians in the host countries. Children and staff members at children's homes were not prepared for this form of accommodation.

- Ukrainian parents are often poorly informed of their children's rights and the need for strict compliance with them, in particular the unacceptability of physical punishment and other aggressive disciplinary tactics. Ignorance of these rules results in punitive sanctions and even the removal of children from parents in European countries, which has a traumatic effect on children.
- Even though European countries have made significant efforts to integrate Ukrainian children into school environments and Ukrainian schools have continued to provide remote instruction for children who left the country, many children are at risk of falling out of the education system, are not receiving instruction that matches their age, are losing one or even two years of schooling, and are under tremendous stress (they have to learn in their non-native languages, take promotion and graduation exams, and maintain a double school load – in their countries of emigration and online in Ukraine). This situation is particularly hard on Romani children, who are traditionally vulnerable within the education system.
- While refugee children in European countries are largely covered by medical care within the framework of national healthcare systems and volunteer initiatives, the situation is worse with psychological care, which almost every child who has experienced war and emigration needs. This is due not only to the language barrier and the lack of staff and resources, but also to continuing distrust in this type of support, stigmatization, and the absence of a culture of seeking psychological care.

Comprehensive measures are needed to prevent the exploitation and trafficking of children and the loss of data on them. Bilateral agreements guided by the UN CRC's position on children in migration are needed. Permanent channels of communication for officials are needed.

The rights of children must be a priority for all countries where children could find themselves, be it for forced or voluntary residence, transit, or permanent relocation.

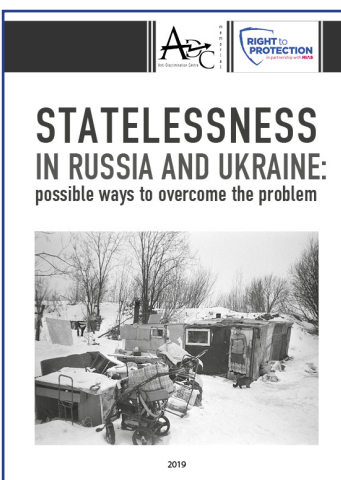
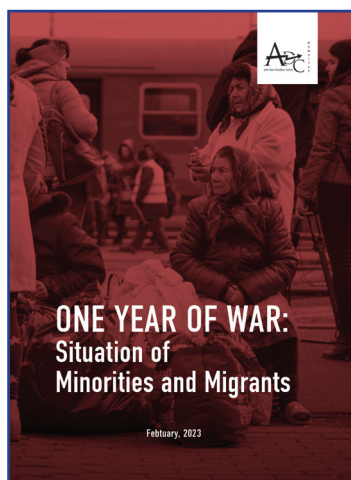
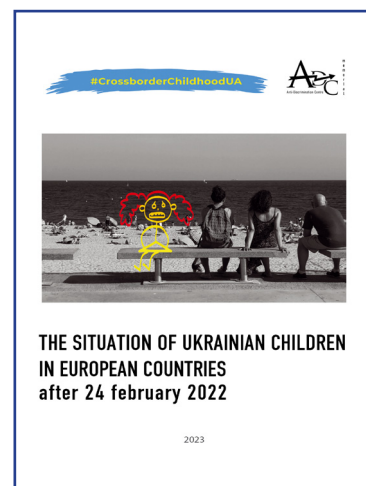
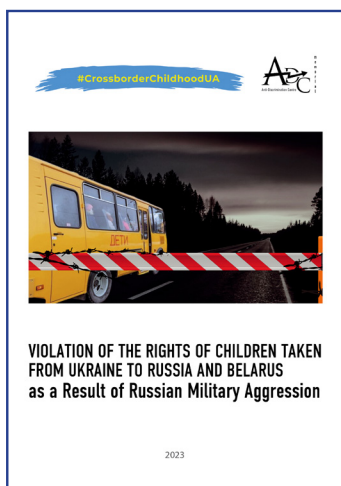
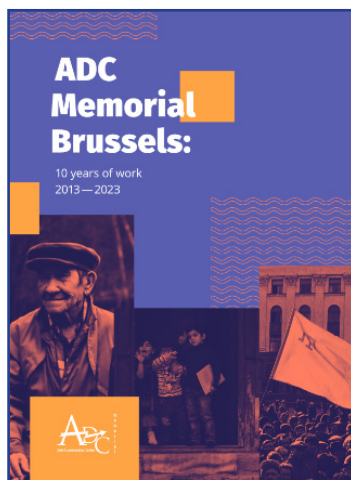


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