

THE RIGHTS OF MIGRANTS

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RUSSIA'S WAR AGAINST UKRAINE AND THE RISK OF STATELESSNESS

In recent years, after the invasion of Ukraine, Russia has significantly tightened its legislation on migration and citizenship, and some innovations create an immediate risk of statelessness.

The long-standing problem of statelessness has not yet been solved in Russia, while it is rooted in the 30 years ago events of the collapse of the USSR and related changes of the borders and the emerging sovereignty of post-Soviet countries. In April 2023, a new version of the Law on Citizenship of the Russian Federation was adopted (entered into force in October 2024). According to authoritative experts, the consequences of the law in its current form will be ambiguous: some groups of stateless persons have retained or received preferences in access to Russian citizenship, while others have lost their existing advantages, and it is not possible to understand the logic of legislators. Thus, the most vulnerable stateless persons are citizens of the former USSR without valid documents, whose problems were addressed in a separate chapter VIII.1 in the old version of the law, in the new

version they were deprived of their former and at least theoretical benefits (the "simplified procedure" for obtaining citizenship); now they can only follow the long and thorny path of the "general procedure" for applying for citizenship. Elena Burtina, expert of the Civil Assistance Committee, concludes that "the balance of gains and losses is definitely leaning towards the latter, since the bulk of stateless citizens of the former USSR are de facto deprived of the prospects of obtaining citizenship."

Innovations related to the deprivation of acquired citizenship definitely have negative consequences. Article 22 of the Law on Citizenship in the 2017 version, "Grounds for the cancellation of decisions on citizenship of the Russian Federation", has already caused human rights defenders to sound the alarm. It states that acquired citizenship can be taken away if the applicant has provided false information / forged documents (Part 1 of Article 22); crimes committed under a number of articles (related to "terrorist" and "extremist" matters), and addressed with a sentence that has entered into force (part 2 of Article 22), are equated to providing false information / forged documents.

In 2021, the legitimacy of Part 2 of Article 22 was considered by the Constitutional Court of the Russian Federation, and, unfortunately, the Court did not see legal uncertainty in it. Just to remind: the request was initiated by the Supreme Court of Karelia in connection with a high-profile case of Alexei Novikov, who was deprived of his only Russian citizenship (the reason for the stripping citizenship was a conviction under a "terrorist" article, although Novikov declared a forced confession of guilt under torture at the trial). The Constitutional Court of the Russian Federation was not confused by the fact that a considerable time had passed between obtaining citizenship (2005) and the verdict (2017).

In the already mentioned new version of the Law on Citizenship of the Russian Federation (April 2023, entered into force at the end of October 2023), Chapter 4 "Cancellation of decisions on citizenship of the Russian Federation" is significantly expanded. Now the grounds for deprivation of citizenship are formulated as follows (Article 22):

2) the communication of deliberately false information regarding the obligation to comply with the Constitution of the Russian Federation and the legislation of the Russian Federation, expressed in particular:

- a) in the commission of a crime (preparation for a crime or attempted crime);
- b) in committing actions that pose a threat to the national security of the Russian Federation;
- c) failure to fulfill the obligation to initially register for military service (this paragraph was added in the wording of Federal Law No. 281-FZ dated 08.08.2024).
- 3) submission of forged or invalid documents or reported knowingly false information on the basis of which a decision was made on admission to citizenship of the Russian Federation or a decision on recognition as a citizen of the Russian Federation;
- 4) other grounds provided for by an international treaty of the Russian Federation providing an opportunity to retain or change citizenship.

The other articles of the Law specify the list of articles of the Criminal Code, that, with the related sentences, serve as the basis for deprivation of citizenship (articles of these 64); it is indicated that the decision to deprive citizenship is made regardless of the time of the crime, the date of the court verdict and the date of the decision on admission to citizenship of the Russian Federation (Article 24), that may cover the expunged criminal record. Article 25 speaks about such grounds for deprivation of citizenship as “committing actions that pose a threat to the national security of the Russian Federation.” The fact of committing these actions, which are not specified in any way, should be registered by the FSB authorities; the time period for detecting this fact and the time for committing actions to make a decision on deprivation of citizenship also does not matter, as in the case of a crime. In this formulation, the law provides the widest field for arbitrary and illegal decisions.

In the first six months of the new version of the Law on Citizenship of the Russian Federation, the Ministry of Internal Affairs of Russia terminated the acquired Russian citizenship of 398 people because of the crimes they committed (response of the Ministry of Internal Affairs to a request from TASS, April 2024). In the period from January

to July 2024, the Ministry of Internal Affairs of Russia deprived about 1000 people of citizenship for the same reason (message from an official representative Ministry of Internal Affairs, July 31, 2024).

Citizenship in a war situation is an instrument of blackmail and intimidation

Russia’s migration policy in recent decades has been cynical and controversial. On one hand, the country is experiencing a shortage of labor resources, and entire employment sectors (construction, transport, utilities) were mainly occupied by migrants. Migrant labor brings enormous profits to the Russian economy, including the money that migrants pay, officially and in the form of bribes, for documents, registration, and the right to work etc. The lack of a transparent system for legalizing migrants in Russia is partly explained by the multilevel corruption that has grown over labor migration.

On the other hand, the Russian authorities seek to limit migration, condone manifestations of racism, often support xenophobes and initiate anti-migrant actions themselves. Law enforcement agencies are willing to involve activists of nationalist movements (like the recently emerged “Russian Community”) in anti-migrant raids. The migration legislation of the Russian Federation is being tightened all the time: in the regions, migrants are prohibited from working in certain areas (transport, education, healthcare); Migrant children are being restricted in their right to education (a bill is being prepared to ban their admission to school without confirming their competence in the Russian language); a special regime for the expulsion of migrant has been introduced, significantly restricting their rights.

In the first half of 2024, the courts decided to expel about 86 000 foreigners from Russia, 124 000 administrative cases of violation of migration rules were submitted to the courts – which is close to the data for the whole 12 months of 2022; (data from the Judicial Department at the Supreme Court of the Russian Federation, “Important Stories”, October 21, 2024).

Why, despite all the risks, do migrants continue to go to work in Russia and seek to obtain Russian citizenship? Inter alia, in order to avoid bureaucratic procedures of registration, obtaining a patent, etc. and related costs. Probably the main motivation is the need to look

for sufficient income in a more economically developed country to support a family. There are other motives: for example, for representatives of vulnerable minorities, labor migration to Russia is often the only way to avoid physical danger and repression in the country of origin (this is how Uzbeks from Southern Kyrgyzstan or Pamiris from Tajikistan used to emigrate). However, after the beginning of Russia’s invasion in Ukraine, many of the naturalized citizens of the Russian Federation – recent migrant workers regretted that they acquired Russian citizenship: instead of protection, it promises them the risk to be killed at the war.

Such grounds for deprivation of citizenship as the separately stipulated “non-registration for military service”, as well as some other violations of the Criminal Code of the Russian Federation – “desertion”, “voluntary surrender”, “discrediting the army”, are obviously related to the war that Russia is waging against Ukraine. These repressive norms are directed against anti-war-minded naturalized citizens and aim, on the one hand, to drive recent migrants (and now Russian citizens), into the Russian army, and on the other hand, to suppress all dissent and prevent anti-war protest.

One of the most rabid mouthpieces of anti-migrant rhetoric in the highest echelons of the Russian authorities is the head of the Investigative Committee of the Russian Federation, Alexander Bastrykin. Manipulating statistics on crime among migrants in his manner (by the way, the data disputed by another department – the Ministry of Internal Affairs), he lobbies to limit the number of migrants, often calling already naturalized citizens of the Russian Federation “migrants”. In recent years, he sees sending immigrants from other countries to war as a means of such restriction. In January 2023, Bastrykin stated that participation in the military actions for naturalized foreigners was their constitutional duty and that it was necessary to consider sending them to the front as a priority. At the legal forum in St. Petersburg (summer 2024), Bastrykin proudly said that through the efforts of his unit, about 10,000 naturalized citizens joined the Russian army, and those who did not want to serve in the army left Russia.

The recruitment of recent migrants with acquired Russian citizenship began immediately after the outbreak of the war. Foreigners who have received Russian citizenship are required to serve in the Russian armed forces, even if they have already served in their native countries. The only exceptions are

citizens of Tajikistan and Turkmenistan, as Russia has signed relevant agreements with these countries.

After the outbreak of war, representatives of the Ministry of Defense began calling natives of Central Asia with Russian citizenship, both young and older than military age, threatening to take away their acquired citizenship in case of evasion from service.

Those who were just planning to obtain Russian citizenship were also lured into the army. Back in December 2021, President Putin introduced a bill to the State Duma that simplified obtaining Russian citizenship for military personnel under contract in the Armed Forces of the Russian Federation. Even before the official adoption of the law (September 2022), recruiters promised migrants citizenship within three months after signing the contract. Representatives of the Ministry of Defense placed advertisements in Russia and Central Asian countries, promising salaries of up to 200 000 rubles per month (almost \$3,000). The private military company Wagner also conducted a recruiting campaign on social networks in Central Asia.

Not only recent citizens of the Russian Federation are forced to serve in the Russian army, but also migrants serving sentences in Russian prisons. At the same time, foreign prisoners report that they are being persuaded to deny the citizenship of Tajikistan and Uzbekistan, apply for Russian citizenship and sign a contract with the Russian army (appeal of prisoners from a colony near Moscow, a publication of "Current Time", October 14, 2024).

After the mobilization was announced (autumn 2022), media reports appeared that migrants from Uzbekistan, Tajikistan and Kyrgyzstan working in the Russian Federation began to receive summonses, despite the fact that they did not have Russian citizenship. And the Moscow authorities have opened a recruitment center on the basis of the Sakharovo migration center.

At the beginning of 2023, cases of bans on leaving the Russian Federation for natives of Tajikistan and Kyrgyzstan with Russian passports became known. They were informed that they were on the mobilization lists and for this reason could not leave the territory of Russia.

Gains and losses in the struggle for the rights of stateless persons and migrants

Against the background of the war, anti-migrant hysteria, stricter migration legislation, the adoption and application of laws that directly lead to statelessness, Russia risks losing the achievements that defenders of the rights of stateless persons and migrants have been seeking for so long. In general, we are talking about the implementation of the strategic decision of the European Court of Human Rights in the case "Kim v. Russia", which took almost 10 years.

Just to remind the case of Roman Kim (2014) – a stateless person, an ethnic Korean, a native of Uzbekistan (Koreans were repressed as a people and in 1937 were subjected to mass deportation to the Soviet republics of Central Asia). The Russian court recognized Kim as a violator of migration legislation, ordered him to be expelled, and in order to ensure his expulsion, he was detained (in fact for indefinite period of time, since the expulsion of stateless persons is impossible) in a detention center for foreigners and stateless persons, where he spent more than two years (longer than even the law allowed). The ECHR considered this a violation of a number of articles of the European Convention and, in addition to individual measures (monetary compensation for the difficult conditions of detention in the center for foreigners), ordered Russia to take general measures so that expulsion would not be applied to stateless persons, so that judicial control over the legality and duration of detention in deportation centers would be introduced, and this period itself is limited to ensure that stateless persons receive documents allowing them to legally live and work in the Russian Federation.

The Russian government has long sabotaged the implementation of the ECHR decision in the Kim case – it took a lot of work by lawyers and human rights defenders, filing similar cases in the ECHR and the strategic case of Noe Mskhiladze in the Constitutional Court of the Russian Federation (2017). The procedure for the legalization of stateless persons started working only in 2021. The Law on the Legal Status of Foreign Citizens in the Russian Federation and other legislative acts were amended (Law No. 22-FZ of February 24, 2021, entered into force 180 days later in August 2021). Now stateless persons can obtain an identity card for 10 years for a limited time, legally

live and work in Russia (Article 52 of the Law on the Legal Status of Foreign Citizens).

Judicial control over the reasons and terms of detention in centers for foreigners was introduced even later – at the very end of 2023, already in the midst of the war unleashed by Russia against Ukraine. It concerns not only stateless persons, but also migrants with citizenship of other countries, that is, a much wider range of people, including Ukrainians, who cannot return to their homeland due to the war and closed borders. The Administrative Code (amendments, Federal Law No. 649-FZ as of 25/12/2023) finally introduced a rule on limiting detention in the Central Prison for a period of no more than 90 days and judicial control over the extension of this period (no more than 90 days) if the Interior Ministry authorities applied for an extension in a timely manner. In their turn, the migrant detainees can apply for expulsion at their own expense – and the court is obliged to consider such a request within 5 days. Even more importantly, the law explicitly points to the right of people placed in the detention centers to apply to the court to verify the legality of their deprivation of liberty "in the presence of circumstances indicating the absence of an actual possibility of expulsion from the Russian Federation."

However, another tightening of migration legislation in matters of expulsion has significantly expanded the powers of the police. If so far only the court has taken decisions on expulsion, then amendments to the Administrative Code (Federal Law No. 248-FZ of August 8, 2023, will enter into force in January 2025) have given the Interior Ministry (police) the right to make such decisions. It can be predicted that their appeal to the courts (according to the law, possible within 10 days after receiving of the decisions) will be difficult: the expulsion order may be executed immediately, the foreigner may simply not have the opportunity to go to court.

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THE DECISIONS OF THE ECTHR AND THE RUSSIAN CONSTITUTIONAL COURT HAVE BECOME LAW: A VICTORY IN THE 10-YEAR STRUGGLE FOR THE RIGHTS OF PRISONERS OF IMMIGRATION DETENTION FACILITIES

The publication of the Federal Law No. 649-FZ dated 12/25/2023 “On Amendments to the Code of Administrative Offences of the Russian Federation” became a New Year gift for those who have been protecting the rights of migrant detainees for 10 years.

The Law finally introduced a norm on limiting detention in the immigration detention facilities for a period of no more than 90 days and judicial control over the extension of this period if the need for such an extension is stated in a timely (at least 15 days before the expiration date) petition of the Ministry of Internal Affairs. As for the migrant detainees, they can apply for expulsion at their own expense – and the court is obliged to consider such a request within 5 days. Even more importantly, the law directly indicates the right of people placed in the immigration detention facilities to apply to the court in order to verify the legality of their deprivation of liberty “in the presence of circumstances indicating the absence of an actual possibility of expulsion from the Russian Federation” (a person receives this right only after a month of imprisonment, see paragraph 17).

These changes to the Federal Law became the long-awaited result of many years of efforts by human rights defenders and lawyers, including ADC Memorial, aimed at protecting the rights of migrant prisoners. The most important milestone in this struggle was the decision of the Constitutional Court of the Russian Federation, which became possible thanks to the strategic legal work that began with Roman Kim’s complaint to the ECtHR.

In its decision, the Constitutional Court of the Russian Federation declared illegal the unlimited and un-



After years of campaigning for an end to arbitrary detention of stateless people, the new law finally introduces checks and balances. Stateless people detained in Russia can no longer be locked up indefinitely with no end in sight. This win also evidences the huge value of strategic litigation and highlights the need for patience and persistence in translating this into law and policy reform.

Chris Nash, Director of the European Network on Statelessness

justified detention of stateless persons in the immigration detention facilities (CVSIG, or formerly SUVSIG) and demanded that legislators amend the Administrative Code, ensuring the timing and judicial procedure for their release, and also recommended providing stateless persons with migration status in order to eliminate the risks of re-detention.

The Court’s Ruling said: “The Constitution of the Russian Federation guarantees everyone the right to freedom and personal inviolability; any restrictions imposed in legislation entailing deprivation of liberty must meet the criteria of legality”.

The Constitutional Court directly referred to the ECHR decision in the Kim v. Russia case, which became an important stage in proving the need to change the law and practice of deprivation of liberty of stateless persons in order to prevent (impossible) expulsion from the country.

The Constitutional Court ruled: “The Federal legislator should make changes to the Administrative Code that will ensure reasonable judicial control over the terms of detention in a special institution of stateless persons subject to forced expulsion.

The legislator has the right to provide in the Administrative Code for the obligation of judges to set specific deadlines for the application of this security measure (by analogy with current migration legislation), as well as to fix the special migration status of a stateless person released from a special institution, which will allow monitoring before the expiration of the time applied for execution of an administrative expulsion order.

Before making changes to the legislation provided for by this Resolution of the Constitutional Court of the Russian Federation, it is necessary to provide persons placed in a special institution, in the absence of a real possibility of their expulsion, in any case, after three months from the date of the court’s decision on expulsion, the right to apply to the court to verify the legality of their further deprivation (restriction) of freedom. The enforcement decisions in the applicant’s case are subject to review.”

Now the Federal Law has made it mandatory to comply with the decision of the Constitutional Court, introduced judicial control over the terms of detention in the immigration facilities, and the deadlines for reviewing complaints against the decision on expulsion. Thousands of people will not wait for release for years.



After so many years of working with victims of arbitrary detention, we are delighted that stateless people will no longer languish locked in limbo. While the reforms confirmed our efforts, it also goes to show that we need to keep the work going – real change takes time, and we must persist through every small victory and setback along the way.

Stephania Kulaeva, Director of ADC Memorial

Russia has enacted reforms to its immigration detention laws, introducing time limits and judicial oversight on the detention of stateless people. The changes come after years of advocacy by ENS member ADC Memorial, including as part of ENS’s #LockedinLimbo campaign to end arbitrary detention of stateless people, evidencing the value of advocacy, strategic litigation, and persistence.

THE COURSE OF XENOPHOBIA: discrimination against migrant children

The State Duma finally passed a shameful bill on the non-admission of non-citizen children to school if they do not have proof of the Russian language competence and the legality of their stay in the Russian Federation. This is presumably the “federal algorithm for working with children of newcomers who do not speak or are poorly proficient in the Russian language,” which Putin instructed to create at a meeting of the Council on the Russian Language and Languages of the Peoples of the Russian Federation on November 5 this year. The second and third readings of the draft passed very quickly on December 11, as it was announced by the Duma speaker Volodin, but with the first and main reading, the State Duma timed exactly to the Human Rights Day, which is celebrated on December 10 in memory of the adoption by the UN General Assembly (1948) of the Universal Declaration of Human Rights. The bill flouts the Declaration in the most obvious way.

Let me remind that part 1 of article 26 of the Declaration states: “Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit”.

The UN Convention on the Rights of the Child, from which Russia has not yet withdrawn, also guarantees the right of children to education “on the basis of equal opportunities” and obliges the state to provide free and compulsory primary education; and as for secondary education, to provide affordable free general and vocational education in various forms, providing financial assistance if necessary.

But what can we say about the violation of the UN Declaration and Convention, if the adopted bill introduces such changes to the Russian Law on Education that violate the Constitution of Russia: after all, in article 43 of the Constitution, the word “everyone” is written, and for this “everyone” (and not only “citizens of the Russian Federation”), education is guaranteed – free, available in its pre-school, basic (i.e., school) and secondary vocational forms; basic general education is compulsory. Of course, it is possible to interpret the provision of the article 43 “Basic general education is mandatory. Parents or persons in parental rope ensure that children receive basic general education” – this is, in fact, how the initiators of the amendments argued publicly, delegating the language training of migrant children to their parents. So, the odious deputy Yarovaya has repeatedly said that it is not about ban-



ning admission to school, but only about the need to “prepare” for school, which is not new to Russian parents, now may migrant parents take care of it.

However, it is unlikely that the legislators carefully read and even had in mind the Constitution and some of its formulations: it seems that this is just another extremely harmful, populist and declarative measure, another round in tightening the anti-migrant policy (so that migrants travel without children), another bone thrown to the “Russian Community” and nationalists like this, another loophole for corruption at the level of schools and testing centers.

Much has already been said about the irrationality (or simply stupidity) of this bill – against the background of general lack of personnel, the death of tens of thousands of men in the criminal war, demographic decline, emigration of those who disagree with the regime. What is the benefit of the situation that children will be left to themselves while their parents are at work, from the fact that they will be left without education and communication skills, lag behind their peers? What good is it that millions of people will not be competent in the official language of the host country?

There were few objections to the bill – previously, the State Council of Tatarstan voted against in the majority, and Chairman Farid Mukhametshin, according to media reports, said that migrants are needed in Tatarstan and their children should not be excluded from education. During the discussion of the bill in the State Duma, questions were raised again from deputies from Tatarstan, which Yarovaya fought off. Let me remind that the sensitive law on the abolition of compulsory study of the native languages at school also caused protests in Tatarstan, but likely the current critical voices will be

suppressed in the same way as it was with the law on native languages. There were also voices from expert economists that restrictions on migrant labor would lead to inflation and economic stagnation. On the eve of the discussion of the bill, Peskov suddenly said that Russia “only welcomes” migrants, since the country needs workers. But all these objections did not affect the vote in the State Duma.

Recently, Spain has demonstrated a pragmatic and far-sighted approach to the problem of migration. Without hiding the fact that the reform of migration legislation is also based on planning (replenishment of the labor market in the short and long term), and not an abstract love for newcomers, the government has significantly simplified the legalization and employment of migrants and asylum seekers, as well as family reunification. If we want to fight crime, human trafficking and the black market for the legalization of migrants – we will simplify migration rules.

But the approach of Russia is different matter, contrary to common sense. Migration policy has been ambivalent over the past decades. On the one hand, it is cynically pragmatic: business needs cheap labor, the state needs huge payments for patents and fees for legalizing documents, various corrupt officials need their income (migration rules are complex and change all the time, thus corruption infrastructure flourishes around labor migration – all these medical centers, Russian language testing centers, documentation and registration centers, arbitrariness of the police and constant bribes). On the other hand, the authorities did not prevent anti-migrant sentiments, and in recent years they have completely merged with Russian nationalists and have themselves become the mouthpiece and flagship of aggressive xenophobia. The bill on the non-admission of non-citizen children to school is a reflection of this latest trend.

However, it cannot be said that – simultaneously with the adoption and implementation of anti-migrant laws and practices – nothing has been done in the education system on integrating foreign-speaking children or, as they sometimes say, “children with a migration history.” However, there was no state integration system, no network of free language learning centers, and schools did not receive permanent and targeted funding to work with foreign-speaking children. In the 2000s, the project “Russian School” was developed but discontinued; methods of teaching and adapting children speaking foreign languages were developed and successfully applied. Even now, against the background of recent anti-migrant hysteria, this work continues. Despite all the difficulties and obstacles, public and volunteer initiatives to support migrant children, education, extracurricular activities, and family support are also developing. There are even projects with government support. For example, Moscow State Pedagogical University has been developing a project for methodological support of educational and socio-cultural integration of migrant children for several years, several Russian regions and dozens of educational institutions participate in it. The rector of the Moscow State University Alexey Lubkov spoke recently about these developments and his recommendations (intensive Russian language courses for preschoolers, additional classes for those who are already studying, mass teacher training, teaching appropriate methods to students of pedagogical universities), stressing that classes for foreign-speaking children should be free.

In fact, there is no need to reinvent the wheel, and the proposed approach is quite close to how foreign-speaking children are treated in European countries: pre-school immersion in the language environment, temporary integration classes for older children (if required), rapid joining a regular age class, additional parallel language classes. Testing older children can be applied – but only in order to identify them in the appropriate class and integrate them quickly. But there is no ban on admission to school for anyone – neither for those who do not speak the language, nor for children without registration and documents.

Let’s not forget about children – citizens of Russia, for whom Russian is not a native language and who do not have the opportunity to study in their native language. They also need additional classes (of course, free of charge), and their teachers need methodological developments, advanced training and paid additional lessons and extracurricular work. For many years, Anti-Discrimination Center Memorial has been talking about the problems of integrating Roma children (and all these years the state has been denying

the problem). But in places where Roma settlements are situated, the most common thing is to create segregated “Gypsy classes” where the absolute majority of children do not speak Russian sufficiently – this is exactly what the “experts” from the State Duma are so afraid of: that there will be many non-Russian language children speakers in the same class. Even before the adoption of the bill on migrant children at school, in September 2024, the Ministry of Education sent out recommendations “no more than three migrants in a class” – it would be just fine if these recommendations were implemented without violating children’s rights, and even applied to “Gypsy classes” for their desegregation and integration children in “normal” classes!

Unfortunately, these recommendations are understood by schools in a completely different way, namely, they are used as an excuse to refuse admission to school for migrant children. Experts from the Migration and Law network testify that both before and after these recommendations, schools often told parents that they accept “only children who are citizens of the Russian Federation.” This, of course, was illegal, because the only reason for refusing admission was the lack of places. But now schools will get a “legitimate” excuse not to accept a foreign-speaking child if he/she does not have registration or does not speak Russian well enough.

However, the propaganda component of the current Russian education system is disgusting and inclines, rather, to boycott it – that’s why many parents, if possible, take their children out to “home schooling”. The return of military training to school curriculum, the militaristic obligatory invasion of the “Yunarmia” and the “Movement of the First”, brainwashing on “conversations about important things”, surveillance of children on social networks and denunciations of teachers and school principals against children expressing an anti-war position or simply expressing independent thoughts – is this the “manna from heaven” that non-citizen schoolchildren citizens, according to the State Duma, should still achieve by taking tests in the Russian language?

Instead of the skills of working with foreign-speaking children, teachers are taught completely different matters. For example, programs for teachers on the prevention of “neo-Nazism”, where, among other things (“Russophobia as an integral part of neo-Nazi threats to Russia”, “Reasons for conducting the Special Military Operation for Russia’s national security”, etc.), there is a section on the formation of “traditional Russian identity” – targeting children taken out of Ukraine and children living in the occupied territories of Ukraine (it is called “Specifics of working with children from new territories of Rus-

sia and Ukrainian youth from territories controlled by the Kiev regime”). It’s reported that more than a thousand teachers have signed up for this course, and I would not be surprised if such courses become mandatory for them.

It is remarkable, however, who exactly instructs teachers on the topic of “prevention”. Among the declared lecturers is a former spy and now MGIMO professor Bezrukov, who was exposed in 2010 and among other failed agents was exchanged; in Russia he was employed in Rosneft (while his wife in Norilsk Nickel; on the other hand, in exchange got the now widely known Skripal and the long-before known Igor Sutyagin). This Bezrukov, along with his wife, also a spy, portrayed a normal family; their two sons knew nothing about espionage and the double life of their parents; they were, of course, extremely shocked by the reality that opened up after the arrest of the spies and, after living in Russia for several years, regained their Canadian citizenship through the court, as they considered it their native country. Now such an immoral (and rather uneducated) figure as Bezrukov, who neglected the rights of even his own children, is assigned to Russian propaganda among teachers – and indirectly – among children.

It is clear that the proposed “prevention” has very little to do with the rights of the child, which include the right to education, as well as with the content of education as such. Let us recall again the Universal Declaration, its preamble: “Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.”

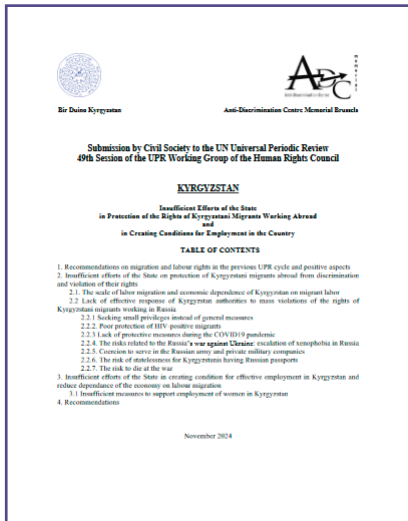
And the preamble to the Convention on the Rights of the Child states that “the child should be fully prepared to live an individual life in society, and brought up in the spirit of the ideals proclaimed in the Charter of the United Nations, and in particular in the spirit of peace, dignity, tolerance, freedom, equality and solidarity.”

This is what the school should teach – all children without discrimination.

*Olga ABRAMENKO,
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*First published on the blog
of Radio Svoboda (in Russian)*

ADC MEMORIAL AND BIR DUINO-KYRGYZSTAN HAVE PREPARED A REPORT ON VIOLATIONS OF THE RIGHTS OF KYRGYZ MIGRANTS IN RUSSIA



ADC Memorial and Bir Duino-Kyrgyzstan report was created on the eve of the UN Universal Periodic Review, which Kyrgyzstan will proceed in 2025. Human rights defenders draw attention to the insufficient state efforts of Kyrgyzstan to protect its citizens abroad and to create conditions for effective employment at home. The report was presented on November 27, 2024 in Almaty at the Regional Expert Seminar of representatives of civil society organizations of Central Asia on the preparation of key recommendations for the upcoming OSCE Ministerial Conference in Malta.

Overcoming the dependence of Kyrgyzstan's economy on external labor migration was one of the election promises of the current government, but so far hundreds of thousands of Kyrgyzstanis go abroad to earn money, mainly to Russia.

Russia's migration policy is invariably escalating and harsh, which is in contradiction with the real need and interest of the Russian public and private sector in migrant labor. In this regard, Kyrgyzstan does not persist in generally improving migration rules for its citizens, preferring to seek only small privileges and temporary measures (such as, for example, amnesty for those migrants who have been blacklisted and cannot enter Russia for this reason, or creation of "separate corridors" in migration centers).

Recommendations on migration and labour rights in the previous UPR cycle and positive aspects

During the previous UPR cycle, Kyrgyzstan supported/noted 3 specific recommendations related to the rights of migrants, namely:

140.230 Further promote and protect the rights of migrant workers and members of their families, particularly with regard to extending consular assistance to migrant workers abroad and access to medical services (by Indonesia, supported);

140.231 Consider further bilateral and multilateral agreements to ensure better protections for migrant workers (by Niger, supported);

140.232 Develop a human rights-based national implementation plan for the Global Compact for Safe, Orderly and Regular Migration (by Portugal, noted).

Among the positive examples of the state's work to protect the rights of migrant workers abroad, it should be noted the activities of the representative office of the Ministry of Labor, Social Security and Migration of Kyrgyzstan in Moscow (the office was opened in November, 2022). It is reported that hundreds of Kyrgyzstan citizens are assisted annually in obtaining illegally unpaid wages (publication of the press service of the Ministry of Labor, November 2024). The advisory assistance of the representative office is in high demand: the press service reported more than 5,000 requests only for the period January - August 2023 (September 5, 2023). However, the mandate of the representative office is limited to issues of mediation between migrants and employers, job search, consultations on migration legislation of Russia, and repatriation issues.

In September, 2023, the Umai-ene Charity Center was opened in Moscow under the the Ministry of Labor of Kyrgyzstan for migrant women in difficult situation, their children and people with disabilities. It is reported that the facility is designed for 17 people; women and children in need are provided with accommodation, food and medical care.

It is not yet possible to assess the impact of the recent opening of representative offices of the Ministry of Internal Affairs of Kyrgyzstan in the Russian Federation (within the framework of the intergovernmental Agreement on the mutual establishment of representative

offices of competent authorities in the field of migration, signed on June 20, 2017 in Moscow.). In November 2024, the Ministry of Internal Affairs of Kyrgyzstan announced the opening of representative offices in 4 large cities of the Russian Federation: Moscow, St. Petersburg, Yekaterinburg and Novosibirsk.

Insufficient efforts of the State on protection of Kyrgyzstani migrants abroad from discrimination and violation of their rights

The scale of labor migration and economic dependence of Kyrgyzstan on migrant labor

Over the past decades, the unfavorable economic situation in Kyrgyzstan has caused conditions for huge labor migration, which has maintained its scale even against the background of the COVID19 pandemic. Thus, as of February 2022, 1 million 118 thousand Kyrgyzstanis worked abroad (data from the Center for Employment of Citizens Abroad under the Ministry of Labor, Social Security and Migration). Most of them worked in Russia (1 million 63 thousand); significantly less in Kazakhstan (about 30 thousand), in Turkey (about 20 thousand), and other countries.

The combination of factors related to Russia's war against Ukraine affected the statistics of labor migration from Kyrgyzstan to Russia, causing an essential return of Kyrgyzstanis to their homeland, but in general, labor migration remains huge even in these conditions. Thus, as of December 2023, the migration flow to Russia amounted to 870,304 Kyrgyz citizens; at the same time, 328.5 thousand have been constantly in migration since 2020, 79% of them are in Russia (the international number indicator – international migrant stock – is an estimated indicator of the total number of migrants present in a given country at a certain moment) – IOM, situational report for the end of 2023.

46. The level of feminization of labor migration from Kyrgyzstan is quite high: according to various sources, from 45% to 60% of the migration flow are women. Unlike migrants from other Central Asian countries, Kyrgyzstani women more often go to work independently, with friends or relatives and

acquaintances, rather than following their husband or as part of a family. Migration opens up opportunities for the emancipation of many women, playing a significant role in their social advancement and growth. But this is not always a free choice and a desire for emancipation: women and girls often sacrifice their interests for the sake of the family (they go to migration to pay off family debts or earn money for the existence of a family in Kyrgyzstan).

In addition to the usual hardships of migration faced by all migrant workers, regardless of gender, women experience specific difficulties: increased risks of gender-based violence, forced labor and various forms of exploitation; specific problems related to the health of mothers, newborns and children (frequent pregnancies and childbirth in migration, against the background of low literacy in the field of reproductive health and contraception, and taboo topics of sexual education; a high proportion of migrant women (70%) in maternal mortality statistics in Kyrgyzstan (data from the Ministry of Health, Head of the Department of Organization of Medical Care and Drug Policy, speech in Parliament, September 2023); abortions in illegal clinics; abandonment of newborns in maternity hospitals); an increase in the incidence of tuberculosis and HIV among women in the context of migration (sexual contact has become the main method of transmission of the virus – more than 70% of cases (doubled since 2008 – data from the Republican AIDS Center of the Ministry of Health of Kyrgyzstan, 2019); Stigmatization of migrant women due to the patriarchal attitudes of Kyrgyz society).

The Kyrgyzstan economy is extremely dependent on the earnings of migrant workers. In 2021, the share of money transfers from the Russian Federation amounted to about \$ 2,677 million (98% of the total volume of money transfers), in 2022 – \$ 2,938.5 million (95%), and in 2023 – \$ 2,531.5 million (94%) (data from the National Bank of Kyrgyzstan, February 2022; IOM, situation report for the end of 2023 with reference to the National Bank)

Lack of effective response of Kyrgyzstan authorities to mass violations of the rights of Kyrgyzstani migrants working in Russia

In Russia, migrant workers from Kyrgyzstan suffer from numerous violations of their rights, although they have preferences due to Kyrgyzstan's membership in the Eurasian Economic Union. The migrants face ethnic profiling, anti-migrant raids and special police operations, mass expulsions for minor violations, deception

by employers, non-payment or partial payment of wages, forced labor, difficulties with renting housing, lack of medical care, lack of real access of their children to school education and preschool institutions, various manifestations of racism and xenophobia.

Seeking small privileges instead of general measures

Russia's migration policy is invariably escalating and harsh, which is in contradiction with the real need and interest of the Russian public and private sector in migrant labor. In this regard, Kyrgyzstan does not persist in systemic improving migration rules for its citizens, preferring to seek only small privileges and temporary measures (such as amnesty for those migrants who have been blacklisted and cannot enter Russia for this reason – as of February 2022, an entry ban was imposed on about 76 thousand people; by the end of 2023 – about 52 thousand people (data from the Center for Employment of Citizens Abroad under the Ministry of Labor, Social Security and Migration)).

Another example of cautious criticism, instead of demanding a change in Russia's general policy towards migrants from Kyrgyzstan, is the reaction to stricter rules for medical examinations of foreigners. At the end of December 2021, an unenforceable requirement for medical examinations of foreigners (including children from 6 years old) every 3 months came into force in Russia (as amended on 12/29/2021, paragraph 18 of Article 5 of Federal Law No. 115-FZ of 07/25/2002 «On the Legal Status of Foreign Citizens in the Russian Federation»). After a short time, the requirement of “every three months” was replaced by “every 12 months”, but the change in the law itself managed to provoke criticism from Kyrgyzstan parliamentarians and a note from the Kyrgyzstan Embassy to the Russian Foreign Ministry. But the Kyrgyzstan side did not ask for general effective measures (combating xenophobia and police brutality, refusing to deprive migrants of their freedom in the deportation centers under the conditions of a pandemic, easing migration legislation), but for «assistance in opening a separate corridor for citizens of the Eurasian Economic Union member states» to undergo medical examinations, photographing and fingerprinting at the migration center in Sakharovo (the main center for processing migration documents for migrant workers in Moscow and the Moscow region).

Poor protection of HIV-positive migrants

According to the Federal Law of the Russian Federation dated March 30, 1995 No. 38-FZ «On preventing the spread of the disease caused by the human immunodeficiency virus (HIV infection) in the Russian Federation», HIV-positive foreign citizens are still criminalized in Russia. If HIV is detected, they receive the status of undesirable for staying in Russia, their residence permits are cancelled, they are prohibited from entering Russia, they may be deported. The exception is, within the framework of the right to protection of family life, HIV-positive migrants with close relatives in Russia.

The above-mentioned change in the rules on medical examinations obliges foreigners older than 6 years old staying in Russia to undergo mandatory HIV testing annually. The continuation of repressive measures against HIV-positive migrants will lead to the fact that they will hide their HIV-status and lose their legal migration status. According to the Republican AIDS Center, as of 01.01.2022, 10535 people with HIV were registered in Kyrgyzstan, and 45% of new cases of HIV infection in the country are detected at late stages, when treatment is no longer effective. This shows the insufficiency of government measures to support HIV-positive citizens who are in migration in Russia.

Lack of protection measures during the COVID19 pandemic

Insufficient attention to the fate of Kyrgyz citizens in migration was shown by the country's authorities during the COVID19 pandemic, when many countries closed borders and restricted international air traffic. Thousands of migrant workers, including Kyrgyzstan citizens, have been stuck at Russian borders, railway stations and airports for a long time.

On April 9, 2020, the Kyrgyzstan authorities (First Deputy Minister of Foreign Affairs Nurlan Niyazaliyev) officially announced their refusal to evacuate Kyrgyzstanis who were abroad at the time of quarantine.

The cessation of air traffic and the closure of borders also led to overcrowding in temporary detention centers in Russia, where foreigners, including Kyrgyzstan citizens, were awaiting deportation. Only a month after the closure of the borders, in mid-late April 2020, Kyrgyzstan citizens detained in the temporary detention centers were able to be sent home on organized charter flights. As far as is known, the Kyrgyzstan authorities have not made

efforts to prevent migrants from being deprived of their liberty in deportation centers due to the risk of a pandemic.

The risks related to the Russia's war against Ukraine: escalation of xenophobia in Russia

Having overcome the difficulties of the acute phase of the pandemic, in 2022, migrant workers faced new challenges in connection with Russia's military aggression against Ukraine: a catastrophic economic crisis, the risks of martial law and border closures. Russia's military propaganda against the background of the crisis creates conditions for chauvinistic and xenophobic sentiments, which leads to escalation of racist violence against migrant workers from Central Asia.

Despite the real need for migrant labor, the Russian authorities have consistently pursued an antimigrant policy over the past decades; on the background of the war against Ukraine, its scale has grown significantly. The Russian authorities, often represented by the most senior officials, condone manifestations of racism and support xenophobes. Law enforcement agencies that regularly conduct anti-migrant raids are willing to invite activists of nationalist movements, delegating them the right to violence.

Recent years, the migration legislation of the Russian Federation has undergone a new phase of tightening. In 2024, Russia legislatively introduced a special regime for the expulsion of migrants, which significantly restricts their rights. In the first half of 2024, the courts decided to expel about 86 thousand foreigners from Russia; 124 thousand administrative cases of violation of migration rules were submitted to the courts – which is close to the data for the whole of 2022 (data from the Judicial Department at the Supreme Court of the Russian Federation, «Important Stories», October 21, 2024).

These trends did not cause a proper reaction from the Kyrgyzstan authorities, who are limited to punctual statements about the preferences of migrants from Kyrgyzstan related to the country's membership in the Eurasian Economic Union (EAEU) that should be maintained (for example, the speech of the Prime Minister Akylbek Dzhaparov at a meeting of the Eurasian Intergovernmental Council (Yerevan, October 2024).

The very reasonable recommendation of the Ministry of Foreign Affairs of Kyrgyzstan not to travel to Russia “without good reason”, addressed to Kyrgyzstan citizens on September 5, 2024 (against the background of increased anti-migrant sentiment in Russia, frequent anti-migrant raids by law enforcement agen-

cies, xenophobic speeches by politicians) is in fact impossible to be implemented, since hundreds of thousands of Kyrgyzstanis are constantly on the territory of the Russian Federation, unable to earn sufficient money at home.

Serious violation of migrant children's rights in the context of the war

Over the past decades, migrant children in Russia have been restricted in their right to education (the authorities put obstacles in school admission, did not create special measures for integration, put migrant children into special classes for the retarded).

In 2024, this trend took legislative forms: a bill is being prepared to ban the admission of migrant children to school without proving their competence in the Russian language and legal status. The bill was announced by the chairman of the lower house of the State Duma, Alexander Volodin; the State Duma Control Committee submitted a draft resolution of the State Duma to the Prime Minister «on the implementation of systemic measures to combat illegal migration» (November 18, 2024, No.3.225/403).

Such initiatives grossly violate not only the Law on Education of the Russian Federation, but also the UN Convention on the rights of the child. They need a clear and decisive reaction from the Kyrgyz authorities and must be stopped.

Migrant children become hostages in the situation when anti-migrant sentiments are articulated by both the authorities and nationalist activists on the ground and result in open violence, hate speech, and harassment.

A typical example from the Novosibirsk region, 2024: a Kyrgyz child, a 2nd grade student, was bullied by classmates on the ground of his ethnicity. The conflict of children escalated into aggression of Russian parents against Kyrgyz parents; activists of the ultra-nationalist organization «Russian Community» intervened on the side of the Russian parents. Despite the fact that local residents supported the Kyrgyz family, and the police refused to prosecute the Kyrgyzstanis, a criminal case was opened against them only because the fact that the activists of the «Russian Community» published a video message and tagged the accounts of the Prosecutor General's Office and the head of the Investigative Committee, Alexander Bastrykin, who is known for anti-migrant and radically xenophobic views. He reacted immediately and demanded to open a case. The local prosecutor's office finally closed the case, but the family was forced to leave the village.

Coercion to serve in the Russian army and private military companies in relation to the Russian citizenship

The issue of mercenary activity of citizens of Kyrgyzstan in the Russian army and private military companies should be considered in connection with the problem of citizenship. In recent decades, hundreds of thousands of Kyrgyzstan citizens have acquired Russian citizenship. The main reason for this is the intention to avoid the following Russian migration rules that are practically impossible for implementation and are constantly changing for bad, not to pay for bureaucratic procedures, not to be victims of the arbitrariness of the police and other law enforcement agencies. Another reason for the mass acquisition of Russian citizenship is the intention to escape discrimination and persecution in Kyrgyzstan, therefore representatives of ethnic minorities (in particular, Uzbeks from the south of the country), LGBTI+ and other groups often see naturalization in the Russian Federation as a de facto form of refugee status. However, after Russia's invasion to Ukraine, Russian citizenship not only does not create additional protection for naturalized citizens – recent migrant workers, but also promises them the risk of physical extermination.

Upon receiving Russian citizenship, newly naturalized citizens of the Russian Federation are not required to renounce Kyrgyzstan citizenship, that's why so many people have two passports. The authorities of both states consider such people as citizens of their country. Accordingly, new citizens of the Russian Federation have an obligation to serve in the Russian army, even if they have already served in their country of origin (Russia and Kyrgyzstan do not have a special agreement on accounting for service).

After the outbreak of the full-scale war in February 2022, Russian citizenship became a means of coercion to participate in the war against Ukraine. There is evidence that representatives of the Ministry of Defense of the Russian Federation threatened natives of Central Asia having Russian citizenship, both young and older than military age, to take away their acquired citizenship in case of evasion from service.

At the beginning of 2023, cases of bans on leaving the Russian Federation for natives of Kyrgyzstan having Russian passports became known. They were informed about being on the mobilization lists as a reason for the ban on leaving the territory of Russia.

Those who were just planning to obtain Russian citizenship were also lured into the army. Back in December 2021, the President of Russia submitted to the

State Duma a bill that simplifies obtaining Russian citizenship for military personnel under contract in the Armed Forces of the Russian Federation. Even before the official adoption of the law (September 2022), recruiters promised migrants to give them the Russian citizenship within three months after signing the contract. Representatives of the Ministry of Defense of the Russian Federation placed advertisements in Russia and Central Asian countries, promising salaries of up to 200 000 rubles per month (almost \$3,000). The private military company Wagner also conducted an advertising campaign on social networks in Central Asia.

Not only recent citizens of the Russian Federation are forced to serve in the Russian army, but also migrants serving sentences in Russian prisons, including through ill-treatment and torture. There are evidences from imprisoned citizens of Central Asian countries that they are being persuaded to renounce their citizenship, apply for Russian citizenship and sign a contract with the Russian army (appeal of prisoners from a colony near Moscow, media publication «Current Time», October 14, 2024).

After the mobilization was announced (autumn 2022), media reports appeared that migrants working in the Russian Federation, including of Kyrgyzstan origin, received summonses, despite the fact that they did not have Russian citizenship. In Moscow, the authorities have opened a recruitment center on the premises of the Sakharovo migrants' documentation center.

High-ranking Russian officials often call for mobilizing migrants to the army as a priority; the racist background of such statements is obvious, as well as the presumption that «proper» citizens of the Russian Federation are more «valuable». At the same time, there is often no distinction between naturalized citizens of the Russian Federation and migrants having foreign citizenship. Sending migrants and new citizens to war, from the point of view of nationalist actors, is a means of reducing migration. For example, the head of the Investigative Committee of the Russian Federation, Alexander Bastrykin, lobbies to limit the number of migrants, often calling already naturalized citizens of the Russian Federation «migrants». At the legal forum in St. Petersburg (summer 2024), Bastrykin said that thanks to the efforts of his department, about 10 thousand naturalized citizens joined the Russian army, while those who did not want to serve in the army left Russia.

The Kyrgyzstan authorities warned citizens of the country against mercenary activities and participation in armed conflicts abroad, including in Russia's war against Ukraine, and reminded them of criminal liability for such actions (cf. The Appeal of the Embassy of Kyrgyzstan in

the Russian Federation to compatriots, September 21, 2022). There are few examples of criminal prosecution of Kyrgyzstan citizens for mercenary activities, however, there is a typical case of Askar K., sentenced to 7 years in prison, then released from custody for probation supervision. He violated it and left again to fight on the side of Russia. Askar K. received great support from the Russian authorities and propaganda media (thus, the official representative of the Russian Foreign Ministry, Maria Zakharova, stated that the issue of granting him Russian citizenship was being considered; the official representative of the Ministry of Internal Affairs of the Russian Federation, Irina Volk, promised to grant him temporary asylum).

The risk of statelessness for Kyrgyzstanis having Russian passports

It is not possible to estimate the number of Kyrgyzstan natives who have only one, Russian citizenship. They are under the risk of statelessness in the event of their refusal to participate in military aggression against Ukraine. In recent years, amendments have been made to the legislation of the Russian Federation establishing such grounds for deprivation of citizenship as «non-registration for military service», «desertion», «voluntary surrender», «discrediting the army». These repressive norms are directed against anti-war-minded naturalized citizens and aim, on the one hand, to drive recent migrants, and now Russian citizens, into the Russian army, and on the other hand, to suppress all dissent and prevent anti-war protest.

Besides, recent amendments to the Law on Citizenship of the Russian Federation (2023) have significantly expanded the grounds for stripping of acquired Russian citizenship. Among them, there are sentences under 64 articles of the Criminal Code; some unspecified «actions that pose a threat to national security» – in existing formulations, the new law provides the widest field for arbitrariness and illegal decisions.

The risk to die at the war

According to open data, at least 51 Kyrgyzstan natives died in Ukraine, 25 of them definitely were Kyrgyzstan citizens (Azattyk and Mediazona investigation, October 30, 2024). These data cannot be considered exhaustive, and the actual death toll may be much higher.

As far as can be learned from open sources, the Kyrgyzstan authorities do not have full information about the citizens of the country involved in the war against Ukraine, including those who died at the war.

RECOMMENDATIONS

- Take effective legislative and practical measures to protect the rights of migrant workers abroad, paying special attention to ensuring the right of children to education without discrimination. In particular, counteract the adoption of laws in Russia that violate the UN Convention on the Rights of the Child and restrict access to schooling for migrant children.
- Take effective measures to prevent the participation of Kyrgyzstan citizens in armed conflicts abroad, in particular, in Russia's war against Ukraine.
- Create better conditions for non-discriminative employment of women in Kyrgyzstan, in particular:

Repeal all professional bans for women. and ensure gender equality in employment, at the same time providing temporary protective measures for pregnant and lactating women workers.

The Government of Kyrgyzstan received recommendations on compliance with the UN Convention on the Protection of the Rights of All Migrant Workers

In order to completely exclude repressive models from the repatriation of children, meaning inter alia the complete elimination of the migration deprivation of liberty of children, the Committee recommended that the procedures for the repatriation of migrant children would be brought in line with the latest standards of child rights, including Joint General Comments No. 3 CMW/No.22 CRC (2017) «On general principles concerning the human rights of children in the context of international migration» and No.4 CMW/No.23 CRC (2017) «On State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return.»

This means replacing the outdated Chisinau Agreement, which ADC Memorial called for during the #CrossborderChildhood campaign, with preferably bilateral agreements on the humane repatriation/readmission of children.

TO EUROPE AND BACK: TWO YEARS OF WAR THROUGH THE VISION OF UKRAINIAN CHILDREN

On the anniversary of the beginning of the full-scale military invasion of the Russian Federation into the territory of Ukraine, ADC Memorial presents a publication based on real stories of Ukrainian children who left their homes in Ukraine and then returned from their forced emigration.



“We wanted it all again as it used to be before...”

The life of sisters Olesya and Oksana in Kharkiv before the war was ordinary: kindergarten, school, walks in the park, summer holidays in their grandmother's village. Until the day X, everything went on as usual, but since the beginning of 2022, the threat of war was already in the air, and since February 24, the family had been living under constant shelling. In April, all fear of being occupied overcame doubts – and the girls with their mother left for the EU, while their dad stayed in Kharkiv.

In Germany, the family first appeared to be in a refugee camp. It was very difficult: a new environment, new people and language, constant worries about those who stayed back in Ukraine. Only a month later, they managed to find a place to live and moved to a small village in Bavaria. Life has improved: the Ukrainian online school, the local offline school, new friends. The children integrated better and faster than the adults, and at certain moment girls mother got the idea that they could return home to live their life as they used to.



“We were afraid to see a ruined yard and broken windows in the apartment”

During the long journey home around the New Year eve, the girls dreamed of their former life: a cozy courtyard, walks in the city center and in the park with friends, about their school, and about meeting with classmates – with those who stayed and those who returned from forced emigration.

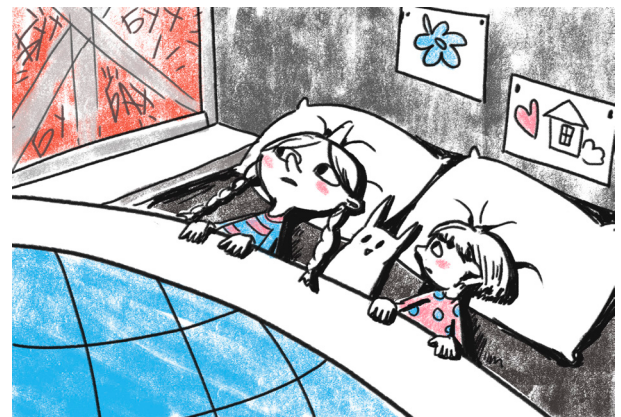


But upon arrival, it became clear that the children found themselves in a completely different reality. They couldn't imagine how much the city had changed: buildings were destroyed everywhere – sometimes rockets even hit schools, leaving only ruins; the neighbors' house was damaged; and dad looked very tired, although, of course, he was happy to see them.

After the holidays, the children went to their school and kindergarten – they were so tired of distance learning. But it turned out that they would have to spend a lot of time underground, in a shelter. After all, at every air raid alarm, the lesson is interrupted and you have to finish it in a safe place, where, although you can't see the sky, you can hardly hear the explosions. And in the Kharkiv metro, there is a whole school where about a thousand children study in two shifts. They spend the entire school day underground.

It is impossible to feel safe – neither on the street, nor at home, nor in the yard – it is impossible to live “as before”. Not this way girls imagined their life after coming back home.

No matter how parents prepare their children for the return. There is always a gap between the way we think of the world we left and the way we witness it, when seeing it with our own eyes, it's hardly possible to be fully prepared.



“The houses smashed by rockets and shaheds frighten me very much, I want to forget about the war, but I cant due to sirens and nighttime sleep deprivation.”

“I met my classmates – they look grown up; it is clear that the war has changed them...”

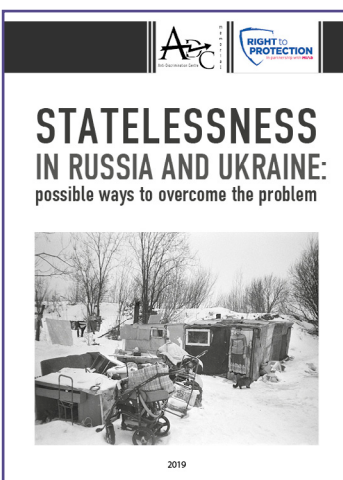
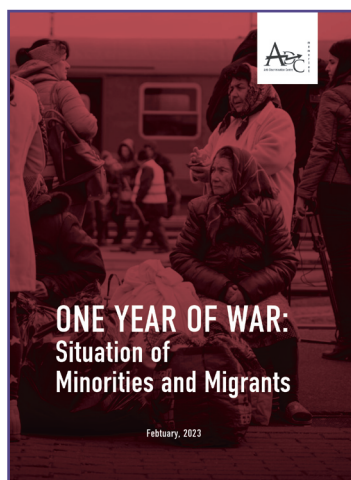
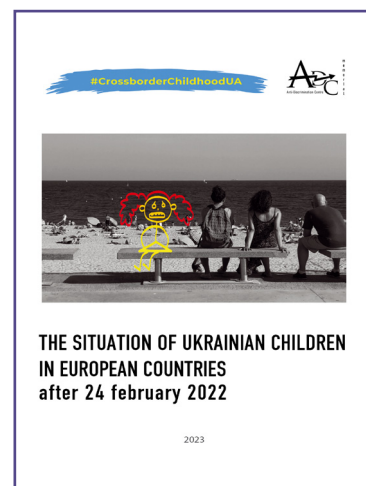
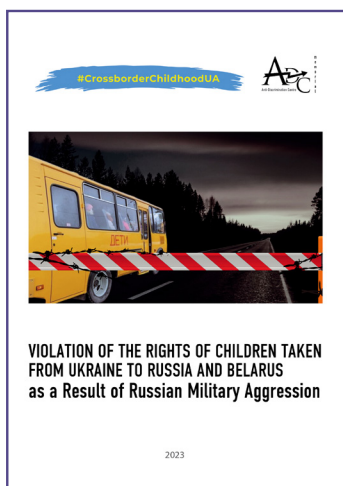
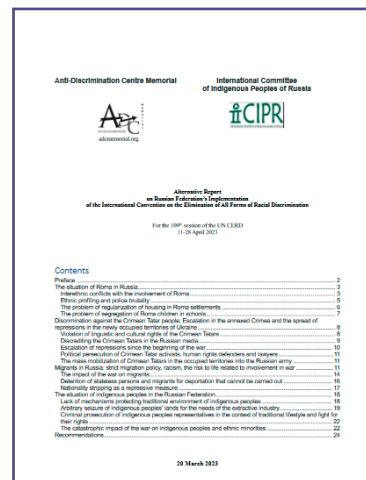
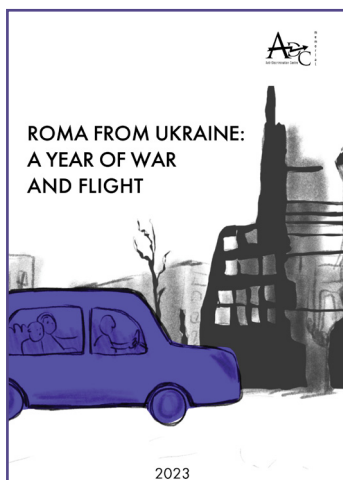
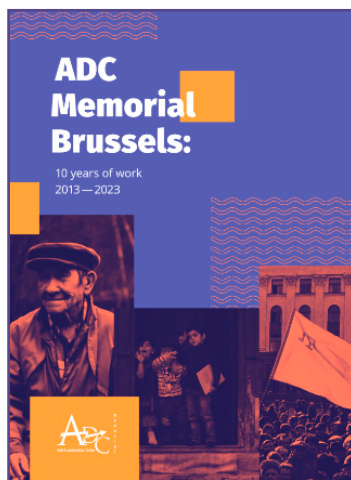
Illustrations by Anastasiya Samarkina

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