
Russia's Immigration Policy: New Challenges and Tools



Lyubov Bisson

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Ifri
27, rue de la Procession
75740 Paris Cedex 15 – FRANCE
Tél. : +33 (0)1 40 61 60 00
Fax : +33 (0)1 40 61 60 60
Email : accueil@ifri.org

Ifri-Bruxelles
Rue Marie-Thérèse, 21
1000 – Bruxelles – BELGIQUE
Tél. : +32 (0)2 238 51 10
Fax : +32 (0)2 238 51 15
Email : info.bruxelles@ifri.org

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Author

Lyubov Bisson is a research fellow at the Department of European Integration Studies, Institute of Europe, at the Russian Academy of Sciences (IE RAS) in Moscow. A graduate from the Moscow Institute of International Relations (MGIMO, Russian MFA), she completed her Bachelor's degree in political science in 2007 and in 2009, she was awarded a Master degree in "European Studies". In 2015, she defended her PhD thesis. Her research interests include: European integration, the immigration policies of the EU and its member states, Russian immigration policy, the integration of immigrants, and national identity.

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Abstract

A new stage in the development of Russia's migration policy is upon us. Since 2010, legal amendments and the Concept of Migration Policy of the Russian Federation to 2025, adopted in June 2012, marked a clear change in how migration flows are regulated, the aim being now to maximise the economic benefit of labour migration. The introduction of a system of licenses and new rules which make it easier for highly qualified foreign specialists to find a job are undoubtedly positive developments for Russian immigration policy. Nevertheless, Russia remains unattractive to skilled workers and students.

The current state of the Russian economy calls for temporary migration of labour into advanced innovative fields as well as into such areas as construction, services and manufacturing industry. The Commonwealth of Independent States (CIS) serves as the main source of foreign manpower and a visa-free regime exists between CIS countries and Russia. Inevitably, the progress of Eurasian integration and the expansion of the Eurasian Economic Union will impact upon Russia's migration system significantly. Eventually, Russia's migration policy will depend on the state of Russian economy in the decade to come.

Introduction

In 2013, according to OECD (Organisation for Economic Co-operation and Development) figures, Russia took in more immigrants than any other country, apart from the United States.¹ Russia recently became a country of mass immigration: right up until the end of the 1980s, it was barely affected by the flows of migrants. External migration was almost unheard of in the former USSR and internal migration meant citizens moving from one republic to another or from the countryside to the city.² The situation changed markedly in the first half of the 1990s, after the fall of the Soviet Union, with Russia becoming a country of mass immigration.³ The economic and political turmoil suffered across the region in the 1990s forced people to move to Russia, while economic aspirations became the main driving force for migration from the 2000s. The revival of the Russian economy and the deficit of working-age Russians acted as pull factors, driving up demand for foreigners on the labour market.⁴

Like in EU countries, the effects of immigration are felt in Russian society and in the economy, as well as in demographics. At a time of low natural growth (around 20,000 people in 2013), immigration accounts for over 90% of the total growth in population.⁵ It was only in 2012 that the population stopped its eighteen-year

Translated from Russian by Cameron Johnston.

¹ World Migration in Figures, OECD-UNDESA. October 2013, <<http://www.oecd.org/els/mig/World-Migration-in-Figures.pdf>>.

² L. Moskvina, O. Potemkina, "Migratsionnye protsessy v SNG (tendentsii razvitiya, problemy, perspektivy)" [Migration Process in the CIS (Development Trends, Problems, Prospects)], *Sotsial'no-Gumanitarnye Znaniya [Social-Humanities Sciences]*, 1995, No. 1, p. 34.

³ N. Mkrtychyan, "Immigratsiya v Rossii v novom veke: prognozy i vyzovy dlya politiki" [Immigration in Russia in the New Century: Forecasts and Policy Conclusions], *Migratsionnye protsessy. Proshloye. Hastoyashcheye. Budushcheye. Sbornik materialov X i XI Moskovsko-berlinskikh mezhdunarodnykh seminarov. Pod red. G Smidovicha [Migration Processes. Past. Future. Collection of Documents/Materials from X and XI Moscow-Berlin International Seminars]*, Edited by G. Smidovicha, 2005, pp. 135-147.

⁴ Zh. Zayonchkovskaya, "Migratsiya v sovremennoy Rossii" [Migration in Modern Russia], *Rossiyskiy sovet po mezhdunarodnym delam (RSMD) [Russian International Affairs Council (RIAC)]*, 16 April 2013, <http://russiancouncil.ru/inner/?id_4=1714#top-content>.

⁵ E. Shcherbakova, "Rossiya: demograficheskiye itogi 2013 goda (chast' III)" [Russia: demographic results for 2013 (part III)], <www.perspektivy.info/rus/demo/rossija_demograficheskije_itogi_2013_goda_chast_iii_2014-06-10.htm>.

decline and began to grow again, although the country is still in need of working-age immigrants. The dependency ratio⁶ stands at almost 61% and the most optimistic estimates suggest that the number of working age citizens will fall by more than 7.5 million by 2030. By that time, almost every fifth person in the country will be over sixty five.⁷ All this goes to show just how acute are the demographic problems confronting Russia: they require an immigration policy that is fit for service.

For years, no attempt was made to devise a strategy that would regulate immigration. No separate branch of state policy tackled the question of how to manage migration flows, which partly explains why the Federal Migration Service was set up in 2002 as part of the Ministry of Internal Affairs, not as a separate department.⁸ In the same year two laws were passed, one *On the legal status of foreign citizens in the Russian Federation*⁹ and the other on citizenship, which serve to this day as the legal basis for regulating immigration in Russia. Just over a decade later, with an eye on the experience of European countries, attempts were made to formulate a plan about how to attract immigrants—in 2012, the *Concept of state migration policy of the Russian Federation to 2025* was passed.

At present, the main goal of Russian migration policy is to maximize the economic benefit derived from legal immigration. New initiatives introduced in 2012 are meant to serve this goal. But how effective are they in the current economic climate and are they enough?

⁶ Calculated as the ratio of children and old-age pensioners to the working-age population.

⁷ “Demograficheskiy prognoz do 2030 goda” [Demographic Forecast to 2030], *Rosstat*, 2012, <www.gks.ru/wps/wcm/connect/rosstat_main/rosstat/ru/statistics/population/demography/>.

⁸ After its abolition in 2001.

⁹ Federal law No. 115-F3 of 25.07.2002, “O pravovom polozhenii inostrannykh grazhdan v Rossiyskoy Federatsii” [On the legal Status of Foreign Citizens in the Russian Federation], *Sobraniye zakonodatel'stva RF [Collection of Laws of the Russian Federation]*, 29 July 2002, No. 30, pp. 30-32.

New Instruments and Methods for Regulating Labour Migration into Russia

New approach: the system of patents

Immigration for the purpose of temporary work is open to the holders of the following two documents: a work permit (as part of the yearly state-defined quota¹⁰ or independent of it) or a “patent” to carrying out work for people or companies to citizens from visa-free countries. Only people from countries within the Customs Union (Kazakhstan and Belarus) can work in Russia without a permit of any kind: in 2015, they were joined by Armenian and Kyrgyz citizens, whose countries joined the Eurasian Union (EEU).¹¹

It is interesting to note that of all the Russian regions, the leaders in admitting labour immigrants in 2014 were Saint Petersburg and Leningrad oblast, which together accounted for 21.1% of all registered work permits. Moscow (20.3%) and Moscow oblast (11.1%) also attract large numbers of foreign workers, as, to a lesser extent, do the Khanty-Mansi Autonomous Okrug (3.8%) and the Kaluga region (3.1%), which are among the most economically developed parts of Russia.

The vast majority of foreign workers, 84.4% who receive a permit to work in Russia are from the Commonwealth of Independent States (CIS), and of those states Uzbekistan leads the way with 43.5% of the total. Among migrants who require a visa to work in Russia, most come from China, North Korea and Turkey, according to the Federal Migration Service. Only 0.9% of work permits were handed out to EU citizens in 2014.

¹⁰ In 2015, the quota for work permits was set at 275,856. See the Resolution No. 1400 of the Russian government from 18 December 2014. “On the Definition of the Need for Attraction into the RF of Foreign Workers Staying in the RF on Visa Grounds, Including priority Professionally Qualified Groups and the Approval of Quotas for 2015”. <<http://base.garant.ru/70826250/#ixzz3l9814Pff>>.

¹¹ In addition, foreigners who hold the right to temporary residence can also work in Russia without a work permit.

There are different types of labour migration into Russia, and they apply to different numbers of migrants.¹² Right up until 2012, for instance, the number of work permits issued exceeded the number of patents. But the situation has changed over the last two years: in 2014, a million more patents were issued than work permits. This shows that the unprecedented introduction of patents for migrant labourers from visa-free states (who make up the bulk of all migrant labourers) not only simplified life greatly for temporary migrant workers, but actually legalised their activity.¹³ Up until then, citizens from visa-free states were much more likely to be classified as illegal migrant labourers. Able to spend 90 days in Russia without holding a visa, they failed to file the necessary documents after this period of grace had elapsed, often due to administrative and bureaucratic barriers. Several studies have found that up to 25% of illegal immigrants¹⁴, or one million people, live in Russia on a permanent basis. These figures are especially revealing given the fact that the true number of illegal immigrants is hard to establish.

Experts believe that illegal immigration is mainly driven by economic factors, in Russia as well as in the European Union.¹⁵ The pull-factor of a [relatively successful] economy is the main cause of illegal immigration in the modern world. The fight against illegal economic immigration in Russia consists of unearthing cases where foreigners are living and working illegally (around 140,000 foreign citizens were evicted and deported in 2014, more than one and a half times more than in 2013), as well as exposing unscrupulous employers, who can be found guilty of administrative offences and made to pay large fines. It remains just as much of a challenge to defend the rights of illegal migrant workers who are unable to exercise their rights under labour laws, or take advantage of social safeguards, either because they cannot speak the language or lack the necessary documents (such as a work permit or labour agreement), or because an employer abuses his position.¹⁶

¹² M. Denisenko, N. Mkrtyan, O. Chudinovskikh, "Chetyre kanala legal'noy migratsii inostrantsev" [Four Avenues of Legal Migration for Foreigners], *Demoskop* No. 579-580, 16-31 December 2013, <<http://demoscope.ru/weekly/2013/0579/tema01.php>>.

¹³ For more detail, see S. Ryazantsev, "Patenty dlya trudovykh migrantov: pervye rezul'taty i nereshennyye problemy" [Patents for Migrant Workers: Initial Results and unsolved Problems], *Rossyskaya Migratsiya*, 2010, No. 10, <www.fms.gov.ru/upload/iblock/7f9/Vystuplenie_Ryazanceva.pdf>.

¹⁴ Zh. Zayonchkovskaya, E. Tyuryukanova, Yu. Florinskaya, "Trudovaya migratsiya v Rossiyu: kak dvigat'sya dal'she" [Labour Migration in Russia: How to Proceed?], *MAKS Press*, 2011, p. 25.

¹⁵ D. Poletaev, "Nelegal'naya migratsiya: rezul'taty sotsiologicheskogo issledovaniya v regionakh Rossii" [Illegal migration: Results of Sociological Research in the Russian regions], *Demoskop*, 2003, No. 137-138., <<http://demoscope.ru/weekly/2003/0137/analit05.php>>.

¹⁶ Zh. Zayonchkovskaya, "Migratsiya v sovremennoy Rossii" [Migration in Modern Russia], *Rossiyskiy sovet po mezhdunarodnym delam (RSMD) [Russian International Affairs Council (RIAC)]*, 16 April 2013,

The introduction of the patent system had a clear logic behind it. Since so many foreign people were living and working in Russia illegally, it was crucial to incentivise legal mechanisms by which citizens from visa-free states could live there. The first stage, in 2010, saw immigrants receive patents allowing them to work for private citizens in fields such as construction and housekeeping: 157,000 immigrants took advantage of these patents in the first six months alone, while over a million people followed in 2012.¹⁷ In the second stage, beginning on 15 January 2015, new rules for the issue of patents came into force, which replaced work permits and patents for citizens of visa-free countries authorising work for private citizens, with a single document, the working patent. It gives the holder the right to work for up to a year in that Federal subject where it was issued.

In many respects, the patent system gives migrant labourers real independence from their employers. It also gives them a simple way to achieve legal status. The law does not require the holder of the patent to prove that he is in work, as was necessary to receive a work permit. In addition, patents, unlike work permits, are not included in the annual quota for admitting foreign workers. If they hold a patent, migrant workers have to make advance payments out of the income they receive each month, the amount varying according to the region. On average across Russia, a patent costs around 1,500 roubles a month.¹⁸ In Moscow, though, it sets immigrants back 4,000 roubles because of a gearing mechanism that takes account of the particularities of the labour market in the Moscow region.¹⁹ Between 2010 and 2014, then, the patent system brought more than 31 billion roubles into the state budget and this figure is increasing year on year.²⁰

<http://russiancouncil.ru/inner/?id_4=1714&active_id_11=38#top>.

¹⁷ Official statistics of the Federal Migration Service of Russia, section 13. On the issuance of patents and attracting highly qualified manpower, <www.fms.gov.ru/about/statistics/data/details/38297/>.

¹⁸ Particularities of the working condition of foreign citizens who come to the Russian Federation without requiring a visa, on the basis of a patent, <www.fms.gov.ru/foreign_national/trud_migrant/osob_osushch_trud_deyat_inostr_gr_azhd/>.

¹⁹ On the payment of tax on the income of physical persons in the form of a fixed advance payment, see the site of the Administration of the Federal Migration Service for the city of Moscow, <www.fmsmoscow.ru/docs/work_migration/patent-nalog.html>.

²⁰ "FMS : patenty dlya migrantov na raboty u fizlits prinesli v byudzhet boleye 31 mlrd rub' [Federal Migration Service : Patents for Migrants Authorising Work in Companies contributed 31 billion Roubles to the Budget], TASS, 25 November 2014, <<http://itar-tass.com/obschestvo/1601441>>.

Table 1. Information on the State of Migration in the Russian Federation, by year.

Indicator		2014	2013	2012	2011
Entry of foreign citizens		17 281 971	17 785 910	15 870 340	13 831 860
Work permits issued		1 303 258	1 273 984	1 340 056	1 195 169
Work permits registered for highly qualified & qualified specialists		194 925	156 655	55 848	54 861
Patents registered		2 386 641	1 537 323	1 289 204	865 728
Money contributed to the budget (thousands of roubles)		44 682 306,9	37 058 758,6	32 817 255,5	26 171 266,5
including	Patents (K roubles)	18 311 659,7	8 395 775,5	6 674 916,7	3 558 532,4
Arrival of foreign nationals and family members and registration with Federal Migration Service		106 319	34 697	56 874	29 462

Sources: compiled on the basis of official statistics from the Federal Migration Service: <www.fms.gov.ru/about/statistics/data/>.

The Russian “blue card”: is Russia becoming an importer of talent?

The legislation governing migration in Russia does not yet support clear divisions in how different categories of foreign citizens are treated under the law. The first clear step in that direction took the form of amendments to the law *On the legal status of foreign citizens in the Russian Federation*, in 2010. Some of the main aims of these changes were to simplify the regulations for attracting highly qualified specialists, abolish quotas for this category of immigrants and grant them a series of additional rights, such as the right to bring their family with them. One advantage of the Russian blue card over the EU equivalent is how long it takes to process the application: no more than 14 days, compared to up to 90 days in the EU. The card is valid for up to three years. The fact that the EU and Russia almost simultaneously changed their legislation governing the entry and residence of highly qualified foreign specialists (in the EU, the directive on the “blue card”, of 2009)²¹ speaks to the attempts made by [different] states to become poles of attraction for the best foreign talent.

²¹ Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment, OJ L 155, 18 June 2009, pp. 17-29.

In the last two decades, the proportion of qualified workers among the total number of migrants worldwide has increased by more than 50%²², according to the OECD, which attests once more to the growing international competition for talent. It is well known that the most attractive destination for highly qualified workers, including from the EU and Russia, remains the United States. In this environment, other countries intent on building a competitive and efficient economy must address the question of how to create conditions that attract qualified workers.

In Russia, this project is connected, first and foremost, with the launch of the modernisation drive under the presidency of Dmitry Medvedev, a drive meant to be embodied in the “Skolkovo” innovation centre. Indeed, the amendments to Russian law were introduced with an eye to this innovation centre’s unique demand for high-quality specialists. It was with Skolkovo in mind that especially favourable conditions were created for hiring foreign workers: since salary levels are a key factor in attracting highly qualified specialists, foreign citizens are taken on at Skolkovo regardless of how much they demand to be paid.

Just before the new rules on receiving high quality foreign specialists were passed in 2009, the Director of the Federal Migration Service, Konstantin Romodanovsky, said: “This step in developing the economy comes at [just] the right time. It is crucial that we do not lose the battle for qualified specialists, and so the time has come to make changes to the legislation on migration that will make our country attractive for these workers. That is why we have come forward with this initiative.”²³ To what extent has his prediction been realised?

The trend in the number of highly qualified workers attracted to work in Russia shows progressive improvement: in 2013, more than 26,000 work permits were granted to them, twice as many as in the previous year.²⁴ If combined with permits for qualified specialists, the number is even higher. The term “qualified specialist” covers workers in more than sixty different professions: artists, directors and people employed in theatre, cinema and television; various types of engineers, including those in aviation; programmers; [newspaper] correspondents; as well as company directors.²⁵ The list is updated annually by the Ministry of Labour. 55,484 work permits were handed out to highly qualified and qualified foreign specialists in 2012, and

²² V. Fromentin, “Les conséquences économiques de l’immigration en Europe en période de crise”, *Revue du marché commun de l’Union européenne*, No. 547, April 2011, p. 218.

²³ “V rossiya budut puskat po ‘golubym kartam’” [They are going to be let into Russia with ‘blue cards’], *Izvestiya*, 8 April 2009.

²⁴ OECD International Migration Outlook 2014, OECD Publishing. Paris, 2014, p. 292.

²⁵ For more detail, see: “Order of the Ministry of Labour of the Russian Federation”, 28 May 2015, №324H.

over three times that many just a year later.²⁶ People from countries with a visa regime make up just 18% of that number. Interestingly, Moscow trails Saint Petersburg in the number of qualified foreign specialists it has attracted. More than half of the total number (56.9%) are employed in the North-West Federal Okrug and just over 30% in the Central Federal Okrug, which takes in the capital.

²⁶ Official statistics from the Russian Federal Migration Service, Information on the State of Migration in the Russian Federation in 2012, <www.fms.gov.ru/about/statistics/data/details/53595/>.

Integrating Immigrants: the Beginning of a Journey?

In the years to come, the proportion of immigrants and foreign citizens in both the EU and Russia is bound to rise. Russia, meanwhile, is in for a repeat of what happened in most European countries: what starts off as temporary immigration gradually grows into permanent immigration. Currently, the bulk of foreign citizens in Russia are registered as temporary residents: this explains the lack of any programmes designed to help immigrants adapt and integrate. Nevertheless, there is a tendency among foreign workers who come to Russia to earn money, often from visa-free countries, to try to change their status and receive temporary residence, and, later, permanent residence or citizenship. They raise families and their children go to school in Russia. This means that legislators and the Federal Migration Service must come up with new plans and long-term measures for how to regulate legal immigration.

The introduction on 1 January 2015 of a compulsory comprehensive exam in Russian language, law and history for all migrant labourers²⁷ can hardly be considered sufficient as a tool to integrate them into Russian society. For one thing, it is the only exam currently on offer and covers the cultural aspects of integration alone. Integration, more widely understood, also takes into account structural factors²⁸ such as the social and economic integration of migrants into the host society (protection against discrimination, access to education and healthcare and so on). Second, no system yet exists to prepare immigrants for the exam (irrespective of whether they pay), unlike in many European countries. Knowing Russian and understanding the nuances of Russian legislation help foreigners to adapt and find jobs, undoubtedly, but the compulsory exam may serve as yet another hurdle which pushes some migrant workers into the shadow economy.

²⁷ "FMS RF budet vydavat' migrantam iz bezvizovykh stran trudovye patenty" [The Russian Federal Migration Service is going to issue Work Patents to Migrants from visa-free Countries], RIA Novosti, 14 January 2015, <<http://ria.ru/society/20150114/1042563069.html>>.

²⁸ V. Malakhov, "Integratsiya migrantov: evropeyskiy opyt i perspektivy Rossii: Rabochaya tetrad'" [Integrating Migrants: the European Experience and Russia's Prospects: Work book], *Rossiyskiy sovet po mezhdunarodnym delam (RSMD) [Russian International Affairs Council (RIAC)]*, 2014, p. 10, <www.russiancouncil.ru/common/upload/WP12Migration-Ru.pdf>.

Integration is not helped either by hostility towards immigrants on the part of the population. Since 2014 in particular, discontent has bubbled up in EU member states about the huge influx of asylum seekers mainly from Syria and Iraq, sparking concern in Russian society too. Alongside this, it is very important to note that since the Ukraine crisis, Russia has become one of the largest recipients of refugees and people seeking temporary asylum among European countries.²⁹ Figures from the Federal Migration Service show that out of the total number of applications for refugee status filed in 2014 (6,976), 83% were from Ukrainian citizens. Among the 270,000 foreigners who applied for temporary asylum, 99% of them were citizens of Ukraine.³⁰ In 2014 as a whole, more than 800,000 Ukrainian citizens arrived in Russia. It is worth noting that people's tolerance towards foreigners actually increased over this period, according to sociological studies. Levada Centre polls showed that the proportion of respondents who had not detected inter-national tension in their town or region increased from 52% in 2013 to 71% in 2014.³¹ This is explained by the fact that new arrivals from Ukraine share the same cultural and historical outlook as the host society.

The necessity of integrating immigrants into society is meant to be solved, in part, by the "state programme to sponsor the resettlement of fellow nationals living abroad", which is mainly aimed at stabilising the size of the population in Russia's regions. Between 2011 and 2014, the trend in the number of fellow nationals arriving in Russia changed as a result of a sharp rise in the number of Ukrainian citizens registering for the programme in 2014. Over 70% of new arrivals are of working age and 41% have a university degree or uncompleted higher education.

The programme has nevertheless come under sustained fire from critics who believe that it is not attractive to nationals already living in developed countries³² and see it as, in essence, just one more scheme aimed at legalising the migration of labour from less developed CIS countries. What is more, not all Russian regions are taking part in the programme, while applicants have to go through a

²⁹ "FMS: 2.6 milliona ukrainsev nakhodyatsya na territorii RF" [Federal Migration Service: 2.6 million Ukrainians on Russian territory], *Rossiyskaya Gazeta*, 4 September 2015, <www.rg.ru/2015/09/04/fms-anons.html>.

³⁰ FMS, "Doklad o rezul'tatakh i osnovnykh napravleniyakh deyatel'nosti Federal'noy Migratsionnoy Sluzhby za 2014 god i planovy period 2015-2017 Godov" [Report on the Results and main Directions of the Activity of the Federal Migration Service in 2014 and in the planned Period 2015-2017], Moscow, 2015, p. 31.

³¹ "Ukrainskiy krizis povysil tolerantnost' rossiyan k migrantam" [The Ukraine Crisis made Russians more tolerant towards Migrants], <polit.ru>, 27 August 2014, <<http://polit.ru/news/2014/08/27/tolerance/>>.

³² A. Vesoly, "Chemodan, vokzal, programma pereseleniya" [Suitcase, Railway Station, Resettlement Programme?], *Rossiyskiy sovet po mezhdunarodnim delam (RSMD) [Russian International Affairs Council (RIAC)]*, 14 April 2014, <http://russiancouncil.ru/blogs/vesolyi/?id_4=1093>.

series of bureaucratic procedures without any guarantee that they will eventually receive Russian citizenship.

Student Migration

Students come third after migrant workers and fellow nationals in terms of the number of immigrants arriving in Russia. As regards the number of foreign students, Russia ranks seventh in the world after the United States, Great Britain, Australia, France, Germany and Canada, according to UNESCO (United Nations Educational, Scientific and Cultural Organization).³³ Worldwide, almost 4% of those studying at university abroad are doing so in Russia.³⁴ And according to figures from the Russian Ministry of Education and Science, more than 157,000 foreigners were studying at Russian universities in the 2011-2012 academic year, the vast majority of them undergraduate students, but also 4,600 Masters and 100 PhD students.³⁵ Almost sixty thousand full-time foreign students are from the CIS. In the following year, 2012-2013, the number of foreign students in Russia increased to 172,000. Most of them are from the CIS (Kazakhstan, Belarus, Turkmenistan, Azerbaijan and Uzbekistan) and Chinese students lead the way out of the rest of the world.³⁶ Every year, the Russian government hands out 10,000 scholarships that give foreign students the right to study in Russian universities for free: almost half of these go to people from the former Soviet republics, while the other half are ear-marked for students from the “far abroad”.³⁷

³³ A. Aref'yev, F. Sheregi, “Inostranniye studenty v rossiyskikh vuzakh. Razdel perviy: Rossiya na mezhdunarodnom rynke obrazovaniya. Razdel vtoroy: formirovaniye kontingenta inostrannykh studentov dlya rossiyskikh vuzov (elektronnyy resurs)” [Foreign students in Russian Universities. Chapter one: Russia in the international Education Market. Chapter two: Forming the Contingent of foreign Students for Russian Universities (electronic resource)], *Ministerstvo obrazovaniya i nauki Rossiyskoy Federatsii: Tsentr sotsiologicheskikh issledovaniy* [Ministry of Education and Science of the Russian Federation: Sociological Research Centre], 2014, p. 16, <http://5top100-ru.1gb.ru/files/File/inostrannye_stydeny.pdf>.

³⁴ “Education Indicators in Focus”, *OECD*, 5 July 2013, p. 2, <[www.oecd.org/education/skills-beyond-school/EDIF%202013--N%C2%B014%20\(eng\)-Final.pdf](http://www.oecd.org/education/skills-beyond-school/EDIF%202013--N%C2%B014%20(eng)-Final.pdf)>.

³⁵ *Ibid.*, p. 25.

³⁶ *OECD, International Migration Outlook 2014*, OECD Publishing, Paris, 2014, p. 292.

³⁷ A. Aref'yev, ‘Inostranniye studenty v rossiyskikh vuzakh’ [Foreign Students in Russian Universities], *Demoskop Weekly*, No. 571-572, 14-31, October 2013, <<http://demoscope.ru/weekly/2013/0571/analit02.php>>.

Alongside substantial unemployment in both the Russian (5.9% in March 2015)³⁸ and European job markets, there is not enough manpower in certain fields. As was highlighted in a report prepared by a representative from the Ministry of Economic Development, who presented at the third session of the Russian-EU migration dialogue on *The Contribution of Migrants to the Russian Economy*, the “Russian education system is not succeeding in training up specialists across the whole range of advanced skills, which are needed to modernise the country.”³⁹ Attracting foreign specialists to work in a wide range of fields could be important in spurring innovation. At the same time, the prospects for economic development depend on a state’s ability to invest in, and improve the standard of education, including by attracting foreign students.

The *Concept of Migration Policy of the Russian Federation to 2025* acknowledges that Russia’s potential in attracting foreign students remains largely untapped.⁴⁰ A country appears attractive to foreign students not only because of its high standard of university tuition but also because of the simplicity of entry and residence rules. And so, to create a more attractive environment for foreign students, Russian law changed to allow those students who attend classes in person to work throughout the duration of their studies.⁴¹ Amendments introduced from 1 January 2014 simplified procedures, such as the list of documents required, and allowed students who study in person to receive a work permit faster, in a matter of ten days or less. The permits issued are also not part of the yearly quota.

At the same time, however, Russia is becoming a less attractive country to study in because of the difficulty of finding work after graduation.⁴² Legally speaking, too, the notion of student migration is not well established. In addition, it is extremely difficult to alter the legal status under which a foreign citizen resides in Russia—from study to work, for instance—unless he or she leaves the

³⁸ “‘Zanyatost’ i bezrabotitsa v Rossiyskoy Federatsii v marte 2015” [Employment and Unemployment in the Russian Federation in March 2015], Federal’naya sluzhba gosudarstvennoy statistiki [Federal State Statistics Service], <www.gks.ru/bgd/free/b04_03/lssWWW.exe/Stg/d05/76.htm>.

³⁹ Arguments laid out in the speech by the Deputy Director of the Department of Economics, Social Development and Priority Programmes of the Ministry of Economic Development, N. Ponomarenko, at the third Session of the Russia-EU Dialogue on Migration Issues under the title “‘Migrants’ Contribution to the Russian Economy”, 26 October 2012, <www.economy.gov.ru/minec/about/structure/depsoc/doc20121029_07>.

⁴⁰ The Concept of State Migration Policy of the Russian Federation to 2025, p. II.

⁴¹ Federal law of the Russian Federation of 23 July 2013, No. 203-F3, Moscow, On Changes to the Federal Law “On the legal status of Foreign Citizens in the Russian Federation” and individual legal acts of the Russian Federation with the aim of creating yet more favourable conditions for foreign citizens and people without citizenship to study in the Russian Federation, entered into force on 1 January 2014.

⁴² The rules governing entry and the conditions under which foreign students can work is defined by the federal law “On the Legal Status of Foreign Citizens in the Russian Federation”.

country.⁴³ One solution might be to apply separate rules to student migrants and to create a simplified migration regime that would give them the right to reside in Russia for twelve months after graduation in order to find a job. The authors of the Concept recognize that student migration brings qualified foreigners into the country and helps them to integrate. Indeed, foreign students not only study Russian, they also form friendships which would help them to integrate to an even greater extent.

⁴³ “Strategii 2020: Novaya model’ rosta—novaya sotsial’naya politika. Itogovy doklad o rezul’tatakh ekspertnoy raboty po aktyal’nym problemam sotsial’no-ekonomicheskoy strategii Rossii na period do 2020 roda” [Strategy 2020: A New Model of Growth—A New Social Policy. Final Report of an Expert Commission into Current Problems of Russia’s Economic Strategy to 2020], Kniga 1 [Book 1]; pod nauchn. Red. V. Mau, Ya. Kuz’minova, Izdatel’skiy dom ‘Delo’ [Publishing House “Case”], RANKHiGS, 2013, p. 269.

Russia's Migration System and Eurasian Integration

The construction of the Eurasian Economic Union, which ranks among Russia's foreign policy priorities, and closer Eurasian integration, will clearly impact Russia's migration system. The Eurasian Union, a supra-national association founded on four basic freedoms—the free movement of capital, goods, services and labour—has the potential not only to stimulate economic growth across the region, but also to increase flows of legal migrants thanks to a relaxation of rules about entry and job seeking.

Opening up Russia's border to migrant workers from Belarus and Kazakhstan did not change the picture on migration to any significant extent. This is due to the fact that Kazakhstan and Belarus, like Russia, are more often than not net recipients of migrant workers from third countries with lower levels of economic development, GDP per capita and average wages.

The accession of Armenia and Kyrgyzstan to the Common Economic Space⁴⁴ and the Eurasian Economic Union⁴⁵, as well as the possibility that further CIS countries might join the Eurasian Union (Tajikistan is a candidate), could fundamentally change the ways migration is handled across the region. Most of the work permits and patents issued in Russia go to citizens of four CIS countries: Uzbekistan, Tajikistan, Ukraine and Kyrgyzstan. According to data from the Federal Migration Service, in February 2014, 2.3 million immigrants from Uzbekistan lived in Russia, 1.5 million from Ukraine, 1 million from Tajikistan and around 500,000 apiece from Kyrgyzstan and Armenia.⁴⁶ These figures will only grow with time, although it will become more difficult to account for growing migration flows associated with free movement.

Freedom of movement implies that the citizens of Eurasian Union countries have the right to work in any other Eurasian Union country on the same terms as that country's own citizens. All participating countries are obliged to guarantee equal working, wage

⁴⁴ Armenia from 10 October 2014, Kyrgyzstan from 23 May 2015.

⁴⁵ Armenia from 2 January 2015, Kyrgyzstan from 6 August 2015.

⁴⁶ "Mobil'nost' pensiy v ramkakh Evraziyskogo ekonomicheskogo soyuza i SNG" [Pension Mobility within the Eurasian Economic Union and the Commonwealth of Independent States], *TSII EABR*, 2014, p. 8, <www.eabr.org/r/research/centre/projectsCII/>.

and other social rights to citizens from other Union countries. In this way, member states do not implement legal restrictions to protect their national labour markets, while mutual recognition of qualifications across all professions (with the exception of medicine, law, teaching and pharmacology) increases competition between workers across Eurasian Union territory.

On the one hand, the mobility of labour ought to have a positive impact on the process of integration and on economic growth. Foreign workers benefit from mobility, but so do employers who want to reduce their wage bill. For Russia, however, it might provoke a slew of problems. Despite the fact that a visa-free regime is in place for the CIS states (90 days without any specific permits), Russia always followed a restrictive policy towards immigrants from these states and introduced additional legal barriers (quotas, registration for migrants, a compulsory medical examination and a comprehensive exam on Russian language, history and law). The creation of the common market and the foundation of the Eurasian Union deprive Russia, however, of the ability to control large flows of migrants.

Declared Goals versus Reality

Russia's strategic plan for migration policy to 2025 acknowledges more than once that the country's migration legislation needs updating and "does not completely meet the demands of economic, social and demographic growth, the interests of employers and of Russia society as a whole".⁴⁷ Indeed, the Concept is fundamentally about satisfying the needs of the Russian economy for manpower, modernisation, innovation-driven growth and heightened competitiveness. They, in turn, require discrete strategies for attracting and sorting foreign workers. The latest legal changes wholly obey this logic. Nevertheless, many specialists believe that it is highly contradictory⁴⁸ to liberalize migration policy (the patent system and the abolition of quotas for foreign workers and students) and allow the free movement of labour within the Eurasian Union, while at the same time introducing restrictions, such as the comprehensive exam which came in on 1 January 2015. On the basis of the system as it now stands, it is unclear which model of development and growth Russia will pursue in future, including in immigration policy.

The various possible paths of economic development—raw material, industrial or innovative—picked out by the authors of "Strategy 2020: A New Model of Growth, A New Social Policy" will determine how immigration will be regulated.⁴⁹ If the Russian economy goes down the raw material route, temporary immigration of low-skilled workers will move to centre stage. At present, most immigration into Russia is indeed temporary.⁵⁰ If it goes down the second path and develops its manufacturing industry and technological sectors in order to achieve import substitution, the country will need highly qualified workers and decent specialists, as

⁴⁷ The Concept of State Migration Policy of the Russian Federation to 2025, p. II.

⁴⁸ O. Troitskaya, "Stsenarii dlya rossiyskoy migratsionnoy politiki" [Scenarios for Russian Migration Policy], *Migratsiya XXI vek. [Migration XXI Century]*, 2013, T. 4, No. 19. V. Malakhov, "Migratsionnoy politiki u nas net" [We do not have a Migration Policy], *Lenta.ru*, March 2015, <<http://lenta.ru/articles/2015/03/23/migrant/>>.

⁴⁹ "Strategii 2020 : Novaya model' rosta—novaya sotsial'naya politika. Itogovy doklad o rezul'tatakh ekspertnoy raboty po aktyal'nym problemam sotsial'no-ekonomicheskoy strategii Rossii na period do 2020 roda" [Strategy 2020 : A new Model of Growth—A new Social Policy. Final Report of an Expert Commission into current Problems of Russia's economic Strategy to 2020], Kniga 1 [Book 1]; pod nauchn. Red. V. Mau, Ya. Kuz'minova, Izdatel'skiy dom 'Delo' [Publishing House "Case"], 2013, p. 262-277.

⁵⁰ OECD, *International Migration Outlook 2014*, OECD Publishing, Paris, 2014, p. 292.

well as low-qualified workers. The third road, innovation-driven growth and the triumph of IT and information services, would require an emphasis on attracting highly-qualified foreign workers, filtering out their less qualified counterparts and nurturing student and academic migration.

There are still aspects of the Russian law on migration, however, that might act as a barrier to attracting the best workers: forcing foreigners to register where they will be living is a case in point, as are the limits placed on free movement within the country.⁵¹ For now, it is difficult to judge the success or otherwise of the Russian “blue card”: Russia has indeed become more attractive to immigrants, but other parts of the world are pulling further ahead. The rapidly developing economies of Brazil, India and China are now giving the US, Australia, Canada and EU countries a run for their money in the race for talent. Giving investors preferences vis-à-vis entry, work and residency permits might make Russia more attractive. The Concept states that “creating conditions under which entrepreneurs and investors will migrate to Russia” should form [an important] plank of Russian migration policy. Experts believe that this proposal points in the right direction but, for now, it only remains a proposal.⁵² Presently, the legal status of foreign investors is defined in the federal law On foreign investors in the Russian Federation,⁵³ which deals only with general rights and guarantees and says nothing about concrete methods for granting them benefits and preferences.

Irrespective of the scenarios outlined above, Russia, like the European Union, will require a constant influx of low, medium and highly-qualified workers in the decades to come in order to sustain its rate of economic growth.

⁵¹ A work permit gives you the right to work only in the region in which it was initially issued.

⁵² S. Ryazantsev, “Novaya kontsepsiya regulirovaniya migratsii v Rossii” [A new Theory about how to Regulate Migration in Russia], MGIMO Universitet [MGIMO University], 4 January 2013, <www.mgimo.ru/news/experts/document234490.phtml>.

⁵³ Federal Law No. 160-F3 of 09.07.1999 *On foreign investments in the Russian Federation*, <www.consultant.ru/document/cons_doc_LAW_16283/>.

Conclusion

A new stage in the development of Russia's migration policy is upon us. Legal amendments and new rules brought in since 2010 mark a clear change in how migration flows are regulated, the aim being to maximise the economic benefit of labour migration. The introduction of a system of “patents” and new rules which make it easier for highly qualified foreign specialists to find a job are undoubtedly positive developments for Russian immigration policy.

That said, Russia is still unable to attract highly qualified workers and students. For now, the development of the Russian economy calls for the temporary migration of low-skilled workers. That is why there is no clearly thought-through policy for how to integrate foreigners. But if, in future, the Russian economy is to become more competitive and innovative, opening up avenues for permanent immigration into Russia is essential. The country's demographic problems point to the same conclusion, for immigration is set to become one of the main sources of growth in both population and manpower.

Free movement within the Eurasian Economic Union might sponsor this sort of permanent immigration, as might the harmonisation of pension systems across the Union. Indeed, the nature of migration, and the way it is regulated, will depend to a large extent on the fate of Eurasian integration. Labour migration into Russia is “a powerful bond which binds the CIS together and has the potential to develop further in future”.⁵⁴

It is not yet possible to judge to what extent Russia is ready to put the principle of free movement with its EEU partners into full effect, and what the costs would be for the Russian labour market. But putting that uncertainty aside, the Russian labour market will remain the most attractive of any within the CIS and migration will increasingly act as one of the strategic drivers of the country's development.

⁵⁴ Zh. Zayonchkovskaya, E. Tyuryukanova, Yu. Florinskaya, *op. cit.* [14]. p. 25.