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# Student migration from the CIS countries to Russia and problems of intercultural communication formation in an international student environment

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## Introduction

Active processes of migration of intellectual capital happen in the context of globalization. Part of them is a modern educational migration which solves the problem of increasing the country's attractiveness for the inflow of intellectual migrants from abroad by using «imports» of human capital produced outside the country<sup>1</sup>.

Foreign students are more positive force for Russia and its public institutions than other categories of immigrants (e.g., migrant workers or refugees and internally displaced persons). The phenomenon of educational migration provides the ability to get new citizens belonging to the Russian citizenship through the education system which is the best way. Given that they already integrate in the host society during learning process.

In the learning process foreign students undergo a peculiar process of adaptation studying Russian language, culture, history, getting acquainted with national traditions (including religious).

While the costs of social and cultural adaptation and integration incurred by Russia as a recipient country are much lower than those that occur in other types of migration (especially labour from the CIS countries). This part of foreign citizens has a high degree of adaptability which does not irritate the local population. Years of training in Russian universities allow getting the «ideal worker» who knows problems.

Analysis of the literature shows that the social and civil integration and inclusion (integration, involvement) of a foreign citizen in the host community is one of the important problems studied in theoretical and in practical terms<sup>2</sup>.

Note that the problem of social and civic integration in 2015–2016 of foreign citizens arriving in the country has acquired a special urgency and relevance in connection with the migration crisis in the EU and as a consequence in the growth of ethnic and religious tension in the world confirming the lack of effectiveness of existing models, policies and procedures. This raises the task of finding new ways of the foundations of inter-ethnic harmony in multicultural communities what is today most of the world at the macro level and universities with their contingent of foreign students is at the micro level.

In a multicultural and multireligious communities in which the transformation of systems of identities of individuals occurs under the influence of cultural, legal and political norms of the States of residence has its own specifics and the process of formation of civil identity which becomes an important factor in maintaining social and political balance.

The necessary and sufficient level of communicative linguistic competence, knowledge about the history and culture of the country is a prerequisite for the integration

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<sup>1</sup> McAusland Carol, Kuhn Peter. Bidding for brains: Intellectual property rights and the international migration of knowledge workers // *Journal of Development Economics*. Vol. 95. Issue 1. 2011, p.77-87; Florida R. The Rise of the Creative Class // *Washington Monthly*, 2002, May.

<sup>2</sup> Anzhela Dolzhikova, Victoria Kurilenko, Marina Moseikina, Natalia Pomortseva and Elena Tumakova. A new model of testing migrants' civic competence in the Russian Federation // *Indian Journal of Science and Technology*. Vol. 9, Issue 42, November 2016 // <http://www.indjst.org/index.php/indjst/article/view/100558/74813>

of a foreign citizen in a new linguistic and cultural community. According to the «Common Basic principles for immigration integration policy in the European Union» («The Common Basic Principles for Immigrant Integration Policy in the European Union») which were adopted in

November 2004, «basic knowledge of the language, history and institutions of the host society are necessary conditions for integration». In this case, «efforts in education are essential in preparing immigrants to ... be more successful and more active participants in society»<sup>3</sup>.

## The structure of the educational migration in Russia

In modern Russia strategy for attracting foreign students becomes an extremely important as the carriers of human capital with high potential. On one hand, the development of Russian educational services and the creation of conditions for promotion of educational migration in Russia is one of the options to mitigate the demographic problems in the country, on the other hand, with the other means of promoting Russian education in the world reflecting the international recognition and competitiveness in the global market. Demographic background educational migration from the CIS countries and Baltic States in the Russian Federation consists of the Russian demographic reality and comparative population dynamics of the new independent States. The trend in recent years is that countries with a dominant Christian culture in the last decade and a half have lost and will continue to lose its population, while all countries with a dominant Islamic tradition will numerically grow. That is, unlike Russia, more and more young people come of school and University age in the zone of its traditional influence in Central Asia and the Caspian. As a result, in Russia due to the increase in the quota for admission of foreign students is compensated partially the shortfall due to a decline in the birth rate in the country which occurred 15-20 years ago.

On the other hand, the share of foreign students in the total cohort of students is an important indicator of the international prestige of the national education system. In most countries of the world, leading in the training of foreign students at the tertiary level it exceeds 3% while in Russia it dropped from 3.2 % in the 1990s to 1.2 % in 2008–2009.

However, the situation began to change in 2013. State program of the Russian Federation «Development of education» for 2013-2020 involves the expansion of acceptance of foreign citizens in the Russian universities with the aim to «popularize Russian higher education in the world educational space»<sup>4</sup>. The increase in the number of foreign students is also one of the requirements that need to be performed for the planned «Strategy – 2020» entry of five Russian universities in the top hundred universities

in the world<sup>5</sup>. Today Russia is one of the leading countries in the number of foreign students, trainees, postgraduates, doctoral students, interns, residents, students of preparatory departments. According to UNESCO, it ranks sixth in the world in number of foreign students after the US, the UK, France, Australia and Germany leaving Japan behind<sup>6</sup>.

From 2014/2015 till 2015/2016 academic year the number of foreign students has increased by 8% in Russia and now stands at 237.5 thousand people (5% of all students in the country). Most students come from countries of the former Soviet Union (79%). The leader of this group is Kazakhstan (36% students). The second place is Ukraine and Uzbekistan (11%).

Competitiveness, scientific and academic authority of the institution, the attractiveness of training in it is due to a number of objective and subjective factors. One of them is language learning: from its prevalence in the world, the number of people speaking it, demand depends on the organization of its study as a foreign language in the national curriculum. The high position of Russia is due to students from countries where the Russian language remains common.

The interest in the Russian language, culture, education which reached its peak at the turn of 1980-1990 on the wave, the so-called reconstruction, it was marked by a noticeable decline after its collapse. In the former Soviet republics, the number of people speaking the Russian language for two decades has also declined from 120 million (1990) to 94 million (2010) nevertheless it remains significant.

In recent years, Russia has increased efforts to preserve the Russian space implements the State program of assistance to voluntary resettlement of Russian compatriots, Russia looks for ways to effectively attract the highest quality human capital in the economy. 17.3 thousand of people studied in 54 countries in 60 Russian language courses at the Russian centres of science and culture and representative offices of Rossotrudnichestvo and their number has more than doubled over the past 10 years (in Soviet period on a similar language courses of the

<sup>3</sup> Council of the European Union (2004). 2618th Council Meeting on Justice and Home Affairs. Press Release. Brussels, 19 November 2004.

<sup>4</sup> State program of the Russian Federation «Development of education» for 2013-2020. Approved by the government of the Russian Federation from the 15th of April in 2014 N 295 [Electronic resource] // Ministry of education and science of the Russian Federation. URL: [http://bolplotds.ucoz.net/FEDERAL/gos\\_programma\\_razvitija\\_obrazovaniya.pdf](http://bolplotds.ucoz.net/FEDERAL/gos_programma_razvitija_obrazovaniya.pdf) [State Program «Development of Education» in 25

<sup>5</sup> Increase of competitiveness of leading Russian universities among global leading research and education centres (5— 100) [Electronic resource] // Ministry of education and science of the Russian Federation. URL: / <http://5top100.ru/universities/> [Enhancing the competitiveness of the leading universities of the Russian Federation among the world's leading research and education centres (5—100). Ministry of Education and Science of the Russian Federation. URL: [минобрнауки.рф/проекты/5100](http://минобрнауки.рф/проекты/5100) (accessed: 24.10.2015).]

<sup>6</sup> Bystryakov A. Y., Grigor'eva E. M. Dolzhikova, A. V. Ledeneva V. Yu., Ponomarenko E. V., Savenkova E. V. The Intellectual capital and intellectual migration in the context of globalization. M. 2017.

Union of Soviet societies for friendship Russian language studied 600 thousand people in almost 90 countries of the world).

Thus, a total of 372,1 thousand foreign nationals of 175 countries received pre-University, undergraduate and postgraduate education in the Russian language and Russian educational programs in the Russian Federation and abroad in 2014/2015 academic year (this total figure was 222.6 thousand people in 2005/2006 and it was 286.5 thousand people in 2009/2010) This is without taking into account estimated 140 thousand children from families of foreign citizens (mainly labour migrants from CIS countries) studying in Russian schools in the 2014/2015 year and 8.2 thousand students enrolled in the 79 schools in Russian Embassies in 79 countries<sup>7</sup>.

The majority of foreign customers in various Russian educational services are still citizens of the CIS countries and their share in the composition of foreign students, trainees, postgraduate students, students of preparatory departments, language courses, etc. of Russian educational institutions is growing accounting for 72.1%. The cost of education in Russia is lower than in many countries. Moreover, the foreigners can apply for funded places which about a third of them study for free.

The share of students from the new independent States currently accounts for over one third of foreign students studying in Russian universities. The biggest flow of students to Russia comes from the territory of the former Soviet Union which is countries in Central Asia, as the main «supplier» of foreign students is Kazakhstan. According to various sources, from 16.8 to

25.5 thousand students studied in Russian universities from Central Asian countries in 2009/2010 academic year or 58% of the total number of migrants from new independent States into Russia (data of the Federal state statistics service of the Russian Federation)<sup>8</sup>.

More than half of CIS citizens entering Russian universities who were educated in Russian language. These are graduates of the so-called Russian schools, Russian gymnasiums as well as those who studied in classes with teaching in Russian (usually in «mixed schools») or with advanced study of Russian language. Such education strongly influences the choice of Russian educational institution often this choice is regarded as the obvious and only possible. In addition, Russia and several CIS countries, primarily Belarus, Kazakhstan, Kyrgyzstan and Tajikistan are still retain the characteristics of a single educational space of the Soviet Union.

The majority of foreign students study in Moscow and St. Petersburg and in the largest cities of the Russian regions. Most of the students from the CIS are trained in the Central, Siberian and northwestern Federal districts. The factor of neighborhood to the countries of origin of foreign students plays important role. 16 cities with the maximum number of foreign students are located in the border areas. Attractiveness of selected Russian universities is connected with their specialization and also with the presence in the universities preparatory departments with the teaching of the Russian language. The largest number of foreign universities is the Russian Peoples' Friendship University, Moscow State University. M. V. Lomonosov, St. Petersburg State University.

## **The formation of the common linguistic and educational environment of the University**

The task of forming a single linguistic and educational environment of the University is quite successfully solved in Russia with educational and learning potential in the development of language, cultural and linguistic abilities of students, formation of their civic competence, readiness for life and work in a multicultural, multiethnic, poly-confessional Russian society. The learning experience of creating such environment that functions effectively at the Russian University of Peoples' Friendship (RUDN) where more than 8 700 foreign students are currently enrolled. They are representatives of 154 countries, including the CIS countries, represents scientific and practical interest (especially in the context of the ongoing migration crisis in Europe).

Russian University of Peoples' Friendship was established in February 1960 at the initiative of the leader of the USSR N. S. Khrushchev (it was called University of Peoples' Friendship named after P. Lumumba until

1991) is a leading internationally-oriented University of the Russian Federation.

International-oriented University is a kind of «crossroads» cultural traditions: the academic, behavioral, communicative speech, etc. In this regard, supra-ethnic consolidation is a goal and a critical tool of effective educational activities of Peoples' Friendship University which trains representatives of 494 nationalities, peoples, ethnic and sub-ethnic groups of followers of different religions and beliefs, people of different cultures and languages. In this sense, the University is a unique higher educational institution of Russia as it has been producing more than half a century his own experience cross-cultural integration, supra-ethnic students of different nationalities, races and religions. As rightly pointed out by the rector of RUDN academician V. F. Filippov the Russian University of Peoples' Friendship «has useful experience for universities internationalization».

<sup>7</sup> Arefyev A. L., Sheregi F. E. The Foreign students in Russian Universities. Section one: Russia in the international education market. Section two: the formation of the contingent of foreign students to Russian Universities [electronic resource] / Ministry of education and science of the Russian Federation. — M.: Centre of sociological researches, 2016. P. 396–397. CD ROM.

<sup>8</sup> The export of Russian educational services: assistant. Coll. Vol. 3. The Ministry of education and science of the Russian Federation. M., 2011. P. 35–36.

One of the priorities of Russian universities and RUDN is cooperation with universities of member States of the CIS. Agreements were made on cooperation with universities of Armenia, Azerbaijan, Kazakhstan, Kyrgyzstan, Moldova and Ukraine. In 2008 RUDN has initiated the creation of the CIS Network University and today it is the base institution of the CIS Network University, in a consortium which consists of 27 leading universities from nine countries: the Republic of Armenia, Republic of Azerbaijan, Republic of Belarus, Republic of Kazakhstan, the Kyrgyz Republic, Moldova, Tajikistan and Ukraine. «Any University of this level should have as an objective to be the basis of intercultural interaction between the two countries. Just to attract students, young people, to put them at the table and say: let's be friends, let's engage ethno-cultural education without the creation of a database at the same time education is impossible. And that education is the Foundation that keeps the friendship between our countries, – said the rector of RUDN Vladimir Filippov. For many students from Commonwealth countries the opportunity has been made to simultaneously study in the best universities of our countries and obtain two master diplomas»<sup>9</sup>.

Russian University Peoples' Friendship awarded the rating «5 stars» rating in the QS stars the following categories: quality of education, internationalization, infrastructure, innovation and social environment. QS stars is a rating system developed by the company QS which is a multidimensional assessment of University activities in 8 categories. In General, in order to earn a rating of «4 stars» (550 points out of 1000) that the University should have a high level of internationalization demonstrating the high achievements not only in teaching but also in research activities. One of the prerequisites, for example, is the presence of at least 10 cooperation agreements for student exchange with universities of top-500 best universities in the global ranking of universities QS.

«Success in the QS Stars is proof that RUDN is worthy to be in one row with the leading universities of the world», – said the rector of RUDN Vladimir Filippov. A new slogan «Discover the world in the same University» appeared in RUDN in 2016 that in the opinion of the President of the International Observatory on academic ranking and excellence IREG Jan Sadlak, «very well reflects the spirit of RUDN». «I think that this slogan is also noted at the meeting of the International expert Council on the 21st of February in 2016 addressing the rector of RUDN Vladimir Filippov, the Director of the Center for international higher education at Boston College(CIHE), USA Hans de wit, it very well expresses what you are aiming for. You want to move from quantity to quality. It is not important for you how many students you have but how talented they are. This is the right way. You have done a lot to improve your reputation»<sup>10</sup>.

Linguocultural environment of RUDN is a system of language and culture-linguistic practices of the subjects

of the University educational community. In the field of supra-ethnic consolidation of the University community the environment performs a number of important functions, including:

- nurturing love, respect for the Russian language, the assimilation of moral norms and cultural values of the Russian society;
- formation of communicative-speech culture of students: development of communicative linguistic, cultural linguistic and cultural competencies;
- formation of skills of constructive, conflict-free interethnic communication and cooperation on the basis of tolerant values;
- instilling the ideas of altruism and respect for others, solidarity and belonging which are based on awareness and adoption of its own identity and the recognition of the diversity of the world;
- improving knowledge and skills of interaction with people of other ethnic and religious affiliation on the basis of respect for human dignity and acceptance of the other;
- development of interethnic tolerance, education in the spirit of openness and understanding of other peoples, the diversity of their cultures and history, etc.

Activity of 12 language departments of the Peoples' Friendship University teaching linguistics discipline («Russian language and culture of speech», «Rhetoric», «Culture of professional communication», «Intercultural communication», «Interpersonal communication and intercultural communication», etc.), the University is governed by a specially created Commission on the Russian language. In the field of supra-ethnic consolidation of student's youth the language departments of RUDN do a lot of work on the development of theoretical and methodological foundations of learning tolerant to cross-cultural communication. These questions are included in the program of the Commission on the Russian language. They become the topics of dissertation research including the degree of doctor of science.

The humanitarian Departments of the Peoples' Friendship University (Department of history, sociology, theory and history of international relations, world history, Russian language and intercultural communication, theory and history of culture, history, philosophy, ethics, comparative politics, etc.) play an important role in supra-ethnic consolidation of student's youth because of the humanitarian component is able to provide the reproduction and development of the value spheres in the society in the state, ultimately, in the world. This value sphere is necessary for the formation of critical thinking political and social actors, real citizens, not just automatically loyal to their country or to society but actively and critically involved in the transformation of society, really concerned for its future humanitarian and socio-economic education, a program which includes such important questions as:

<sup>9</sup> [http://imp.rudn.ru/su\\_sng/data/prot\\_polozh.pdf](http://imp.rudn.ru/su_sng/data/prot_polozh.pdf). The first graduation of students was in 2012.

<sup>10</sup> <http://www.rudn.ru/index.php?pagec=6193>

- development of strategies for the development of intercultural dialogue and tolerance among students;
- creating a system of organizational forms and means of intercultural education of students;
- constant correction, updating of the content of teaching of humanitarian disciplines in the light of the requirements of modern Russian society, etc.

The second area of the linguistic and cultural environment of RUDN is connected with the extracurricular activity that is conducted by University departments, student organizations, various departments of the University

- Weeks, Festivals, days of culture of the peoples of Russia and the world.
- Interuniversity festival «Moscow made us friends» dedicated to the International day of tolerance.
- Cultural festival «Wreath of folk traditions».

Professional student Association «Museum Studio» actively works in RUDN (a project of the Department of theory and history of culture). As rightly noted by the authors of the project the University museums of the University are intended to actualize linguistic and cultural environment because they are not only the guardians of the heritage, traditions but also become a means of intercultural communication and consolidation of supra-ethnic. The complexity of the impact of the Museum space and its sound is capable of interpretation directed students to form a meaningful system and stereotypes, skills, competence and creativity.

Overall, education in Russia remains prestigious for the CIS countries, this largely determines the characteristics and prospects of migration behaviour and migration attitudes of students from the new independent States. Part of them wants to stay in Russia and here also the experts conducting surveys of foreign graduates, singled out a number of reasons. Among them: the prospects for the development of career development with the existing form, the possibility to get a fair remuneration for work:

«I have plans to stay in Russia after graduation and start my career», – 3rd year student from Turkmenistan.

«There are very low wages in Moldova, many poor people and I will not earn much there comparing with Russia», – 3rd year student from Moldova.

Personal reasons related, in particular, emerged in Russia affections (family ties, friends, etc.). «Now we are talking about the wedding and apparently, for personal reasons I will remain in Russia» – the 5th year student from Kazakhstan.

«I'm going to marry a Russian, so will remain here. There is more work here, we will work in one area», the 3rd year student from Ukraine.

«I already live in Russia, I have many friends here and there is nobody to come back there although I have lots of relatives all over Armenia...» – the 3rd year student from Armenia.

«I want to stay in Russia, my young man from Syktyvkar. Maybe I will go to the North with him», – the 5th year student from Moldova.

Ignorance of the language of the titular nationality:

«Job prospects with a Russian diploma are good, but I don't know the Kazakh language and I don't want to return to Kazakhstan», – the 4th year student from Kazakhstan.

The perception of Russia as their Motherland, «the country» with a similar culture where to live comfortably in the closeness of mentality.

«Here [in Russia] historical homeland, I'm Russian, so I would like to live in Russia», – the 4th year student from Kazakhstan.

«I would like to live and work in Russia, it suits my mentality», – the 2nd year student from Lithuania.

In the interviews the students underlined that he went to Russia to study, implying the ability to stay here. «That's why I came to study and to stay here in the future for work and to build my future here», the 2nd year student from Kazakhstan.

«I wouldn't have come if I wanted to return», – the 4th year student from Moldova<sup>11</sup>.

Russian researchers have also found that the decision about the final migration to Russia after education at a local University is also linked to the identification of a foreign student with the Russians (due to the spread in the CIS countries the phenomenon of «Russian compatriots abroad»). A similar qualitative study by American scientists Alberts and Hazen revealed, for example, the relationship between experiences of migration and desire to return to their home country after graduation for international students American universities: the less satisfactory the experience was in comparison with life in the home country, the stronger was the desire to leave the United States after obtaining a degree. The Russian compatriots and representatives of indigenous nationalities, respectively, showed a mirror opposite results concerning intentions to return to his native country and eventually to migrate to Russia: indigenous nationalities are more inclined to return to their home country and less to the final migration and the Russian compatriots on the contrary<sup>12</sup>.

<sup>11</sup> Educational migration from CIS and Baltic countries: potential and prospects for Russia / Under the editorship of K. A. Gavrilova, E. B. Yatsenko. M., 2012, P. 177-179.

<sup>12</sup> Zangieva. I. K., Suleymanov A. N. Students from CIS countries in Russia: prerequisites for migration // Monitoring of public opinion: Economic and social changes. 2016. No.5. P. 127-146. For citation: Zangieva I. K., Suleymanova A. N. Students from the CIS countries in Russia: prerequisites for migration. Monitoring of Public Opinion: Economic and Social Changes. 2016. № 5. P. 127—146. [https://wciom.ru/fileadmin/file/monitoring/2016/135/2016\\_135\\_09\\_Zangieva.pdf](https://wciom.ru/fileadmin/file/monitoring/2016/135/2016_135_09_Zangieva.pdf)



## Conclusion

International student's mobility involving the training of students abroad and giving them the chance to stay for further work acquires special urgency in today's globalizing world for Russia. The effect of a multicultural environment is created due to educational migration in many Russian universities where foreign students serve as carriers of other (their) cultures, ways of thinking, rhythms and aesthetics. For a modern economy all of the above resource development, in particular, the effect of a multicultural environment works perfectly in the knowledge economy. In an educational environment increase mass personnel

for innovative systems; in turn, the arrival of new cultures in the school environment greatly enhances it, expands the boundaries of thought and experience as those in teaching and those who are trained. The vast majority of the students emphasize that a Russian diploma has opened broad prospects in the country of origin but this cannot be a good argument for homecoming. Those foreign students who after graduation stay in the country of study, join the Russian economy, wish to obtain citizenship of the Russian Federation, those who leave potentially become the economic, political and cultural agents of influence.

# Stateless persons in Russia among the soviet people

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One of the results of the collapse of the USSR was the emergence of a unique contradiction between the new citizenship and the national-state self-identification of millions of former Soviet citizens. More recently, bound by common Soviet citizenship, they suddenly became citizens of the new independent States. At the same time, the only criterion for determining citizenship was that they had a permanent residence permit at the place of residence in the territory of the USSR at the time of its collapse. At the same time, it was not required to renounce Russian citizenship, and in the case when a person was born in Russia and, in fact, had Russian citizenship by birth.

It is quite clear that such a mechanical classification to the new citizenship «by registration» did not suit all former citizens of the USSR.

At the time of the collapse of the USSR, there were at least 25 million ethnic Russians and 4 million representatives of other Russian peoples outside the Russian Federation. Some of them, living, for example, in Ukraine, Belarus or Eastern Kazakhstan, were sufficiently integrated into local life and, apparently, did not feel much discomfort due to the lack of Russian citizenship. Someone, on the contrary, faced considerable material, cultural and psychological difficulties in the terms of accelerated construction in the former Soviet republics of national states.

The total number of representatives of their non-titular and less often titular nationalities living in the former Soviet republics, brought up in the traditions of Russian culture, in the Russian language environment and identifying themselves with Russia, cannot be accounted for. However, it is clear that there were many of them.

There was a large group of former Soviet citizens who sought to acquire Russian citizenship and move to the Russian Federation. According to expert estimates, more than 10 million people from this conditional group implemented their intention. Some of them received a passport of a citizen of the Russian Federation before moving to Russia in a Russian consular office in the country of origin, some – already on arrival in Russia in the Internal Affairs bodies at the place of residence.

At the same time, those who obtained citizenship in consular offices, received a certificate to the passport of the USSR with the seal and signature of the Consul, but when applying for citizenship in Russia a liner to the passport of the USSR on official paper with the seal of the Ministry of Internal Affairs and the signature of the authorized person was issued.

It should be emphasized that in the context of the formation of the Russian state and the development of new administrative procedures, the registration of cases on citizenship for objective reasons could not be uniform and orderly. Accounting was also not properly established.

The only basis for cancellation of the decision on acceptance in citizenship, under laws on citizenship (the Law of the Russian Federation «On citizenship of the Russian Federation» of November 28, 1991 № 1948-I – further the Law-1991 and the Federal law «On citizenship of the Russian Federation» № 62-FL of May 31, 2002 – further FL-2002) is the fact of providing or the message by the citizen of obviously false documents or data established in court. However, as a result of the inspections carried out by the Ministry of Internal Affairs, the Federal Migration Service and again by the Ministry of Internal Affairs, since 1997, the mass seizure of passports (and in fact the deprivation of citizenship of the Russian Federation). When such checks are carried out at the initiative of state bodies (in cases of a citizen's appeal about the passport exchange according to age, in cases of loss, entering children, placing a stamp on registration, etc.), it often turns out that in the primary case of acquiring citizenship, any errors have crept in or there are no certain documents, certificates. There are many cases when data on the citizenship of a person are not available in the electronic database of citizens of Russia, which was created since the late 90-ies by transferring information from registers, folders.

In the Special report of the Commissioner for human rights in the Russian Federation of 6.12.2007 «On the practice of seizure of Russian passports from former Soviet citizens who moved to the Russian Federation from the CIS countries». (Rossiyskaya Gazeta, 26 January 2008.) there are numerous cases of identified gaps in the electronic database on citizenship, when during the preparation of the report, it was possible to find the original information in the archives of the Consular service of the Ministry of Foreign Affairs of the Russian Federation. In addition, there were cases of large losses of raw materials, which disappeared in the process of transferring the archives of the consular institutions of post-Soviet countries in the archive of the Consular Department of the MFA of Russia. In the above-mentioned Report, the Commissioner stated that *«in almost all cases, passports were issued for reasons of low qualification, criminal negligence or selfish motives of employees of authorized state bodies in*

*violation of the established procedure*». At the same time, the blame for errors in the office rests with the citizen.

The removal of a passport of a citizen of the Russian Federation or its recognition as invalid deprives a person of the opportunity to enjoy the rights of a citizen, which in fact is an irrevocable deprivation of citizenship.

The Report declares: *«The Federal Commissioner, as well as the human rights commissioners in the constituent entities of the Russian Federation are of the same opinion – in cases of unjustified issuance of Russian passports through the fault of state bodies, the mistakes made by them are subject to correction without prejudice to the holders of these passports. The latter should be recognized as citizens of the Russian Federation without any additional terms, at least until their personal guilt in illegally obtaining Russian citizenship and passport is proved. ... With regard to the severity and urgency of the problem, the most effective way to solve it quickly could be the decree of the President of the Russian Federation on the unconditional admission to Russian citizenship of immigrants from the CIS countries, through no fault of their wrongly documented passports of a citizen of the Russian Federation»*, advised the Commissioner for human rights in 2007.

However, the Commissioner's Council remained unheard. Only five years after the release of the report of the Commissioner for human rights, at the end of 2012, the state Duma adopted amendments to the Federal law-62 «On citizenship of the Russian Federation» in the form of a new Chapter 8.1 «Regulation of the legal status of certain categories of persons located on the territory of the Russian Federation», popularly nicknamed «Amnesty for compatriots» (hereinafter – Chapter 8.1), so two categories of compatriots received the right to issue Russian citizenship.

THE FIRST GROUP OF SUBJECTS OF CHAPTER 8.1 – are those who received the passport of the citizen of the Russian Federation in authorized body till July 1, 2002 (i.e. according to the Law of the Russian Federation of 1991 «On citizenship of the Russian Federation»), but this passport was withdrawn or recognized invalid because at check gaps or inaccuracies in papers on registration of citizenship (further we will call them «deprived») were found. Due to errors in record-keeping law committed by officials, migration authorities believed that «deprived» has not acquired the citizenship of the Russian Federation in the manner prescribed by law, and the passport issued in violation of any applicable order. The passport was seized or invalidated<sup>13</sup>, which is, in fact, an irrevocable deprivation of citizenship with all the consequences for a person.

Chapter 8.1. announced that these «deprived persons» can obtain the citizenship of the Russian Federation from the moment of issuance of the first passport of the citizen of the Russian Federation. Thus – the actions of government

officials and services that have withdrawn passports or made them invalid – are considered null and void (however, without any consequences for these officials and services). The vicissitudes of fate «deprived» have encountered, no one takes into account, as well as the damage to the prestige of the country caused by such an attitude to its citizens.

THE SECOND PART OF SUBJECTS OF CHAPTER 8.1 – are those from citizens of the former USSR who entered till November 1, 2002, but lives in Russia without registration in the residence – they are given the right to submit documents for acquisition of citizenship according to the current law without any penalties and without requirements: to show residence permit or permission for temporary residence, to specify a source of means of existence, to submit documents on knowledge of the Russian language.

More than 70 thousand «deprived persons» could take advantage of the norms of Chapter 8.1, at the time of its introduction. Those who belong to the second group – many times more, so it is impossible to estimate their number, because they are initially out of any account. Until the end of 2016, 45 thousand «deprived persons» were recognized as citizens. So only the «deprived persons» who are not recognized as citizens, there were about 25 thousand people. A number of compatriots, subject to the provisions of this Chapter, entitled to citizenship of the Russian Federation, but remaining in an irregular situation is hundreds of thousands. And all of them were subject to deportation from Russia. The question of where to deport remained open, because with no country except Russia, the unfortunate people had no ties. The hopelessness of the situation, both for these people and for the Russian state itself, was obvious. That is why the amendment of K. F. Zatulin (supported by I. Yarova), which extended the validity of Chapter 8.1 for three years – until January 1, 2020, was adopted in December 2016 in three readings.

However, the prolongation of the provisions of Chapter 8.1 does not remove the problem of the illegal existence of tens of thousands of our compatriots in Russia, not only because not everyone will have time to take advantage of the opportunity provided to them before January 1, 2020. Dozens of thousands of former Soviet citizens who have lived here for more than 15 years, who have nowhere to leave Russia, do not satisfy Chapter 8.1 in the current version.

Meanwhile, the extrajudicial seizure of passports continues to this day and concerns passports issued after 01.07.2002<sup>14</sup>. From the Report of the Commissioner for human rights of the Russian Federation: *«It was again issued in violation of the established order: in 2004 – 6855 passports, in 2005 – 9347, in 2006 – 8271 passports, 3299, 4658 and 5479 passports were withdrawn respectively»*. Thus, out of 24,473 Russian citizens who received passports from 2004 to 2006, 13,443 citizens were deprived of their passports and, in fact, of

<sup>13</sup> General Prosecutor's office banned the migration service to withdraw Russian passports in the absence of illegal actions of their owners владельцев (08.04.2009) [Electronic resource]. URL: <http://www.regnum.ru/news/1148023.html>

<sup>14</sup> Grafova L.I. In defense of «newcomers in large numbers». Collection of articles on migration policy of Russia // M.: Ltd. Sam polygraphist. 2016, p.248, p.265 [Electronic resource]. URL: <http://migrant.ru/v-zashhitu-ponaexavshix/>

their citizenship. On average – more than 4 thousand a year. At this rate, «extrajudicial» decisions by 2018, at least 70 thousand people became «deprived», but they are not covered by the «rehabilitating» condition of Chapter 8.1., as well as the children of «deprived persons», who took citizenship by citizenship of their parents, but received a passport, becoming an adult, after July 1, 2002. does not apply to Chapter 8.1 and Those Russian citizens who have issued citizenship abroad, even before July 1, 2002 are not covered by the condition of Chapter 8.1. Dozens of Russian citizens living abroad, were denied a passport (and hence – and the citizenship) at the next (not the first) application for exchange of the passport at the end of its validity, because no information about the registration of citizenship, which was previously, was found in the database.

The right to obtain Russian citizenship under Chapter 8.1 have those who entered Russia before November 2002.

However, more than 15 years have passed since November 2002. During this time, thousands of compatriots who have the right to recognize the citizenship of the Russian Federation by birth, or – for admission to citizenship in a simplified manner on other grounds, came to the territory of the Russian Federation. Many of them were not able to obtain citizenship in time, not because of their fault, but because of delays in the Federal Migration Service bodies, where they refused to accept and verify documents confirming the relevant facts, despite the fact that this is their duty, imputed by law. Going to court often did not correct the situation. There are also cases where migration services do not comply with court decisions on the recognition of citizenship.

What can we do to stop this never-ending stream of problems and troubles that are falling on Russia, on those who returned to their homeland or the homeland of their ancestors, or acquired Russian citizenship, as evidenced by a passport issued on a legal form in the authorized state body?

#### FIRST

It is necessary to stop forever the unlawful deprivation of citizenship, which is masked by some decisions on the absence of Russian citizenship, if the results of internal inspections revealed gaps or inaccuracies in cases of acquisition of citizenship.

Any Department, as well as the Ministry of Internal Affairs, has the right to restore order in its internal documents. But why at detection in cases on citizenship mistakes, made on incompetence or negligence of officials, or lack of any references, statements without which the passport could not be charged, fault is assigned to the person? Why not demand or restore the necessary data, why not correct the documents and the database without the actual deprivation of Russian citizenship, which was implemented by the citizen: participated in the elections, served in the Russian Army, worked in the Ministry of Internal Affairs, held responsible positions in institutions and enterprises

– there are many «deprived persons» among the victims. The law provides only one basis for the deprivation of citizenship – the provision of false information by a citizen when applying for citizenship. And this fact should be established by the court. And there is a senseless deprivation of citizenship of the Russian Federation.

There is one more circumstance which shows illegality of actions on removal of passports. Every law has a statute of limitations for bringing claims against its violators. The law of the Russian Federation «On citizenship of the Russian Federation» of 1991 in article 24 established limitation period of 5 years. Since its effect ceased with the entry into force of the Federal law «On citizenship of the Russian Federation» of July 1, 2002, so it is more than strange to make claims in 2007 to anyone who received a Russian passport under the law of 1991, – because the statute of limitations has expired...

The current Federal law of 2002 contains no direct reference to the statute of limitations, but in this case, there is a general rule for the deadline for the submission of claims against violators of the law – 3 years which is established by the Civil code (civil code, part one, Chapter 12 «Statute of limitations», article 196 «A General statute of limitations»). And in the case of obtaining passports – the prosecution in violation of the proceedings under the citizenship is transferred on citizens who are not guilty of clerical errors made by the officials, or the loss of some information from the folders, due to be stored in the archives of the Ministry of Internal Affairs.

In the practice of the courts on issues of citizenship, justifying the decision of migration, the seizure of passports was not taken into account and the Definition of the Constitutional Court of the Russian Federation on the appeal of M. O. Suslov<sup>15</sup>, who considered unconstitutional article 22 of the Federal law 2002 «Grounds for termination of citizenship of the Russian Federation», allowing to deprive of citizenship as the result of the determination by the court of the fact of submission of false information. However, the Constitutional Court rejected the complaint, as «article 22 disputed by the applicant allows to cancel the decision on acquisition of citizenship of the Russian Federation if it was made on the basis of false documents submitted by the applicant or obviously false information. This provision, as can be seen from its content, applies only to cases where there were no legal grounds for the acquisition of Russian citizenship and the emergence of a stable legal relationship of a person with the Russian Federation, expressed in the aggregate of their mutual rights and obligations.

Therefore, the contested norm, taking into account that availability of obligatory judicial control is fixed in it, it cannot be considered as allowing deprivation of citizenship and violating the constitutional rights and freedoms of M. O. Suslov in the aspect specified in the complaint».

This definition gives clues to the courts and authorities of the Ministry of Internal Affairs that in determining the citizenship

<sup>15</sup> Decree of the Constitutional Court of the Russian Federation of 21 April 2011 № 554-О-О Refusal in acceptance to consideration of the complaint of Suslov Merabi Otarovich on violation of his constitutional rights by article 22 of the Federal law «On citizenship of the Russian Federation» [Electronic resource]. URL: <http://zakonbase.ru/content/base/181728>

of the Russian Federation you need to pay attention not on the formal record, or lack of it in the registration cards, but on the existence of legitimate grounds for obtaining the citizenship and «the emergence of a stable legal bond of a person with the Russian Federation».

A fair resolution of the issue of deprived passports is worthy of the most careful consideration of the Commissioner for human rights of the Russian Federation.

## SECOND.

Chapter 8.1 closes only the «old» debts to compatriots who have moved more than 15 years in Russia. Prolongation of its validity may «legalize» only some of the persons with an unregulated legal status.

It is estimated that today there are up to 400 thousand people with irregular legal status in Russia, who arrived for permanent residence from the post-Soviet states. A substantial part of them arrived after 2002, and Chapter 8.1 will not help them.

In the recommendations of the special session on «Resettlement of compatriots to Russia: problems of legislation and practice», held on April 22, 2016<sup>16</sup>, the Human Rights Council under the President of the Russian Federation (HRC) stated the urgent need, first of all, for the following three major systemic changes:

«— immigration amnesty for compatriots — immigrants, former citizens of the USSR and their descendants who lived in Russia, for example, for five years, who became «illegals involuntarily» because of imperfection of the legislation, their own ignorance or confluence of difficult life circumstances. They are offered to receive the right to obtain a residence permit or to acquire Russian citizenship in a simplified manner (this action does not apply to labor migrants);

— cancellation for compatriots-immigrants of the institution of temporary residence permit as an extra and duplicate step on the way to citizenship of the Russian Federation;

— establishing in the legislation on the citizenship of the Russian Federation of the repatriation nature of the grounds for its provision to compatriots and real preferences in acquisition».

The Human Rights Council drew attention to the following:

«Many foreign citizens and persons without citizenship (hereinafter — FC and PWC), who have been living in Russia for a long time, have found themselves outside the legal field due to the unjustified rigidity or imperfection of migration legislation, their own legal ignorance or negligence or the confluence of serious life circumstances (lack of any certificate, criminal record or dangerous disease, etc.).

Being in Russia without the right to stay, unable to exercise universally recognized social rights, forced to work illegally in the shadow sector of the economy, without paying taxes and fees, they remain virtually outside the legal field, vulnerable to the law and lawlessness.

Moreover, some of them cannot be expelled from Russia (have parents living in Russia, spouse and/or children who are citizens of the Russian Federation; there is a real danger of death in the country of origin, etc.) or nowhere (persons without citizenship who do not have the right to reside in another state).

Existence of a significant number of FC and PWC in Russia with an unregulated legal status, including long-term actually living in Russia and having relatives in Russia — citizens of the Russian Federation, violates their rights, violates the interests of the population of the Russian Federation and poses a threat to national security».

The HRC proposed to consider a set of additional priority legal measures for «legalization», i.e. legalization of residence in the Russian Federation of so-called compatriots. There is among them:

— prolongation of the period of validity of Chapter 8.1 of the Federal law-2002;

— for «native speakers» — the removal of the requirements applying to the authorities of a foreign state on the exit of another citizenship at registration of residence permit and establishment of the basis for the waiver of another citizenship upon acquisition of citizenship of the Russian Federation (implemented in part — for citizens of Ukraine);

— granting the right to the participants of the Program «Compatriots» the right to obtain Russian citizenship at the place of migration registration in the region of settlement;

— the restoration of the rights of citizens of the former USSR with Residence permit or Permanent residency in Russia on simplified procedure of obtaining citizenship of the Russian Federation (part 4 of article 14 of the Federal law «About citizenship of the Russian Federation»);

— registration of recognition of citizenship of Russia by birth to those who were born in its territory and did not renounce Russian citizenship in the notification procedure (according to their application);

— removal of the intermediate stage Residence permit before obtaining Permanent residency for those who came to live in the country permanently.

Each amendment to the legislation that legalizes compatriots simplifies the grounds for the legality of their residence and acquisition of Russian citizenship — will serve the social and economic development of the country, strengthen of social stability and internal security, as well as increase the authority of the state, gathering its people.

The plan of the Council under the Commissioner for the Human Rights in the Russian Federation for 2018 provides for work to improve the laws on citizenship and the legal status of foreign citizens in Russia. This task was announced by the Human Rights Council under the President of Russia. It was also set by the most famous organization of Russian compatriots-immigrants «Forum of resettlement organizations» in the project «Gathering of people», which received a grant from the Presidential Fund. The forum is very interested in cooperation with the institution of the

12 <sup>16</sup> Recommendations on the results of the special session of the presidential Council for the development of civil society and human rights «Resettlement of compatriots in Russia: problems of legislation and practice» [Electronic resource]. URL: <http://president-sovet.ru/documents/read/477/>

Commissioner. And for the Office of the Commissioner, relying on the experience and energy of the Human Rights Council under the President of Russia and the Forum is an additional resource for effective work.

As it was noted above, the sole basis for revoking the decision to acquire citizenship is the fact established by the court that the recipient of citizenship has provided false information and false documents. The deprivation of a passport is the actual deprivation of citizenship. When mass lawlessness was noticed by the General Prosecutor's office, the FMS moved to another tactic. Any case of «wrong processing of documents» went to the courts, which typically rule on the legality of the claims of the FMS, although the direct fault of «responders» – people could not be installed. On the basis of such decisions, the documents were withdrawn or invalidated. The courts have made such decisions even in cases when the fault of the employees of the Federal Migration Service was proven, «selling passports», the perpetrators were people, yielding to the extortion of the officials, although they had legitimate reasons to become citizens of Russia in a simplified manner. But without bribes they could not get the long-awaited citizenship of the Russian Federation, required by law.

Courts made decisions not in favor of citizens, without paying attention to evidence that the defendant is inadequate. However, this claim cannot be presented to the court, since the definition of an improper defendant is at the request of the parties<sup>17</sup>, which must be done during the trial. However, rare compatriots who came to Russia

from post-Soviet countries, have money for a good lawyer to protect their right to citizenship.

In the practice of the courts on citizenship issues, the Definition of the Constitutional Court of the Russian Federation on the complaint of M.O. Suslov<sup>18</sup>, who considered unconstitutional article 22 of the Federal law-2002 «Grounds for termination of citizenship of the Russian Federation», which allows to deprive citizenship, was not taken into account. However, the Constitutional Court rejected the complaint, as «article 22 disputed by the applicant allows to cancel the decision on acquisition of citizenship of the Russian Federation if it was made on the basis of false documents submitted by the applicant or obviously false information. This provision, as can be seen from its content, applies only to cases where there were no legal grounds for the acquisition of Russian citizenship and the emergence of a stable legal relationship of a person with the Russian Federation, expressed in the aggregate of their mutual rights and obligations.

Therefore, the contested norm, taking into account that availability of obligatory judicial control is fixed in it, it cannot be considered as allowing deprivation of citizenship and violating the constitutional rights and freedoms of M.O. Suslov in the aspect specified in the complaint».

This definition gives hints to both the court and the Ministry of Internal Affairs that when determining the citizenship of the Russian Federation, a person should pay attention not to the formal entry or absence of this record in the registration cards, but to the presence of legal grounds for obtaining citizenship and «the emergence of stable legal links of a person with the Russian Federation».

<sup>17</sup> Civil procedure code of the Russian Federation of 14.11.2002 r. № 138-FL. Chapter 4 «Persons participating in the case», article 41 «Replacement of an improper defendant» [Electronic resource]. URL: <http://www.consultant.ru/>

<sup>18</sup> Decree of the Constitutional Court of the Russian Federation of 21 April 2011 № 554-O-O «On refusal in acceptance to consideration of the complaint of Suslov Merabi Otarovich on violation of his constitutional rights by article 22 of the Federal law «On citizenship of the Russian Federation» [Electronic resource]. URL: <http://zakonbase.ru/content/base/181728>

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# Integration examination in the Russian Federation. Three years of experience and research: success or failure?

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*The 3-module Integration Examination, incorporating Russian Language, History and the Basics of Law tests, is a mandatory integration requirement for immigrants in Russia. Integration tests and educational courses are only a few examples of the new ‘civic integration policies’ used all over the world to promote common values for newcomers. Through the present study, the authors address the question of whether these requirements facilitate the migrants’ integration process. In doing so, they examine the impact of the Integration Exam in Russia as one of its integration policy strategies. The paper draws on surveys to explore the attitude towards the Integration Exam among different*

*categories of migrants. The research is supported by the all-Russia 2015–2017 Integration Exam statistics. The authors reveal causal relationships between language proficiency and integration. The results presented in the paper indicate that most migrants support the idea of the Integration Exam and demonstrate understanding of the importance of civic integration. The level of integration correlates with the purpose of migration, which is reflected in the Integration Exam’s level structure. The findings presented in the article help explore the Exam’s perspectives, facilitate better- addressed education programmes, and discuss legislative initiatives affecting Russia’s State Migration Policy.*

## 1. Introduction

The problem of integration tests and the role of language in the integration processes are ‘hot topics’ among researchers dealing with the issue of migration. Studies published since the late 1980s analyse the phenomenon from different angles (see, for example, Joppke, 2017; Resnyansky, 2016; Kostakopoulou, 2010; Ager, 1992). For Russia, these problems are relatively new, and there are not many local studies devoted to this topic. The present paper examines the practice of the 3-module Integration Exam in the Russian Federation. The exam, incorporating Russian as a Foreign Language, History and Basics of Law tests, is a mandatory integration requirement. In this article, the authors examine the impact of the Integration Exam as one of the integration policy strategies. An attempt is made to ascertain whether such requirements can facilitate migrants’ integration process.

Several countries in Europe have already adopted obligatory language and country knowledge requirements for settlement and naturalisation. Given the concerns of some countries regarding levels of integration, naturalisation is a pertinent issue in the field of migration

(Peters et al., 2016). Integration tests and educational courses are only a few examples of the new ‘civic integration policies’ used to promote common values for newcomers. Many countries use naturalisation tests, though the form of the examination can be different. The test can be conducted by written examination or interview. Some countries, including Australia, have changed from a written test to a citizenship interview.

There are different approaches to assessing the level of the language skills development for the purposes of migration. Some countries have a language test as a separate part, some ‘measure’ language proficiency indirectly by means of civic tests. *‘Liberal democratic states adopt widely varying attitudes and policies towards foreign residents who seek to naturalise as citizens. Language proficiency is a widespread requirement for naturalisation in liberal democratic states’* (Hampshire, 2011, p. 963).

Only four countries in the EU – Belgium, Ireland, Italy and Sweden – do not require applicants for naturalisation

to demonstrate proficiency in the official language of the state. Australia, Canada and the United States require that applicants be able to speak and understand basic English. In the United States, it is required that they can also write a basic sentence in English.

James Hampshire mentions language proficiency as the most common requirement for naturalisation and sees it

as relatively uncontroversial. *'A basic proficiency in the official language of the state is often seen as essential to effective participation in civil society and the labour market, as well as a prerequisite for informed political participation. While the implementation of the language tests has not always been pursued with alacrity ... the principle is widely accepted'* (Hampshire, 2011, p. 955).

## 2. Materials and methods

The main source of information for the study was an anonymous survey of foreign citizens applying for the Integration Exam at RUDN University Examination Centre. The purpose of the survey was to explore the attitude towards the Integration Exam among different categories of migrants. The survey was conducted from January to March 2017; 150 candidates agreed to act as respondents. 52% of the respondents were women, 48% were men. The majority of the

respondents were between the ages of 30 and 40. For more than half, the period of residence in Russia was from one to five years. There was also a substantial group of respondents, whose period of residence amounted to ten years and more. The research was supported by the all-Russian Integration Exam statistics collected in 2015–2017. The theoretical foundation of this research relied on the principles of language proficiency assessment and its quality (Balykhina, 2009).

## 3. Study and results

### 3.1. Integration tests and the path to citizenship in the Russian Federation

The 3-module Integration Exam was introduced in the Russian Federation in January 2015 following the provision of Russia's Migration Policy Concept. It was initiated as a prerequisite for migrants to enjoy a comfortable stay in the country. It aimed at adapting foreign citizens in the host society; ensuring migrants' legal literacy and their ability to protect their rights; preventing the establishment of ethnic enclaves to ensure the security of the host society. The Integration Exam requires a command of Russian (the official language of the Russian Federation), knowledge of the nation's history, law and some level of acculturation. From the beginning, the Exam was meant as an educational tool rather than a barrier to entry. Its developers are aware that the Exam has to be affordable and that the bar is set at a level which accommodates migrants with a low education level. The test does not contain questions about the applicant's personal beliefs, but foreign citizens are expected to demonstrate an adequate knowledge of life in Russia. The Integration Exam was pre-tested after a robust debate in professional circles and among the public at large.

The goal of all these procedures was to introduce a test that would not discriminate against less educated migrants.

Test developers relied on the opinions of people involved in immigration testing procedures and immigrants themselves and acknowledged that the decision to use language tests as an instrument of policy was not taken lightly, as the outcomes of language tests have important consequences both for the candidates and society at large.

The Exam is universal and is aimed at the following categories of foreigners coming to Russia: (i) those who are planning to work and who will apply for a work permit; (ii) those who are planning to continue living in Russia and start a naturalisation process. The latter apply for a temporary residence permit followed by a permanent residency status before the acquisition of full citizenship.

The Integration Exam serves the purpose of the first two categories and has three examination levels, namely (i) work permit application; (ii) temporary residence

permit application; (iii) permanent residency status application.

The final stage—citizenship acquisition, or naturalisation—requires only a certain level of proficiency in the Russian language (a minimum of A2).

The Integration Exam is a one-stage, complex non-computerised test taken mostly in written form with only the language proficiency part including a speaking assessment (dealing with different communicative tasks that require dialogue or a short monologue). The Integration Exam consists of three parts/modules.

1. Russian as a Foreign Language test that assesses listening, writing, reading and speaking skills; it also includes a special section assessing knowledge of Russian grammar and vocabulary. This module meets the basic communicative needs of foreigners in their communication with Russian native speakers.

2. The Basics of Russian Federation Law test consisting of 20 multiple choice questions on society, government, and the responsibilities and rights of a foreign citizen in the Russian Federation.

3. Russian History test consisting of 20 multiple choice questions covering the history of Russia, which are of importance to the forming of the national identity. This module also includes questions on Russian culture and prominent personalities, people who are considered significant in the development of the nation's history and culture.

The Integration Exam was developed first of all as an exam corresponding to the real language needs of migrants in Russia. The Russian language module of the exam is based on the structure and language requirements of CEFR (Council of Europe Common Framework of Reference for Languages) A1 Russian as a Foreign Language proficiency level test (Elementary level in Russian as a Foreign Language), with a vocabulary of 900–1000 lexical units. These lexical units include, inter alia, 240 internationalisms (loanwords existing in several languages with similar



meanings or etymology) and approximately 30 items of speech etiquette, as well as the vocabulary required in situations typically used in migrants' social interaction in Russia. The article focuses on the educational advantages of the Integration Exam for all categories of immigrants coming to live and work in Russia.

When the Integration Exam was introduced, it was an innovation in Russian as a Foreign Language testing practice. Its development was timely – a practical realisation of the migrants' adaptation model, which can be done through learning Russian as a Foreign Language and the Basics of Law and History. Special attention is paid to the challenges of overcoming the language barrier, aspects of socio-cultural adaptation, the language learning environment and its role in facilitating adaptation.

The language assessment system of Russian as a Foreign Language comprises six levels. The system was officially recognised by the Association of Language Testers of Europe (ALTE) as being equivalent to the European system of levels of foreign language proficiency. The multi-level system of testing Russian as a Foreign Language was developed by the universities who are participants in the Russian Testing Consortium. It allows assessment of the level of Russian communication competence of foreigners and unifies the requirements for the contents of teaching Russian as a Foreign Language.

The developers relied on the vast theoretical, academic and methodological understandings established through the theory and practice of teaching Russian as a Foreign Language over the last 60 years. They took into account existing testing methods, developed in Russia and abroad, and analysed them to verify their effect and usability in testing for integration purposes.

The fact is that migrants in Russia have special language objectives and language needs. These objectives reflect the peculiarities of their communication in the host country. The migrants require more vocabulary units than are provided by A1 (Elementary Level) Standard. A1 Level of competence in Russian as a Foreign Language is considered to be a breakthrough level. According to the CEFR, A1 language proficiency means that candidates can understand and use familiar everyday expressions and very basic phrases, can introduce themselves and others and can ask and answer questions about personal information such as where they live, people they know and things they have. This level allows interaction in a simple way provided the other person talks slowly and clearly and is ready to help. The vocabulary and the grammar of this level let the migrant establish and maintain social contacts in standard everyday situations. The language skills are usually enough to get acquainted with somebody; to give typical holiday greetings and to reply to them; to offer an invitation, to accept or refuse an invitation, and explain the reason for refusal. The communicative competence at A1 level also includes the ability to find out and give your address and phone number and information about where you live. A migrant should know how to use a transport schedule, understand street signs and directions at stations and airports, manage the conversation with a waiter at a restaurant or a café, order food and drinks and pay for the meal.

Besides language proficiency, the Integration Exam checks whether people know their rights. The test

determines whether the migrants are aware of their rights and that their rights cannot be denied (for example, migrants should know that they are free to practise their religion). The test contains many questions that stress basic knowledge, such as *What is the currency of Russia? and What is the main identification document in Russia?* The test also establishes whether a person has some familiarity with Russian history. It asks questions about the Great Russian Revolution and the Great Patriotic War of 1941-1945. The test also checks social knowledge, such as the dates of the main public holidays and other socially important events. It also tests applicants on some aspects of their rights, for example, *Who has the right to vote and at what age? and Do men and women have equal rights for medical help?* The test also determines the candidate's knowledge of the people who contributed to the development of the Russian history, science and culture and what exactly their contribution was (for example, Alexander Pushkin and Yuri Gagarin).

The number of questions and their difficulty correlates with the reason for migration and varies from one exam level to another. Depending on the exam level, the two modules (Basics of Law and History) consist of one or two parts. The highest level of the Exam (for those who apply for permanent residency status) includes 20 multiple choice questions and five write-in (open) questions where the applicant must give an answer to at least two questions of the five set. The pass rate also depends on the Exam level and varies from 50% to 85%.

If the applicant fails to pass one of the Exam modules, they have the right to take it one more time. Where two out of three modules are failed, then the entire Exam can be taken one more time. Strictly speaking, there is no limit on how many times a migrant can take the Exam. The test can be repeated as many times as necessary. The candidates are provided with extensive pre-exam preparation. The lists of all the questions for the *History of Russia and The Basics of Law of the Russian Federation* modules are published in advance and can be obtained from the Russian Testing Consortium website, as well as the sites of any examination centre offering the exam (either online or face-to-face). There, a migrant can also take a mock exam (online or face-to-face as part of pre-exam preparation). Dictionaries explaining and translating the main legal and history terms are available in eight languages of the main migration flows in Russia (Moldovan, Uzbek, Kyrgyz, Vietnamese, Chinese, Turkish, Korean, and Tajik). These dictionaries are considered a useful educational tool as they give socio-cultural commentaries in the native language of an immigrant.

Immigrants are often unaware of their rights and what is to be done when these rights are violated, so extensive preparation is required. The migrants are both rights-bearing individuals and people who must assume responsibilities toward the host-country and its society. One of the purposes of the pre-exam preparation is to explain to migrants that they also have to be ready to assume responsibilities in relation to the host country community.

All the above measures are designed to help candidates succeed in the Integration Exam. They are not there to hinder those who do not speak Russian well or who do not have a high enough level of education. Teaching

Russian as a Foreign Language and pre-test preparation are provided by universities and institutes, as well as ethnic, religious and immigration groups. The scope, amount and quality of preparation depends on a candidate's initial level of Russian language proficiency. Classes are usually delivered by experienced teachers of Russian as a Foreign Language with expertise in specialised intensive teaching methodology.

The process of teaching the Russian language to migrants as a form of pre-exam training is taken seriously as it is a great responsibility for the host country. The development of communicative competence is the focus of this language support so that the migrant can deal with the main communicative tasks and challenges, which are not limited to their workplace, but include different situations for social interaction.

In planning the language courses, migrants' knowledge of Russian and intended period of residence are taken into

account. For the migrants, the fact that their language repertoire varies greatly depending on the purpose of their coming to Russia and the planned period of residence is always taken into consideration. Professors of RUDN University and Moscow State University are currently developing a Minimum Vocabulary List for the Integration Exam. The fact is that migrants usually exceed the A1 vocabulary level as they communicate in a wider range of situations than many people applying for the Elementary Level Exam in Russian as a Foreign Language. These applicants are mostly students. Their communicative needs include such topics as police and migration services, work, health and safety, etc. Other factors, such as age and psychological issues, which may also influence language needs, must be taken into account, as they may affect the speed of language acquisition. Migrants' native language can be used in the classroom as the language of instruction, thus making the educational process more effective.

### 3.2. Is it necessary for migrants to know Russian history and the basics of Russian law?

Analysing survey results, an interesting statistic emerged. In the group of female respondents, 38% stated they knew two languages and 45% stated they knew three or more

languages. In the male cohort, 38% stated they knew two languages, while only 24% of respondents stated they knew three or more languages.

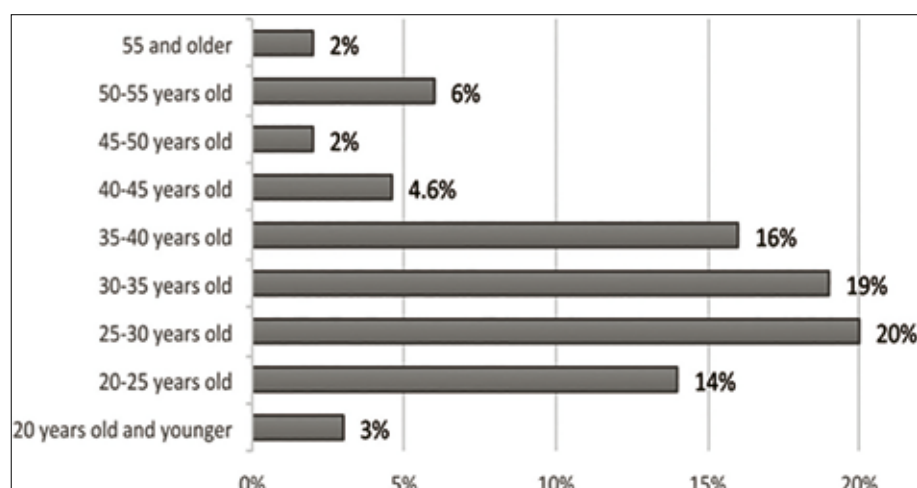


Figure 1. Age distribution of the respondents

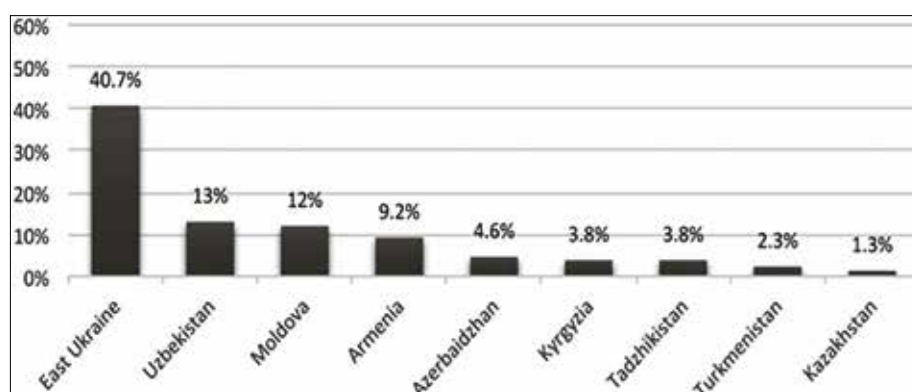


Figure 2. Distribution of the respondents by countries

The majority of the respondents came from Eastern Ukraine (40.7%), the rest came mostly from former USSR republics, though there were candidates from other countries, including Iraq, Afghanistan, Latvia, the USA and Australia.

Although more than 50% of the respondents mentioned Russian as their native language, the Integration Exam presented substantial difficulties even for them. They considered it necessary to study online for the Exam (learning from books, using the Internet and printed books (less popular). One respondent claimed to have passed the special preparatory course with no special study. 80.8% of female respondents and 75.4% of male respondents considered it necessary to study for the Exam, though there is no correlation between the age of the respondents

and their readiness to ‘study’ for the test. People aged 35 and older normally demonstrate better results. The largest re- examination number is among the 25 to 30-year- old cohort.

The authors conclude that migrants realise the importance of the examining procedure as a component of their naturalisation journey and take preparation seriously. Even though half of these people speak Russian as their native language (mostly those who come from Eastern Ukraine), they still need to prepare for the Exam in order to complete the law and history modules successfully. When asked whether it was necessary for a migrant to know Russian history and the basics of Russian law, 94% of male and 89% of female respondents replied in the affirmative (see Table 1).

Women		Men
29%	necessary to know as I am going to live in this country	28%
16%	not to break the law	15%
5.8%	for general knowledge	14%
4%	to communicate in a comfortable way	10%
3%	to acquire citizenship in the future	–

**Table 1.** Responses to questions on the need to know the basics of Russian law

One US citizen living in Russia for 21 years, gave the following answer: *‘A foreign citizen should know the history of Russia and the basics of law to be able to participate in the life of the country.’*

Notably, the questionnaire did not offer any variations for the responses; the questions were open, and the candidates provided their own answers. Analysing the

survey data, one might say that migrants generally realise the importance of the history and legal system of the country they are going to live in. Men pay more attention to understanding the law and history for easier social communication. The results of the survey in relation to the respondents’ age are presented in Tables 1 and 3 below, illustrating, among other things, that the answer

Age group	Is it necessary for a migrant to know...		What for? (the most frequent answers)
	Russian history?	the basics of law?	
<20	No – 10% Yes – 90%	Yes	Not to break the law / For easier communication / It is useful
20-25	No – 10% Yes – 90%	Yes	Not to break the law / For general knowledge / To live in Russia / For easier communication
25-30	Yes	Yes	Not to break the law / To live in Russia / For easier communication / For general knowledge
30-35	Yes	Yes	Not to break the law / To live in Russia / It helps to study / For general knowledge / To acquire Russian citizenship
35-40	No – 8% Yes – 92%	Yes	Not to break the law / To live in Russia / For easier communication
40-50	Yes	Yes	Not to break the law/ For normal life / For easier communication
50>	Yes	Yes	Not to break the law / To live and work in Russia / To participate in the life of the country / To acquire Russian citizenship

**Table 2.** Opinions concerning the need to know Russian history and the basics of Russian law per age groups

%	20	33	16	7	28	50	30
Age group	20	20-25	25-30	30-35	35-40	40-45	45-55

**Table 3.** Survey respondent age groups

*‘the knowledge of basic law / it is important not to break the law of the host country’*, was given mostly by respondents aged 40 or older. For a potential citizen, it is an important integration factor.

The analysis of statistics shows that migrants have a sensible and practical approach to the Integration Exam. At the beginning of 2015, when the Exam was being introduced into the structure of migration procedures, the dominant attitude was the opposite – often sceptical and even negative. The candidates answered the questions in a deliberately inaccurate way and directly expressed their rejection of the Integration Exam. There was stiff resistance

to the preparation process. The motivation to study for the Exam was extremely low, with results confirming this resistance.

The situation has been changing slowly yet surely, thanks to the introduction of different pre-exam training mechanisms and popularisation of the test. Exam requirements and questions are available in open access online and there are various preparation courses for those who need help. An important factor in acceptance is that the Integration Exam is administered only by the leading Russian universities. Today, it enjoys undeniable authority and status in the educational process.

## 2. Discussion

### 2.1. One nation – one language? Russian as a lingua franca

Russian society is not following the path that Jeff Millar calls *‘the European ideology, one nation – one language’* where a society is essentially monolingual (Millar, 2013). Language proficiency requirements imply standardisation or impose rules on its usage. On the other hand, there is no implied wish to minimise the importance of migrants’ mother tongues. There is a strong tradition of co-existence of different languages in Russia. The country does not require a ‘full assimilation’ where migrants are expected to renounce their ethnic or cultural identity. What is expected is integration, which means learning the language of the host society and appreciating its history, constitutional evolution and ways of life. As some researchers claim, these are the preconditions for full political participation in civil society and democratic processes (Kostakopoulou, 2010).

The Integration Exam is the sum of three tests: Russian as a Foreign Language, the Basics of Law, and Russian History. The Russian language in this case functions as a facilitator and as a means of getting the necessary knowledge and not only as a means of communication. Thus, we can emphasise the educational component of

Russian language learning by migrants: they acquire new information through the language they learn. Competence in the language of the host society means a migrant has more opportunities to participate in the social and public life of the host country. At the same time, lack of fluency in this language doesn’t exclude social or even political participation.

Migrants live in an environment where everybody speaks Russian. They are not always mentored by other migrants who are better experienced in the Russian language. Most migrants realise that the better they know the language, the easier for them it will be to socialise and function in the host society. In addition, essential things, like safety in the workplace, depend on the knowledge of the language. One of the reasons why the Integration Exam model in the Russian Federation has proved to be successful seems to be the fact that most migrants come from the former USSR republics. In all these territories, Russian was a second state language. The older generation learned it as a foreign language and some even studied at Russian schools and were bilingual. After the break-up of the USSR, Russian became the lingua franca in all 15 post-Soviet republics.

### 2.2 Integration tests – pros and cons

There is currently a lot of debate about naturalisation tests. Recent reforms of naturalisation policies, especially in Europe, have been criticised by academicians like Kostakopoulou (2010), who argues that naturalisation reforms, which include language or citizenship tests, are essentially ‘matters of control’, driven by nationalistic and even xenophobic sentiment.

From a liberal perspective, there is not much support in Europe for language and citizenship tests. They are often justified in nationalistic terms.

*‘In any case, it is unclear whether naturalisation tests reveal the depth of a migrant’s knowledge of the*

*country and its history and norms, rather than his/her ability to memorise facts about the country in order to pass an exam. And even if one conceded the civic educative role of integration tests in the short term, in the long term, learning about a country and the cultivation of an ethos of engagement can only be self-directed and socially embedded, that is, obtained as a result of one’s involvement in as many networks of cooperation and spheres of social and economic life as possible’* (Kostakopoulou, 2010, p. 841).

Hampshire (2011), referring to Joseph Carens, claims that naturalisation exams testing civic knowledge do not

work well, regardless of the questions they ask. At best, the test will assess the applicant's ability to memorise a number of discrete facts, but it will reveal little about his/her acculturation at any fundamental level. Moreover, formal tests are likely to be biased against less-educated applicants, which suggests that education rather than acculturation will be a surer route to success (Hampshire, 2011).

Lack of proficiency in the language of the host country causes stress among the migrant community. Many of the migrants living in Russia speak less than functional Russian. Making the effort to learn the Russian language has a positive impact associated with autonomy, sense of achievement and ability to cope with everyday communicative challenges.

### 3. Conclusion

The findings presented in the paper indicate that most migrants, especially those for whom Russian is one of the native languages (those who come from the former USSR republics), support the idea of the Integration Exam as the way to learn about the national features of Russia and its legal framework. They demonstrate a better understanding of the importance of civic integration.

There are causal relationships between language proficiency and integration. The level of integration correlates with the purpose of migration, which is reflected in the Integration Exam level structure. The level of difficulty of the exam depends on the purpose of migration. The findings presented in the article help explore the Integration Exam perspectives. Socio-cultural integration is measured by host country identification, proficiency, use of the host country language and interethnic social contacts (Ersanilli & Koopmans, 2010). As a final step, there is a link between socio-cultural integration and naturalisation.

The migration flows are diverse, with different migration purposes and countries of origin. The migrants coming to Russia have different levels of education and different native languages. The three-module Integration exam is universal, targeting all the categories of migrants before

they apply for citizenship.

The original purpose of the Integration Exam was to promote the social integration of migrants, to avoid their isolation from the host community and consequent increase in negative attitudes towards them, to harmonise inter-ethnic relations and to assist with migrants' successful adaptation and integration. This Exam doesn't make Russia less attractive for immigration as all Exam procedures and relevant information and sources are transparent and accessible.

The authors believe that the Integration Exam will positively influence the adaptation and integration of all the categories of migrants coming to Russia irrespective of the purpose of their arrival.

Nevertheless, the study is not without its limitations. The findings present only a small part of a much larger picture of the Integration Exam perspectives. The authors are planning to continue their research and investigate the correlation of the exam results with the mother tongue of the migrants. Another limitation is that the study does not capture the difference in the test scores of migrants with different educational backgrounds, which is why further studies are in order.

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# The educational policy strategy on foreign citizens coming to the Russian Federation, as a factor of their socio-cultural adaptation and integration

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## Introduction

Migration plays a significant role in the socio-economic and demographic development of the Russian Federation (RF) (Dolzhiikova, 2014; Kamalova & Zakirova, 2016). During the last two decades, migration growth largely compensated more than half of the natural decrease of population (Mukhataev, 2013). In this regard, involvement of foreign workers pursuant to the key professional-qualifying groups in accordance with demands of the Russian economy is a necessity for its further onward development.

Migration in the Russian Federation is characterized not only by the qualitative indicators and movement directions, but also by the qualification characteristics of migrants. According to the FMS (Federal Migration Service) in 2013, 1.5 million people were legally involved into labor activity in the country (Mukhataev, 2013) and according to some estimates, 3.6 million people work illegally (FMS, 2014).

The growth of cultural distance between the arriving migrants and the Russian population caused by the growing number of migrants from the countries of cultural and

religious traditions that differ from Russia, becomes the result of the formed migration streams. The situation is getting complicated also because migrants of the new generation, arriving to the Russian Federation mainly from the CIS countries, possess lower education level, worse knowledge of the Russian language and worse professional-qualifying background than migrants of the 1990s (Moseikina, 2014).

Foreign, and mainly European researchers are the authors of the key papers in social and political science, devoted to the analysis of the transformations caused by immigration processes in the host countries, the specifics of national and international political regulation of immigration processes and the status of immigrants in host societies (Bertossi, 2011; Bertossi, Duyvendak & Scholten, 2015; De Graauw & Vermeulen, 2016; Scholten & Penninx, 2016).

Along with that, the attitude to the increasing migration has become the clash area between supporters of national self-determination and national identity consolidation, on the one hand, and the doctrines of multiculturalism gaining strength and popularity, on the other.

## Literature Review

As early as in the 1920s, American sociologist R.E. Park (2004) noted that historical progress and development of civilization could be possible only given constant migratory movement of people along with the relevant mixing of peoples and cultures, and the «freedom of movement» allows «to learn and to see the world». Problems of the theory of multiculturalism, ethnic and cultural diversity and multicultural citizenship in a liberal context are discussed in detail in the papers of F. Fukuyama

(2006), K. Joppke (2004). In particular, pursuant to the definition given by researchers who studied multicultural perspectives in the field of media (Shohat & Stam, 2014), multiculturalism does not deny the European culture, but opposes Eurocentrism (Shohat & Stam, 2014), which still remains the dominant viewpoint which states that the world is divided into the West and the rest, and the language and the way of thinking are organized around binary oppositions in where all the European is implicitly

represented as the highest – «our» nation and «their» tribes, our «culture» and their «folklore», our «defense» and their «terrorism» (Stam & Shohat, 1995).

In turn, in his «Challenge to the American National Identities» S.P. Huntington ominously states that the most plausible response to the demographic changes that occur in the United States, is the growth of anti-Latino, anti-Afro-American, anti-immigrant movements which consist mainly of white men of the middle and lower classes, defending their jobs from immigrants coming from other countries who oppose the perversion of their culture and ousting of their language (Huntington, 2004). Such movements can be called ‘white nativism». In other words, America and modern Europe face up to the crisis of multiculturalism, which exists due to the gap between the host society and immigrants, both in the socio-economic and cultural sense (Miller, 2016; De Graauw & Vermeulen, 2016).

Under these conditions, the world practice of migration management discovered the problem of elaborating methods and strategies of adaptation of migrants, development of international, governmental and public institutions that implement them, with regard to the national interests of their states (Kagitcibasi, 2016; Stepanenko, Nakhabinina & Tolstykh, 2013). According to this, provision of legal framework for migrants’ integration

into Russia and their social-cultural adaptation acquires specific significance (Nesterova, 2014; Dolzhikova, Kiseleva & Kazhaeva, 2014).

It is pertinent to point out that the complex exam is a completely new phenomenon in the Russian system of educational process for foreign citizens and, naturally, its introduction causes wide public interest (Kashkin, 2013). Moreover, introduction of the integration exam for the category of «working migrants» is not practiced anywhere in the world. In the migratory-attractive countries such procedure is applied for persons being in the process of obtaining citizenship or permission for the part-time residence (PPTR), or residence permit (Banulescu-Bogdan, 2012). At the same time, European and American governments have already pursued an integration policy that focuses on combating educational disadvantage as well as on maintaining the cultural identities of ethnic minorities (Rijkschroeff et al., 2005).

Also, analyzing foreign experience in the field of integration, it should be noted similar trends in the content focus of examination tasks, carrying an emphasis on the study of the national way of life of the host country’s history, national traditions and cultural values with a view to primarily socio-cultural adaptation and integration of migrants into their host society (Liu et al., 2016; Miller, 2016).

## Aim of the Study

The objective of this article is the analysis of the educational policy strategy with regard to foreign citizens

coming to the Russian Federation, as a factor of their socio-cultural adaptation and integration.

## Research questions

According to the purpose of the investigation, the tasks are as follows: to determine methods and approaches used for elaborating the content of the complex exam introduced since January 1, 2015, to detect expert evaluations formed

in the society regarding this exam, characteristics of the approbation results of test tasks in local testing centers in Russia and abroad and to determine the estimation criteria for this exam.

## Materials and Methods

Study of the above problem implied the use of general scientific and specific principles and methods, including the dialectical method, which requires the study of all subjects and events in accordance with their constant change and development, and the system method, which was used while studying political, institutional and socio-cultural spheres of migration activity as a complex nonlinear system.

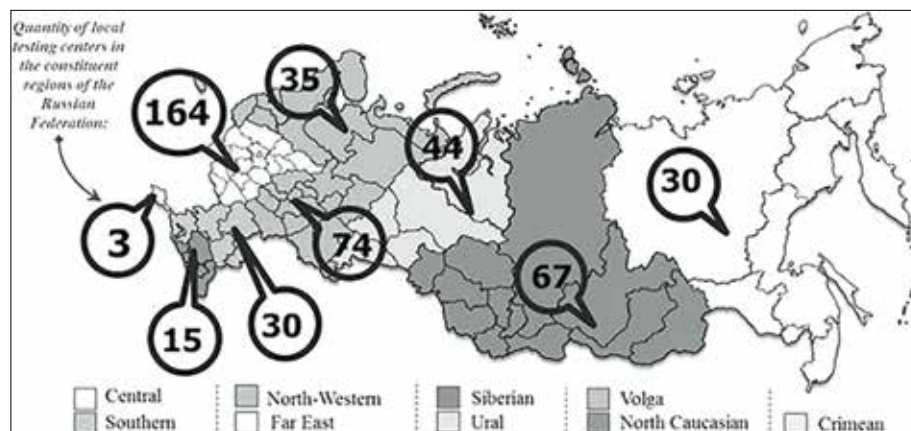
We used theoretical approaches developed in modern test study, which is a part of psychology. In this regard, we used such methods as the laboratory and natural experiment; psychological modeling, questionnaires and interviews, examination of documents, observation in test situations, and others. This being said, the methods of processing the results represent a special group. During this study, we used the so-called interpretive methods aiming at theoretical explanation of the studied phenomenon. There is always a complex and system set of different options for functional and structural methods, which close the overall cycle of the conducted study. Comparative method was

used when making comparisons of the integration exam model in different countries, including Russia.

Starting from January 1, 2015, pursuant to the Federal Law of the Russian Federation No. 74 (dated April 20, 2014) the mandatory complex exam was introduced on the territory of the Russian Federation for three categories of foreign nationals who apply to obtain 1) employment permit (arriving upon entry visas, except for highly qualified professionals) or the patent (free entry); 2) temporary residence permit; 3) residence permit. The group of migrants, passing this complex exam is quite heterogeneous: different age groups, different knowledge level of the Russian language, as well as different education and trainability levels. These are largely young, active, able-bodied people – immigrants from the CIS countries who come for a short time (from several months up to 2–3 years) in search of a better life.

The state testing system throughout 4 months of conducting this complex exam showed its effectiveness and the ability to provide that complex exam in the country.





**Figure 1.** Distribution of local centers in the constituent regions of the Russian Federation

Today the Integrated distributed system of test results information exchange has been launched. This system aimed at testing based on standardized exam materials. The exams are held in local test centers of the Russian Federation; presently there are 369 such centers in 85 constituent regions of the Russian Federation. After the exam is finished, all

the data are put into the Integrated distributed system of test results information exchange, which was created on the basis of the Russian Peoples' Friendship University, and then the data is transferred to the Federal Migration Service of Russia. Figure 1 shows the placement of local centers in the constituent regions of the Russian Federation.

## Results

### Concept of the exam on the Russian language, history of Russia and fundamentals of legislation of the Russian Federation

The additional modules on the history of Russia and fundamentals of legislation of the RF included into the integration exam are oriented on the legal, socio-cultural and language adaptation of the foreign citizens arriving to the country, development of their skills of intercultural communication, tolerance and counteraction against xenophobia, national and racial intolerance, social exclusiveness of the migrants.

The content of historical and legal examination modules many times became the subject of public and expert discussions. The module «History of Russia» became the most controversial. The opponents of passing this exam on the history of Russia by foreign citizens and the very idea of getting the working migrants familiarized with the past of our country proceed from the assumption that getting the information that goes beyond their pragmatic interest becomes the excessive and useless burden for people who are not ready for study.

Some human rights advocates and community representatives think that passing the tests on the history of Russia and fundamentals of the RF legislation will not only become impractical for the working migrants, but in practice will lead to corruption scheme which is familiar for migrants. This will only increase their hostile attitude to the Russian realities on the one hand and on the other – will lead to critical perception of the culture and the country's past (Kashkin, 2013). In this regard, due attention is paid to the low level of knowledge of the Russian language by the migrants and their humanitarian training in the native

country, absence of their motivation to study and concern only over wages that hardly would promote acquisition of such knowledge.

At the same time, it should be noted that inclusion of the module «History of Russia» into the complex exam structure as a subject of multi-factor (multi-aspect) character is fundamentally important to reveal different parts of historical process – economy and policy of the state, culture, history of religions, spiritual life and national traditions, etc. All this determines specific status of the course of the history of Russia within other humanitarian disciplines. This module in close connection with the fundamentals of legislation of the RF is intended to minimize the «cultural shock» problem of a working migrant in the foreign language environment and simultaneously promote the development of the views regarding the national-cultural specificity of Russia, respectful attitude to the adopted laws set and the country's historical past.

The module «Fundamentals of the RF legislation», made with regard to practical significance of the legal knowledge for migrants did not cause fundamental objections, both from the part of public and from the experts. The basic critical remarks were made as regards the formulations of issues and their harmonization with the stated requirements to the level of knowledge of the Russian language. This turned out to be a very difficult task – preparation of the text of questions given the limited lexical vocabulary of migrants.



## Approbation of the experimental exam tasks

Within the Concept of the complex exam, the developers carried out standardization of each exam task: first in the approbation groups, then in the certification tests, and created control versions of standard tests. Approbation of the experimental exam tasks on the Russian language, history of Russia and fundamentals of legislation of the Russian Federation for foreign citizens was conducted in 48 testing centers in 34 cities of the Russian Federation and in 10 foreign countries. Simultaneously, questioning of the testing center employees and the tested persons was conducted.

Generally 492 foreign citizens on the territory of the Russian Federation and 127 foreign citizens outside its territory (including, citizens of Azerbaijan, Tajikistan, Georgia, Kirgizia, China, Serbia, Moldova Republic, Estonia and etc., as well as the stateless persons) took part in the approbation. On the RF territory only 35% of tested subjects passed the whole exam successfully, abroad – 85%. Percentagewise, on the RF territory 60% passed the exam on the Russian language successfully, 42% – on the history of Russia, 41% – on the fundamentals of the RF legislation. Abroad, 98%, 74% and 75% did it accordingly. In terms

of nationality, the persons tested on the territory of Russia were distributed as follows: citizens of Uzbekistan – 32%, citizens of Ukraine – 16%, citizens of Armenia – 12%, citizens of Tajikistan – 9%, citizens of Moldova – 8%.

Unsatisfactory results on the modules «History of Russia» and «Fundamentals of the RF legislation» within this approbation are explained foremost by the fact that in this situation motivation during preparation to the exam was extremely low, as these modules were not obligatory at that moment. It is completely evident, that successful passing of the tests on these two new modules will require compulsory primary preparation from the foreign citizens, study of the reference materials, which the candidates were not always ready to do at that moment. The specialists who conducted the exam evaluated the quality of testing materials as generally positive. Despite of that fact, however, the approbation process resulted in substantial adjustments of the form and content of examination tasks as well as the method of their application, taking into account the weak level of knowledge of the Russian language by foreign citizens along with complexity of legal and historical terms.

## Criteria of examination estimation

As a rule, foreign states establish the mandatory quantity of the right answers to the qualified majority of questions (60 percent from the general number and higher) (Goodman, 2010). At the same time, it is necessary to remember that in absolute majority of cases similar test in foreign countries is mandatory to obtain citizenship, but not the labour permit or part-time residence permit, as it should be in the RF. In Russia, the similar rate of the positive result of the exam is established within testing on the Russian language as a foreign one (Stepanenko, Nakhabin & Tolstykh, 2013). As regards the modules on history and rights, the idea of «50 per cents + 1 question» was substituted by the criterion «40 per cents of the right answers as sufficient» already on the approbation stage. Presently, the issue of minimum rate differentiation between migrants, which claim the work and patent obtainment, the receipt of part-time residence permit and residence permit, is considered. The story might develop in such a way that the certificates of successful test passing will be given to the labor migrants in case of 30% of right answers, claimants for part-time residence – at 50% result, and those, who want to receive residence permit, must give correct answers to 75% of questions (as this is the first step towards obtaining the citizenship).

With regard to the previously mentioned, the Ministry of Education and Science of the Russian Federation set the task not only to formulate the requirements to the knowledge of the language, history and law of the RF, but also to develop the programme of assistance to migrants in mastering these disciplines. As a result in accordance

with the Roadmap of the integration exam introduction, the reference materials and text-books for preparation to the integration examination on the history of Russia (Kozmenko et al., 2014) and fundamentals of the RF legislation (Dolzhiikova, Kiseleva & Kazhaeva, 2014) were prepared. They include the list of basic topics, issues, specific terms stated in the understandable language; the history module also includes the list of historical dates and the list of personalities, compulsory for studying, description of the festivals of modern Russia; training tests on all the modules (Moseikina, 2014). Communicative, legal and socio- cultural competences obtained within the framework of the studied modules can be applied by foreign citizens on the elementary level in such language-based areas of communication, as social-routine, business-official, professional, socio-cultural, educational (which earlier was optional, but presently becomes the necessary area of communication).

With regard to the quantitative increase of the tested foreign citizens planned in 2015, the task of creating and management of the unified database for the statistical processing of the testing results is especially topical. This task was outlined in the Concept of functioning of the system for processing, storage and use of the test results for foreign citizens on the Russian language, history of Russia and fundamentals of the RF legislation, prepared by the Peoples' Friendship University of Russia. Its implementation is one of the priority activities of all participants of the state testing system (Nesterova, 2014).

## Educational modules and the preparation of foreign citizens to the complex exam

Pursuant to the concept, the complex exam includes three modules: Module I «Russian as a foreign language», module II «History of Russia», the module III «Fundamentals of legislation of the Russian Federation».

Preparation to this exam demands consideration of the minimum requirements to the level of knowledge of the Russian language, history of Russia and the fundamentals of legislation, approved by the Ministry of Education and Science of the Russian Federation. The key feature of the exam is the Russian language as a means of successful communication, which provides the integration of migrants into the Russian society and their adaptation to the Russian environment. The special adaptation program should help the students in getting communication skills within the elementary knowledge of the Russian language, providing the ability to formulate and express their thoughts in Russian, to hear and to listen, to establish contacts, to integrate into the cultural space of Russia.

Module I «Russian as a foreign language» consists of 5 specialized subtests, each of which focuses on a specific, enlarged testing object:

- Subtest 1. Vocabulary. Grammar.
- Subtest 2. Reading.
- Subtest 3. Auding.
- Subtest 4. Writing.
- Subtest 5. Speaking.

Any foreign national should be able to read small-volume texts (advertisements, announcements, signs, labels, guideboards, fragments of interviews, short texts of the country-specific character), aimed at the general comprehension of content and to identify the topic of the text contained therein, as well as to understand the basic and the additional information. The foreign citizen should be able to fill in questionnaires, forms, notices (in order to receive parcels, transfers), to write a statement (on employment, on admission of the child to school). In other words, the themes and genres of texts are relevant to the fields of communication such as formal-business (appeal to the Federal Migration Service, to the police, tax authorities, and employment services), professional (enterprises, trade and markets), and social and living (at the airport/railway station, in the post office/bank, at the currency exchange etc.).

The foreign citizen should understand by ear the basic content and significant parts of the monologue and dialogue (communicative intentions of the participants) (Auding). The foreign national should be able to compose (according to the communication setting) coherent, logical oral monologue messages on the suggested topic and to participate adequately in a dialogical communication in a limited set of specific situations: formal-business, professional and social sphere of communication (Speaking). The foreign national should use a limited set of linguistic (lexical, grammatical and phonetic-intonation) skills in the speaking process; the minimum lexical volume makes 850 units (Vocabulary / Grammar).

The level of communicative competence in the field of the Russian language required to get successful results

in Module I, is not correlated directly with the materials included into the Modules II «History of Russia» and Module III «Fundamentals of legislation of the Russian Federation.» During preparation for the complex exam, foreign nationals can acquire knowledge necessary for successful completion of Module II and Module III, not only in Russian, but also in their native languages. Since the exam assignments used in the Modules II and III, are the test tasks with multiple choice, the students should have only receptive knowledge of the material offered to them during the exam; In addition, they can use bilingual dictionaries during the exam.

Module II «History of Russia» and Module III «Fundamentals of legislation of the Russian Federation» contains one test, comprising, respectively, 10 (labor migrants) and 20 tasks (the categories «residence permit» and «temporary residence permit») During the test, the foreign citizen has the right to use the dictionary of historical and legal terms (including dictionaries translated into the native language).

Within the topics relevant for this level of knowledge related to the course «History of Russia», the foreign citizen should know: the names of famous political and public figures, outstanding figures of the Russian science and culture, their contribution to the historic development of the Russian society and the world culture; basic facts and events of the Russian history according to the historical chronology, their significance for the understanding of the modern role and place of Russia in the world, the contribution of different peoples and cultures to the country's general history, the main cultural monuments related to different historical periods; religious confessions, holidays, national, cultural and religious traditions of the Russian community.

As a result of learning the material, determined by these «Requirements ...», the foreign citizen should know: the foundations of the constitutional system of the Russian Federation; the fundamental rights, freedoms and duties of foreign citizens in the Russian Federation; the rules of entry into the Russian Federation, along with the rules of stay and residence on the territory of the Russian Federation; the foundations of civil and family law of the Russian Federation; legal liability foundations of foreign citizens in the Russian Federation; the bases of their interaction with the governmental authorities of the Russian Federation and consular offices of the country of their origin.

The purpose of studying the materials included in Module III is to train the foreign citizen to comply with the requirements of the Russian legislation related to entry, stay, residence and employment on the territory of the Russian Federation; at the same time the foreign national should be able to implement and protect his/her rights by legal means, including, cooperation with governmental authorities.

Presently, relevant bodies have finalized the preparation of the new exam tasks on the «Russian as a foreign language», the «History of Russia» and the «Fundamentals of legislation of the Russian Federation», with regard to

differentiation of the three categories of foreign nationals. Generally, 20 versions of each module were prepared, pursuant to the basic modern didactic and methodological requirements, with due regard to the accuracy and validity requirements.

The most substantial changes were made as regards the exam tasks for the third category of foreign nationals – the «residence permit» applicants, as this status is a step towards citizenship. Therefore, it implies more strict requirements to the volume of tested knowledge, and to the complexity of the prepared tasks. This explains the complexity of the test. In other words, if the module «Russian language» retained 5 subtests, the modules on the history and the fundamentals of the Russian legislation for the category «residence permit» presently consists of two subtests. The first subtest includes 20 tasks in the form of multiple choice. The assignment sample is as follows:

During the reign of Prince Vladimir in the X century, the state religion adopted in Rus' was called...

- A) Islam
- B) Christianity
- C) Buddhism

or

The Fundamental Law in Russia is called...

- A) The Constitution of the Russian Federation
- B) The Code of the Russian Federation
- C) Decree of the President

The second subtest contains 5 tasks with freely constructed response items. The assignment sample is as follows: Which Russian Tsar reigned when the city of St. Petersburg was built? Answer [Peter I]

In addition, the module «History of Russia» has been expanded by the list of dates, personalities, historical monuments, which study is mandatory.

## Preparation for the Exam

There are already more than 300 courses devoted to the Russian language studies on the territory of the Russian Federation, one third of which are free of charge. Preparatory work is conducted by the leading Russian universities, local testing centers, centers for the socio-cultural, legal and language adaptation, which are created in the constituent regions of Russia (to date, the adaptation centers have been opened in Tambov, Orenburg, Moscow, Moscow region), religious centers.

There are various methods of preparation for the exam, which can be carried out independently by means of reference materials, the elaborated training manuals on the Russian language, the history of Russia and the fundamentals of legislation of the Russian Federation, as well as different audio and video courses. Foreign citizens can get ready for this exam by visiting specific courses, with relevant teachers. The course attendance is not a compulsory prerequisite for taking the exam.

The websites of organizations, which conduct the exam, provide legal documents regulating the need for this exam, the list of documents required to register for taking the exam, the fee, the duration of the test and the number of points one needs to get in order to subsequently obtain the relevant certificate. On the same web sites, one can find the information required to prepare for the exam and download a demo version.

The information regarding relevant requirements, types of tests, as well as the access to the list of key questions to all the three modules is completely open and available in hard copy and e-form on the websites of Russian universities and the local testing centers.

Foreign citizens are encouraged to learn the compulsory minimum amount of information related to the history and fundamentals of legislation of the Russian Federation. In order to prepare for passing the module on «History of Russia», one can use the open-access consolidated list of questions, the full list of holidays, historical dates and historical personalities required to memorize. In order to demonstrate better understanding and more adequate perception of historical facts and events, foreign citizens are advised to be familiarized with a number of Russian feature films, devoted to history and culture

(e.g., «Alexander Nevsky», «Ivan the Terrible», «1612: Chronicles of the Time of Troubles», «The First Teacher», «Gagarin: First in Space» and others.). As regards the module on the «Fundamentals of the Legislation of the Russian Federation», the consolidated, open-access list of questions is also available.

Migrants have the opportunity to pass a trial computer testing online. Sample tests are available on the websites of the organizations, which conduct the exam. The educational institutions and training centers responsible for the full-time training of the foreign nationals are recommended to provide the following number of training hours:

- Module I – 150-170 hours;
- Module II – 36 hours;
- Module III – 36 hours.

At the same time, the higher educational institutions have developed and implemented various training programs related to the complex exam, which differ in the number of training hours, the volume of the material being studied and the degree of its adaptability. The short-term intensive vocabulary-oriented courses are the most popular among both groups and individuals.

The statistics for today is as follows. In the Russian Federation, There are about 10,900,000 foreign nationals; about 700 thousand foreigners are staying on a permanent and temporary basis (81% of them are the CIS nationals).

The exam is conducted in 369 testing centers. As of May 25, 2015, according to the Russian Federal Immigration Service, the total number of foreign citizens, which passed this complex exam, makes 873,930 people. Table 1 shows that 693,521 persons passed the exam at the «foreign worker» level; 123,353 persons – at the level of «temporary residence»; 57,055 – at the level of «residence permit» (Table 1).

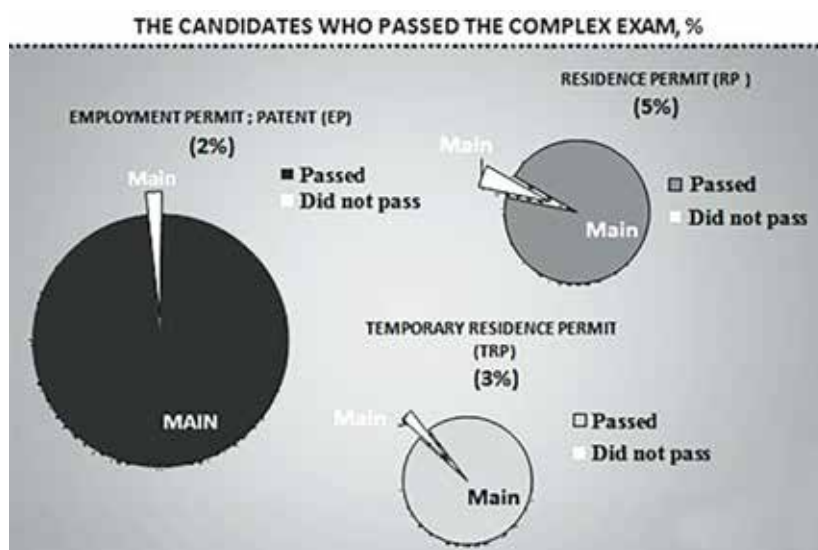
According to the statistical data obtained from the Center for the study of Russian language and culture «International Cooperation» (Krasnodar) in January 2015 300 persons passed the complex knowledge quality control. They represented ten countries: Abkhazia (2%), Azerbaijan (3%), India (2%), Kazakhstan (2%), the Kyrgyz Republic (2%), the Republic of Armenia (4%),

General number of the tested foreign nationals during 01 January–25 May 2015 (quantity)		
Complex exam for the «foreign worker» level (employment permit and patent obtainment)	Complex exam for the «temporary residence» level	Complex exam for the «residence permit» level
<b>693.521</b>	<b>123.353</b>	<b>57.055</b>

**Table 1.** Statistics related to the tested foreigners

Tajikistan (15%), Uzbekistan (35%) and Ukraine (33%). As regards gender representation, women made 17% and men – 83%, which is quite understandable, because the certificate on successful testing is largely required to obtain the employment permit or a patent (81%), and foreign nationals quite often need the certificate to do difficult

physical work. 10% of all registered persons passed this exam to obtain the temporary residence permit, 6% – to obtain the residence permit and 3% – to obtain citizenship. The first attempt to pass the exam proved to be difficult for 15% of foreigners, which corresponds to the country's data (Figure 2).



**Figure 2.** The candidates who passed the complex exam

## Discussion and Conclusion

The survey conducted among foreign nationals has shown that the majority of them are having trouble with learning the Russian alphabet, as this alphabet, according to the respondents' opinion, is very different from the Latin alphabet of the Romanic languages. As regards pronunciation, the most problematic is the letter «И» («Y») and «Й» («J») as well as their identification in the written text. Thus, pronunciation deserves specific attention. A.V. Dolzhikova (2014) indicates the same findings.

As regards the methods of teaching the Russian language, specific attention should be paid to the fact that the foreign candidate quickly learns the Russian language, given simultaneous reading, writing and speaking instead of learning all this stage-by-stage. The lesson, built on these principles, promotes establishment of the correct ratio between auditing and writing.

Foreign countries experience indicates that the most effective methods of foreign language imply the use of grammatical patterns included into the situational adapted texts. These texts reflect the real situation faced by foreign citizens in their daily lives. These are the situation-

based texts, like «In the bank», «In the store,» etc. The methodology of teaching the Russian language, based on the model study, promotes the «language immersion effect» and motivates the classroom, as the candidates immediately and actively start to use the language in practice, along with the vocabulary enrichment (Nesterova, 2014).

We used the survey method to identify the main difficulties in the use of integration exams for migrants, and to identify the shortcomings of the educational policy in this area. Using the same methods R. Rijkschroeff et al. (2005) explore pros and cons of educational policies on migrants and minorities in the Netherlands.

The practice of holding training courses before the complex exam on the history of Russia and the fundamentals of the Russian legislation has shown that many students perceive the «book» vocabulary and the complex structure of answers to the questions from the open list with great difficulty. Therefore, teachers need to adapt the material, apply it in a more conversational, emotional way. The work on drawing up the glossary, and its translation into the languages of neighboring

countries continues. Particular difficulties arise during the development of some of the concepts in the module «Fundamentals of Legislation of the Russian Federation», such as «discrimination», «branch», «constituent subjects of the Russian Federation», «federal structure». They demand explanation using the elementary vocabulary and the memory control.

Considering the module «History of Russia», visualization promotes better learning of the material, along with the principle of clarity, in other words, demonstrating portraits of political leaders, military and cultural leaders, pictures, monuments, etc. It is necessary to focus the attention of the foreigners on the concepts, which are difficult to distinguish in answering the testing questions. For example, «the War of 1812» and «The Great Patriotic War», «The Russian President» and «The President of the USSR», «The First Russian Revolution» and «The Great Russian revolution.»

All in all, the language itself and the language ability form the introduction of the Russian language picture of the world to the foreign employees, through which the foreigners get familiarized with the legal and cultural characteristics of the native speakers, their habits, customs, rules of conduct and etiquette, along with the ability to understand and to use them in the process of communication, while they remain bearers of other cultures. The exam experiment in Russia has just started and time will show its role in the future adaptation and integration of foreign citizens.

Generally, it should be noted that the number of received points has practically no correlation with the gender factor related to the candidates (sampling for the specified time period only showed that men were somewhat more confident in passing the modules on the history of Russia). The level of education might become the decisive factor for candidates who are not native speakers of the Russian language, while the native speakers have almost no difficulties with passing the subtest, regardless of whether they have secondary or higher education (usually the error rate related to candidates with the secondary and/or higher education is minimal). The candidates who represent the elder age group of the CIS nationals, having graduated from a Soviet school and do not have higher education, as a rule, are experiencing some difficulties only when giving answers to questions related to the modern history of Russia, while their young compatriots more often make mistakes in giving answers to the questions, related to other periods of the Russian history. In general, it should be noted that the number of foreigners who did not pass the exam could often be explained also by the year of their birth. Presently, foreign nationals, who arrived from the territories of the former Soviet republics, passed this exam, where until 1991 the study of the Russian language was compulsory and therefore many of them had certain knowledge of the Russian language, which is very important for the successful completion of the complex exam. If the

candidate was born after 1991, difficulties occur with the content of the test, but not with its form.

The important component of the migratory process management is the sharply actualized necessity to develop adequate mechanism of socio-cultural adaptation and integration of migrants and members of their families, which arrive into the country. The European countries, which try to integrate the ethnic migrants from Turkey, North Africa, and the Middle East countries already faced up to this problem for many years. The policy of multiculturalism conducted in Germany, France, the U.K. and a number of other countries, actually failed. This urges their leaders to develop new approaches to the migration issues. Russia faces the same problem today. Recently it became the original center of attraction of labor migrants among the countries of post-soviet space. The replacement of lingual-didactic testing by the integration exam corresponds to the modern foreign experience of migratory- attractive countries, which have considerable experience in the issues of adaptation and integration of the foreign citizens. The modern state testing system is the logical development of the linguo-didactic testing on RLF (Russian language as a foreign one) created more than twenty years ago.

Today it is also evident that the issues of migratory process management should be solved in close interaction with the countries of migrant outflow, thus supervising the whole spectrum of disputable situations before arrival of a migrant into the receiving country (Goodman, 2015; Flecha, 2015; Collett & Gidley, 2013). It is supposed that similar work will be conducted in the countries of migrants' origin within the created educational centers of pre-migratory preparation of the foreign citizens to passing the complex exam, and also on the basis of Russian centers of science and culture (RCSC) of Rossotrudnichestvo (Russian cooperation), Slavic universities, created in Armenia, Kirgizia, Tajikistan, Azerbaijan, where organization of courses on teaching the Russian language, history of Russia and fundamentals of the RF legislation is planned for preparing to exams in accordance with the Russian educational programs. Thus, the advancement of the Russian language and Russian culture abroad will be carried out through education and the system of preparation to the integration exam.

Generally, it should be noted that within the framework of the Concept of complex exam on the Russian language, history of Russia and fundamentals of the Russian legislation for foreign citizens, Russia solves the task regarding development of the educational instruments of modern migration policy in Russia, enhancement of the education level of the migrants, improvement of their knowledge in the field of the Russian language, history of Russia and the Russian legislation. This will undoubtedly promote the process of adaptation and integration of the foreign citizens into the socio-cultural environment, which is new for them, and this will result in mutual understanding between the citizens of RF and migrants, and will finally keep stability and international peace in the Russian society.

## Implications and Recommendations

The analysis of the experiment shows that, firstly, Russia increased the requirements for migrants, and this in turn leads to qualitative changes in migration flows. Experts consider that from 10 to 20% of migrants have to leave Russia due to unsatisfactory results of this complex exam. Secondly, migrants themselves realize the necessity to study the Russian language, Russian history and fundamentals of legislation of the Russian Federation. Thirdly, the introduction of the new law formed the «multiplier effect.» Currently, the leaders of the former Soviet republics are seriously concerned of the fact that part of the population

cannot be employed on the territory of Russia, and this in turn might lead to the economic crisis in these countries and social complexities due to the increase in unemployment. Presently, such countries as Uzbekistan and Tajikistan launched a campaign for the resumption of Russian schools, as well as the organization of pre-migration training.

Probably, research findings might become the basis of the policy of «monoculturalism» as a counterbalance to the policy of multiculturalism, which is wide known by its collapse in Europe.

### Disclosure statement

No potential conflict of interest was reported by the authors.

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# Immigration policy of Russia: problems and prospects

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Today, Russia is the largest recipient country in the post-Soviet space and has ample opportunities to use the positive potential of immigration. However, the challenges

in its immigration policy do not allow the full use of these opportunities to overcome social, economic and demographic problems.

## Essence of immigration policy

In domestic scientific works on the theme of migration, as a rule, the concept of «migration policy» is used with an emphasis on political, administrative and demographic aspects. According to the Russian scientist V. A. Volokh migration policy, in a broad sense, is one of the areas of social policy of the state, closely related to the policy in such areas as demography, economy and production, ensuring and protecting human rights and freedoms. In a narrow sense, it is the impact of state bodies on migration processes<sup>19</sup>. From a practical point of view, this impact is aimed at changing the number, structure and direction of migration flows, as well as regulating the resettlement of migrants in the territory of the host country and their integration into society<sup>20</sup>.

Domestic classics of the study of migration processes B.S. Horev<sup>21</sup> and A.U. Homra<sup>22</sup> adhere to the following interpretation of migration policy: the system of measures and methods of management of migration mobility of the population, affecting the formation of migration flows of a certain size and intensity. However, programmes and measures in areas traditionally excluded from migration policy – employment, education, security – can have a

much more impact on the growth or decline of immigration flows than targeted regulation<sup>23</sup>. Thus, the global trends of the last decades to a more flexible policy in the labor market increased the demand for high – and low-skilled labor, which, in turn, intensified international migration, regardless of the political desires of the governments of some developed states to restrict it<sup>24</sup>.

The impact on migration not only of the migration policy of the host state, but also of economic, social, cultural factors, terms and political measures in other spheres of society creates the problem of distinguishing migration policy and conceptualization of this notion. The staff of the International Migration Institute, University of Oxford Mathias Czaika and Hein de Haas point out that in fact, the only objective criterion that makes it possible to extract migration policy from a number of phenomena that affect migration processes is the stated goals, principles, mechanisms and measures of this very migration policy. That is, scientists put the normative aspect at the forefront, defining migration policy as a set of norms aimed at influencing the volume, origin, direction, internal composition of immigration flows<sup>25</sup>.

<sup>19</sup> Volokh V.A. Migration policy of Russia (state and problems amid the global financial crisis) // Authority. 2009. № 4. p. 82.

<sup>20</sup> Suvorova V.A. Modern immigration policy of the Russian Federation: political, legal and institutional aspects: synopsis of a thesis of candidate of political sciences. M., 2008. p. 14.

<sup>21</sup> Horev B.S. Population resettlement: basic concepts and methods. M.: Finance and statistics, 1981. 320 p.

<sup>22</sup> Homra A.U. Migration of population: Questions of theory, research methods. Kiev, 1979. p. 15.

<sup>23</sup> Czaika M., de Haas H. On the Effectiveness of Immigration Policies // Population and Development Review. 2013. № 39 (3). P. 4.

<sup>24</sup> Castles S. The Age of Migration: International Population Movements in the Modern World. – Basingstoke: Palgrave Macmillan, 2013. 420 p.

<sup>25</sup> Czaika M., de Haas H. On the Effectiveness of Immigration Policies // Population and Development Review. 2013. № 39 (3). P. 4.



On the contrary, the domestic scientist E. V. Shevtsova focuses on the positive aspect believing that migration policy is the activity of state bodies and public institutions to streamline internal and external migration processes<sup>26</sup>. V. A. Suvorova adheres to a similar interpretation. In her opinion, migration policy is an expression of social, demographic, economic and political interests of the state<sup>27</sup>. As a part of this policy she highlights both measures to attract and accept foreigners and the integration programme.

As it can be seen from the above definitions, the concept of «migration policy» is quite broad and includes the management of migration «in general», covering both internal and external migration processes, both immigration and emigration. In addition, these definitions refer not only to the planning, forecasting, recruitment and border control mechanisms involved in the first stage of the migration process, but also to the integration of newcomers.

On the one hand, such a broad interpretation is complex and includes different aspects of migration, on the other hand – it is loaded and insufficiently specific, because it combines, though interrelated, but different phenomena, for the management of which different mechanisms and measures are required. According to the author, the last aspect complicates the analysis of immigration policy.

In contrast to Russian studies, foreign scientific discourse is characterized by the concept of «immigration policy», focused mainly on the management of international migration. Political sociologist, specialist in the field of immigration of transnationalism Marc Helbling believes that immigration policy is the laws, regulations, political decisions and orders of the government relating to the management of the selection of potential immigrants, reception and resettlement of newcomers, as well as the deportation of foreigners who have violated immigration law<sup>28</sup>.

Using the concept of «immigration policy», foreign researchers focus on external migration, differentiation of migration flows and regulation of border control. However, often this definition includes a set of integration programs. So, for example, T. Hammar declares that immigration policy consists of two components – immigration control over the entry and stay of foreigners (rules and procedures that differentiate immigration flows and regulate the reception of foreigners) and integration policy (programs and measures of inclusion)<sup>30</sup> and regulates three stages of

social inclusion that an immigrant must undergo to obtain the status of a similar status of citizens: the first – entry into the territory of the host state, the second – obtaining the right of permanent residence and the third – full membership and inclusion in the political system, i.e. naturalization.

Integration is closely linked to immigration, so the differences between integration policies and immigration are blurred and elusive. At the same time, they are based on different political logic and therefore should be considered as two analytically different areas of political management: if the first is due to the pragmatic goals (demographic, economic) achieved at the stage of preparation of the immigrant to move and crossing the state border of the recipient country, the latter is aimed at solving the problems arising at the final stage of the migration process already in the territory of the host country and related to the policy of the recipient country and related to the political and socio-cultural aspects of the functioning of the modern national state – social cohesion and national identity.

Whereas the immigration policy does not end when the foreigner crosses the physical territorial border, its measures and mechanisms may be duplicated to some extent or «overlapped» by the integration policy. Provisions relating to access to the labour market, length of stay and residence can also be defined as part of integration policies. But integration policies also include inclusion programmes that determine the extent of the political, social and cultural rights of immigrants. In other words, while immigration policy establishes the legal basis for entry, length of stay and access to the labour market, integration policy regulates the conditions of residence of an immigrant in the host society and his or her access to the political, social and cultural spheres<sup>31</sup>.

Thus, the author defines immigration policy as the activity of the public authorities of the recipient country to plan the volume, structure and direction of international (external) migration flows and manage the entry, stay and residence of foreign citizens and stateless persons in the territory of the host state. In an ideal perspective, immigration policies are complemented by integration policies aimed at integrating immigrants into the basic institutions of the recipient society and overcoming their social isolation.

The central role in the development and implementation of both immigration and integration policies belongs to the state – the main institution of the political system with significant

<sup>26</sup> Shevtsova E.V. Correlation between the concepts of «migration policy», «migration», «migration management» / Shevtsova E.V. // Proceedings of the eighth International scientific and practical conference «Actual problems of Economics, Sociology and Law», Pyatigorsk, December 29-30, 2010 – Pyatigorsk: International Academy of Financial Technology, 2010. – p. 284–288.

<sup>27</sup> Suvorova V.A. Modern immigration policy of the Russian Federation: political, legal and institutional aspects: synopsis of a thesis of candidate of political sciences. M., 2008. p. 14.

<sup>28</sup> Helbling M., Bjerre L., R mer F., Zobel M. Measuring Immigration Policies: The IMPIC Database // European Political Science. 2016. № 16(1). P. 84–85.

<sup>29</sup> Hammar T. Immigration Regulation and Alien Control // European Immigration Policy: A Comparative Study / ed. by Hammar T. Cambridge: Cambridge University Press, 1985. P. 254.

<sup>30</sup> Givens T., Luedtke A. European Immigration Policies in Comparative Perspective: Issue Salience, Partisanship and Immigrant Rights // Comparative European Politics. 2005. № 3(1). P. 2.

<sup>31</sup> Helbling M., Bjerre L., R mer F., Zobel M. Measuring Immigration Policies: The IMPIC Database // European Political Science. 2016. № 16(1). C. 87.

resources and powers<sup>32</sup>. However, migration and integration of immigrants – self-organizing complex social processes, the course and results of which are quite conditionally subject to the control of public authorities. In this regard, the capacity

of state policy in the management of migration processes is limited and can be supplemented by the involvement of civil society, business structures, international organizations and governments of third countries.

## Immigration to Russia: main tendencies

According to the Statistical Yearbook 2017, long-term migration to Russia in 2016 decreased by 3.9% compared to 2015 and amounted to 575.1 thousand people who arrived mainly from the post-Soviet countries: Ukraine, Kazakhstan, Uzbekistan, Kyrgyzstan<sup>33</sup>. According to the operational data of Rosstat, for the period from January to October 2017, 531 thousand more people arrived in Russia (89.5% from the CIS countries, mainly Ukraine, Kazakhstan, Uzbekistan, Tajikistan), which is 1.1% more than in the same period of 2016<sup>34</sup>.

According to demographic characteristics, the structure of long-term international migration is dominated by men of working age – their share in the total flow in 2016 was 46.2%<sup>35</sup>. Among migrant women, the majority of women are also of working age – 70.2% of the total number of women who moved to Russia in 2016<sup>36</sup>. In general, immigrants have secondary vocational, primary vocational or secondary general education: in 2016, their total share of the total number of international migrants aged 14 years and older was 50%; those with higher education accounted for 19.7%<sup>37</sup>. The largest number of immigrants with higher education came from Kazakhstan, Ukraine and Uzbekistan<sup>38</sup>.

Despite the fact that during the aggravation of the Ukrainian conflict in 2014–2015, forced migration occupied a significant place in migration flows to Russia, the most extensive was and continues to be temporary

labor. In 2016, 4.3 million people came to work, most of them from Uzbekistan (33.4%), Tajikistan (18.6%), Ukraine (11.7%) and Kyrgyzstan (8.4%)<sup>39</sup>; for the period from January to September 2017 – 3.7 million people (distribution of foreigners by citizenship is similar)<sup>40</sup>. At the same time, the number of work permits issued both in 2016 and for the period from January to September 2017 (149 thousand work permits and 1.5 million patents<sup>41</sup> and 105.5 thousand work permits and 1.3 million patents<sup>42</sup>) does not correspond to the number of foreigners who entered for the purpose of work. These data, even taking into account those who have the right to work in Russia without permits (citizens of the EAEU member states), show that the problem of illegal employment and residence with the introduction of the patent system has not been solved. Comparison of the number of foreigners who have issued permits to work in the Russian Federation, from the total flow of those who entered for employment in 2014, 2015, 2016, shows that both the number and the share of illegal immigrants has increased<sup>43</sup>.

As it can be seen, the structure of labor migration is also dominated by foreigners from the near abroad, and especially from Central Asia. In 2016 the share of immigrants from CIS countries, carried out during the year, the labor activity in Russia, had 93.7%<sup>44</sup>. Of the non-CIS countries, China and North Korea are the main source of economic migrants: in 2016, 40.1 thousand Chinese

<sup>32</sup> Hersi A.M. Discourses Concerning Immigrant Integration: A Critical Review // European Scientific Journal. 2014. P. 591.

<sup>33</sup> Russian Statistical Yearbook 2017. M.: Rosstat, 2017. p. 101

<sup>34</sup> Demography on December 1, 2017 / Official website of the Federal state statistics service // URL: [http://www.gks.ru/bgd/free/b17\\_00/IssWWW.exe/Stg/dk11/8-0.doc](http://www.gks.ru/bgd/free/b17_00/IssWWW.exe/Stg/dk11/8-0.doc)

<sup>35</sup> Age and gender composition of migrants in the Russian Federation in 2016 / Official website of the Federal state statistics service // URL: [http://www.gks.ru/bgd/regl/b17\\_107/IssWWW.exe/Stg/tab2-07-16.xls](http://www.gks.ru/bgd/regl/b17_107/IssWWW.exe/Stg/tab2-07-16.xls)

<sup>36</sup> Age and gender composition of migrants by settlement categories in the Russian Federation in 2016 / Official website of the Federal state statistics service // URL: [http://www.gks.ru/bgd/regl/b17\\_107/IssWWW.exe/Stg/tab2-08-16.xls](http://www.gks.ru/bgd/regl/b17_107/IssWWW.exe/Stg/tab2-08-16.xls)

<sup>37</sup> Distribution of migrants aged 14 years and older by level of education and reasons for change of residence in the Russian Federation in 2016 / Official website of the Federal state statistics service // URL: [http://www.gks.ru/bgd/regl/b17\\_107/IssWWW.exe/Stg/tab2-12-16.xls](http://www.gks.ru/bgd/regl/b17_107/IssWWW.exe/Stg/tab2-12-16.xls)

<sup>38</sup> Distribution of migrants aged 14 years and older by level of education and countries of exit/admission in the Russian Federation in 2016 / Official website of the Federal state statistics service // URL: [http://www.gks.ru/bgd/regl/b17\\_107/IssWWW.exe/Stg/tab2-14-16.xls](http://www.gks.ru/bgd/regl/b17_107/IssWWW.exe/Stg/tab2-14-16.xls)

<sup>39</sup> Statistical data on the migration situation in the Russian Federation for 12 months of 2016 with distribution and regions / Official website of the Ministry of Internal Affairs of the Russian Federation // URL: <https://xn--b1aew.xn--p1ai/Deljatelnost/statistics/migracionnaya/item/9359228/>

<sup>40</sup> Selected indicators of the migration situation in the Russian Federation for January–September 2017 with distribution by countries and regions / Official website of the Ministry of Internal Affairs of the Russian Federation // URL: <https://xn--b1aew.xn--p1ai/Deljatelnost/statistics/migracionnaya/item/11445156/>

<sup>41</sup> Summary of key performance indicators on the migration situation in the Russian Federation for 2016 / Official website of the Ministry of Internal Affairs of the Russian Federation // URL: <https://xn--b1aew.xn--p1ai/Deljatelnost/statistics/migracionnaya/item/9266550/>

<sup>42</sup> Summary of key performance indicators on the migration situation in the Russian Federation for January–September 2017 / Official website of the Ministry of Internal Affairs of the Russian Federation // URL: <https://xn--b1aew.xn--p1ai/Deljatelnost/statistics/migracionnaya/item/11444944/>

<sup>43</sup> Florinskaya Yu. F., Mkrtchyan N. V. Migration in Russia in 2016 // Economic development of Russia. – 2016. № 12. p. 41.

<sup>44</sup> Russian Statistical Yearbook 2017. M.: Rosstat, 2017. p. 120.

(2.3%) and 33.1 thousand North Korean citizens (1.9%) worked in Russia<sup>45</sup>.

Over the past decade, the age of labor migrants has significantly decreased: if in 2000 the share of the youngest age group of 18–29 years was about a quarter in the flow of economic immigration to Russia<sup>46</sup>, in 2016 it was 40.8%<sup>47</sup>. The majority are citizens of Uzbekistan and Tajikistan, which in 2016 accounted for 35.7% of persons aged 18 to 29 years of the total number of workers on the basis of a patent of foreigners<sup>48</sup>.

The demand for predominantly hard physical labour, especially construction and manufacturing, determines the predominance of male labour immigration<sup>49</sup>. However, during the 2000s, the share of women in services and households gradually increased due to the expansion of the scope of foreign women's work, reaching today, according to official data, about 15%<sup>50</sup>.

These statistics and various studies provide an opportunity to identify the following tendencies in immigration to Russia:

- Predominance over long-term for the purpose of naturalization and permanent residence of temporary

labour immigration. At the same time, the main share of labor migrants has a low level of education and skills;

- Growth in the number and proportion of foreign citizens illegally working and living in Russia;

- Dominance in both long-term and temporary labour migration flows of immigrants from the near abroad. The country structure of permanent immigration is different from the temporary one – the first is dominated by citizens of Ukraine and Kazakhstan, the second – Uzbekistan and Tajikistan. As a result of military actions in the East of Ukraine, the citizens of this country took the main place in the long-term immigration flows, displacing citizens of Kazakhstan and Uzbekistan;

- Long-term immigration, as well as temporary economic immigration, is becoming increasingly «young» and ethnically homogeneous. Most of the immigrants were educated and socialized already in the space of independent national states of the near abroad. With the distance in the history of the collapse of the Soviet Union and increasing migration mobility of the indigenous population of the republics will decrease the share of culturally and linguistically close immigration to Russia, as well as knowledge of the Russian language.

### Some problems of Russian immigration policy and possible ways to overcome them

Since 1992, the total natural decline of the Russian population has exceeded 13.2 million; immigration has been the only source of stabilization, covering 61% of the natural decline<sup>51</sup>. Today, Russia still needs to effectively use the potential of immigration to overcome demographic problems: in 2016, the natural decline of the population resumed, initiating the development of a negative demographic trend. According to operational data, for the period from January to December 2017, the natural decline in the population amounted to 134 thousand people<sup>52</sup>, the birth rate decreased by 10%<sup>53</sup>. The numerical losses of the population were compensated only by the migration growth. Given these data, as well as structural demographic factors – the number of women of

reproductive age will decrease in the current decade, and the number of elderly will increase again due to the aging of post-war generations born in 1950–1960<sup>54</sup> – reserves for natural reproduction of the population are virtually absent. According to the average version of the forecast of Rosstat, the total amount of natural loss for the period from 2017 to 2030 will be more than 4 million people<sup>55</sup> accordingly, the main source of stabilization and population growth in Russia will be immigration.

In addition to depopulation, another problem is brewing in Russia, which is typical for almost all OECD countries – the aging of the economically active population. The reduction of labor resources reduces the potential for economic growth and has a significant demographic burden

<sup>45</sup> Russian Statistical Yearbook 2017. M.: Rosstat, 2017. p. 120.

<sup>46</sup> Florinskaya, Yu. F., Mkrtchyan, N. V., Maleva, T. M., Kirillova, M. K. Migration and labor market. – M.: Publishing house «Delo» RANEP, 2015. p. 69.

<sup>47</sup> Russian Statistical Yearbook 2017. M.: Rosstat, 2017. p. 122.

<sup>48</sup> *ibid.* p. 122.

<sup>49</sup> Shcherbakova E.M. Migration in Russia, results of the first half of 2017 Шербакова Е.М. / Demoscope Weekly. 2017. № 743–744 // URL: <http://demoscope.ru/weekly/2017/0743/barom01.php>

<sup>50</sup> *ibid.*

<sup>51</sup> Population of Russia 2013: the twenty-first annual demographic report / executive edited S. V. Zakharov M.: HSE publishing house, 2015. p. 21.

<sup>52</sup> Data on the number of registered births, deaths, marriages and divorces for January–December 2017 / Official website of the Federal state statistics service // URL: [http://www.gks.ru/free\\_doc/2017/demo/t1\\_2.xls](http://www.gks.ru/free_doc/2017/demo/t1_2.xls)

<sup>53</sup> *ibid.*

<sup>54</sup> Population of Russia 2013: twenty-first annual demographic report / executive edited S. V. Zakharov M.: HSE publishing house, 2015. p. 22.

<sup>55</sup> *ibid.* p. 22.

on the pension system. The average forecast of the Institute of Demography of NRU HSE (IDEM) shows that the total number of the Russian population of working age, excluding immigration, will decrease by 11 million from 2014 to 2030, including 6.6 million people<sup>56</sup>. Experts note that the few generations of the 1990s will not be able to compensate for the withdrawal from the labor market of generations 1950–1960. Under these conditions, immigration can mitigate negative demographic tendencies that can pose serious challenges to the economic and social spheres. However, the existing immigration management mechanisms do not meet the country's needs primarily because Russian immigration policy is inconsistent and contradictory.

The Concept adopted in 2012 positively assessed the role of international migration in the economic and demographic development of Russia and outlined the need to attract immigrants. However, subsequent amendments to the migration legislation, including the introduction of the migration rule 90/180; prohibition of entry to Russia for a period of 3 to 10 years for those who violated the migration legislation; criminal liability for fictitious migration registration; the introduction of a comprehensive exam for obtaining a patent, Residence permit and Permanent residency is rather contrary to the tasks set in the Concept and prove that immigration continues to be considered as a threat.

If the statements on the necessity of attracting immigrants and following the liberalization of immigration laws, then they, as a rule, are supplemented by various restrictive initiatives or amendments, which negates all the positive effects of such liberalization. A striking example is an attempt to simplify access to the labor market for foreigners from visa-free countries through the introduction of patents. Compared to the previous system of work permit quotas, the patent system had indeed created more opportunities to include immigrants from CIS countries in the legal labour market. However, the procedure of registration has become much more complicated, increasing the time and financial costs. Significant number of documents (Certificate of examination for knowledge of the Russian language, History and the legislation of the Russian Federation, the policy of voluntary medical insurance and a report of medical examination), as well as a rigid binding of the patent to the region of issue do not motivate employment on a legal basis. A comprehensive examination for migrant workers in the absence of infrastructure to prepare for it, coupled with the lack of time to obtain a patent (30 days), does not contribute to the development of language competence but contributes to the displacement in the field of illegal employment and the formation of additional «shadow» intermediaries selling for money certificates of exam.

Russian immigration policy is inconsistent not only in the regulation of temporary economic, but also long-term immigration. In 2014, in response to the instruction of the head of state to develop a simplified procedure for naturalization of culturally close immigrants, the law on citizenship was amended and it provided an opportunity to enter into Russian citizenship under the simplified scheme for native speakers of the Russian language<sup>57</sup>. However, the developed procedure of naturalization, in fact, made their way to Russian citizenship one of the most difficult. First, for them the period of validity of the permanent residency was reduced to three years: if within 2 years the applicant does not have time to apply for citizenship, his permanent residency is canceled without the right to extension.

Secondly, a permissive procedure for renouncing existing citizenship was established (for all foreigners, an application procedure is provided), i.e. when obtaining a permanent residency in Russia, the applicant is obliged to provide a document on renunciation of another citizenship issued by the competent authorities of the state of his citizenship. In fact, this requirement makes the foreign state a mediator in the issue of citizenship of compatriots, able to influence the outcome of the naturalization procedure. Since many post-Soviet countries (Uzbekistan, Kazakhstan, Turkmenistan, Moldova<sup>58</sup>) do not issue documents on renunciation of their citizenship, this becomes an insurmountable obstacle to obtaining a Russian passport by native speakers of the Russian language. These shortcomings, along with the need to prove not only the birth, but also the permanent residence of the applicant's relative in a straight ascending line within the modern borders of the Russian Federation, unstable work of the commissions for the recognition of the Native Speaker of Russian deprive of the rights this category of immigrants, the closest in cultural terms and respectively the priority, on simplified obtaining Russian citizenship.

The inconsistency of immigration policy entails permanent adjustment of the legislation, which not only increases the administrative complexity of migration procedures and inconsistency of law enforcement practice with the laws, but also creates a situation of instability for immigrants living or working in Russia. Thus, the sudden cancellation in August 2017 of the internal order of the Ministry of Internal Affairs on the extension of migration registration by Ukrainian refugees without the need to leave for 90 days put many of them in an irregular situation.

The uncertainty of the Russian immigration course hinders the formation of systemic integration policy. Today, there are only a few integration activities in the form of language courses<sup>59</sup> and social adaptation centres, mainly

<sup>56</sup> *ibid.* p. 358.

<sup>57</sup> Federal law of 31.05.2002 No. 62-FL (amendment on 31.12.2014) «On citizenship of the Russian Federation» // Collected legislation of the Russian Federation. — 2002. — № 22, article 2031. Ch. VII article 33.1.

<sup>58</sup> In respect to the citizens of Ukraine, this problem was solved on September 1, 2017 with the entry into force of the Federal law of 29.07.2017 No. 243-FL «On amendments to the Federal law «On citizenship of the Russian Federation» and articles 8 and 14 of the Federal law «On the legal status of foreign citizens in the Russian Federation».

<sup>59</sup> In the report of Federal migration service for 2014 (Results of activity of Russia in 2014: proceedings of the extended meeting of the board of the Federal migration service / edited by K. O. Romodanovsky. M.: Federal migration service of Russia, 2015) is specified that there are 334 language courses for training of immigrants in Russia. Since General Administration for Migration Issues of the Ministry of Internal Affairs of the Russian Federation does not publish such reports, it is not possible to determine how many such courses are currently available.

designed for migrant workers and performing the functions of socialization rather than integration. In the absence of an all-Russian network of integration courses under the patronage of the migration service, many of these activities are implemented by non-profit organizations.

At the same time, taking into account these tendencies in the decline in the age of immigration and the gradual reduction in its structure of the share of Russian and Russian-speaking, we can say that Russia already needs to develop mechanisms for the integration of immigrants focused on permanent residence and obtaining Russian citizenship, and part of temporary migrants who decided to stay in the country. Among the main mechanisms should be not only language training, but also a political and legal element, providing for the rationalization of naturalization procedures and their «binding» to the integration courses, ensuring a clear continuity of migration legal status and the possibility of transition of immigrants from the category of temporary to the category of permanent, legalization program for those who violated the terms of stay in Russia or employment conditions.

The development of systemic immigration policy, the basis of which will be the perception of immigration not as a threat to national security, but as an important strategic resource, is complicated by the fact that the competence in this area since 2016 was again assigned to the power Ministry – General Administration for Migration Issues of the Ministry of Internal Affairs of the Russian Federation

The focus of this structure on the rule of law determines the priority of prohibitive measures and control and restrictive management methods, as well as the securitized basis of immigration policy with an emphasis on immigration control and accounting, the issuance of various documents and the regulation of the legal status of foreigners, supervision in the migration sphere, the suppression of illegal immigration. It ignores the most important management tasks that are at the heart of a comprehensive and effective immigration policy, such as planning immigration flows, developing differentiated programmes to attract different types of immigrants (economic, academic, long-term, compatriots), implementing asylum, naturalization and integration policies.

The perception of migrants as potential violators of the law, the «closeness» of the Ministry of Internal Affairs and

the unwillingness to work with immigrant, human rights organizations and the expert community is an obstacle to building a comprehensive immigration policy with different management mechanisms.

According to the author, the definition and specification of the Russian migration course will contribute to overcoming these problems. On the one hand, the need to attract immigrants is publicly articulated and declared in official documents; on the other hand, the existing norms of migration legislation and individual representatives of the state authorities signal that Russia is interested only in temporary labor or does not need migration from abroad. The specifics in this area will help to cope with the inconsistency and inconsistency of immigration policy and legislation, to form a developed and flexible system of attracting immigrants and appropriate integration programs. Codification and the creation of a single migration code will help to systematize an array of often contradictory migration laws and, as a result, establish clear rules for entry, registration, employment and residence.

Secondly, the understanding that immigration is a demographic and economic resource that requires integrated management not only through control and restrictive measures. If the functions of migration control and combating illegal immigration are left under the jurisdiction of General Administration for Migration Issues of the Ministry of Internal Affairs of the Russian Federation, and the development and implementation of immigration policy is redistributed in favor of an independent migration Agency, this will make it possible not only to expand the tools for managing international migration, but also to increase its social orientation.

Thus, to sum up, it should be said that immigration in Russia continues to be viewed in the context of security threats, and immigration policy – as an administrative tool for regulating migration flows. This determines its inconsistency, contradictoriness and dominance of the policy of prohibitions and restrictions. With regard to these immigration tendencies and Russia's objective needs for sustained economic and demographic development, new constructive approaches in the field of immigration policy are already needed, which will be based on a positive assessment of immigration and its systemic management.

# The memory policy, identity and challenges of migration

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## Abstract

The EU's collective identity was built on the memory of the Holocaust and, to a lesser extent, colonialism. In the 1990s, this memory began to be replaced by the idea of Captive nations more suitable for new members from CEE and their liberation within the framework of the concept of a 'Europe Whole and Free and at Peace'. There was a substitution of concepts and the result was a crisis of solidarity. Those integration blocks, where the convergence of the values of migrants and host societies is potentially possible to combine on the basis of common references in the politics of memory, are more sustainable in the long term. Imagining the supranational bodies requires non-controversial politics of the past which had references between migrants and receiving societies. In the context of Eurasian integration, common milestones of historical memory and constructing events are potentially consistent, and migration does not become a challenge for host communities.

The identity studies and memory studies are based on constructivism as a methodological approach that suggests

that people act in their interaction as value-rational actors whose value structure is determined by how people understand the world in which they live and social facts are an expression of the values that people collectively choose[8]. We also use the normative approach to determine the effective policy vector of historical memory in the case of Russia and the post-Soviet space. Remaining within the framework of Memory studies, we rely on the classical works of Maurice Halbwachs, Le Goff, Benedict Anderson, Eric Hobsbaum, Paul Ricoeur, Jan Assmann etc. We also used the approach of R.Park and E.Burgess from Chicago School. We follow Gerard Noiriel who presents two approaches to the immigration, collective memory and identity issues: direct intervention of historians in political debates or Annales school approach by F.Braudel and P.Nora with their definition of Nation As a Person who settled in fact «a kind of consensus, that immigration was a new problem for national identity» [4]. The P.Nora's idea of immigration as a «non-lieu a memoire» or denial memory was a base of this approach.

## Introduction

The reconfiguration of the world order and globalization continues with a period of temporary rollback — so called de-globalization, when the integration regionalisms play an increasing role. [1] However migration processes are making global shifts, reforming world politics and splitting the existing communities. In the US, the law of zero tolerance towards illegal migrants and their children undermines the unity of the West and US participation in an international club. Right-wing European politicians such as Mateo Salvini also undermine the fundamental foundations and values of European politics, related to the policy of European identity and the memory policy of the EU countries.

Themes of this kind day by day play more important role in the world politics and political discourse. Issues of memory, history, identity, migration are of great political and social relevance. In transnational age «it makes sense...

to develop a wider vocabulary to explore the sphere of signifying practices surrounding identity, community, migration and ethnicity in contemporary world» [3].

The notion of historical memory is considered as mass representations of the past in contrast to the scientific approach until «the memory of the past has nothing to do with scientific history» (Jan Assmann). This opinion is shared by Russian scientists Savel'eva and Poletaev: the extremely broad approach to the concept of «historical memory» which includes scientific (historical) knowledge and mass perception of history concludes the multiplication of entities, because in order to analyze representations of the past or knowledge about the past and methods for their production, recognition, storage and transmission no need to introduce a new concept, in any case, there is no need for the substitution of the terms of the social representation or memory.

Trying to find the nexus between memory, identity and migration I. Glynn and O. J. Kleist argue that «Migration is a challenge to the traditional concept of social memory... but precisely the ability to relate people to each other through memories that made references to the past valuable to migrants, migrant receiving societies and to government» [3, 237]. Obviously the modern era is one of mass migration and it radically changes the social structure and the style it reproduces itself. Today, approximately 37 million persons born outside the EU reside in the EU, making around 7% of its total population, and further flows of migration will likely remain a feature of this century [9].

Certain moments or constructing events in a nation's (or supranational body's) past are perceived as positive landmarks, or, less frequently, in that certain negative or even traumatic experiences of the past serve as a contrast to or justification for the present. What does modern Russian memory policy justify? The Russian policy of memory is not obvious, or better say, divergent and sometimes contradictory, missing national consensus about basic values, political style and way to get the future. Russian policy of memory is focused mainly on the setting event – World War II and Victory. At the same time, in other storylines the memory discourses in Russian society are diverse.

In Russian public discourse several key areas of historical memory are common:

1. State-centric narrative about the confrontation between Russia and the West throughout the history of the Russian state described as the series of the alternating periods of «strong state» – centralization and forced modernization – and the «time of troubles» – the decentralization and disintegration of the political, social and economic relations. This is a conservative approach shared by the state memory policy, public-media, pro-government-propaganda discourse. The fundamental event for this discourse is a Victory of Soviet Union in World War II.

2. Individual-centered narrative about the confrontation between the Russian authorities and civil society, as well as the authorities and individuals, the suppression of the individual by the state-Leviathan. This is a Russian liberals' discourse spread by the Yeltsin-centre and liberal opposition media. The fundamental event for them is the end of Cold war with the fall of Soviet Union guilty of Stalinist terror.

3. The alternative discourse of the younger generation shared by publicists Oleg Kashin, Yuri Duda, E. Buzaev, V. Kuvaldin, D. Okrest), which tries to overcome the dichotomy of the first two opposing discourses. Its logic stresses that the stakeholders who acted 20-30 years ago cannot adequately assess this period because of a conflict of interest. This kind of thinkers stop trying to find the «Golden age» of Russian history and underline its complexity and controversial character. It pretends to be non-ideological discourse of Generation Y.

4. Privat history – searching in the field of family historical memory as non-ideological sphere attempts to find the «true» picture of the history which goes from the particular to common.

In fact all these narratives are present in Russian public opinion in more or less mixed way and are challenged not

only by one another as a two century-old dispute between Westerners and Slavophiles but by globalization and integration calls.

Migration from Central Asia doesn't challenge non of mentioned narratives because there are no real controversies in threatening of setting events (WW II and Victory) unless some difficult events were displaced from public discourse in Russia or neighbor countries. That leads us to social amnesia and oblivion phenomena.

Social amnesia can not be the result of «forcible repression» of memories, ignorance, changing circumstances, or the forgetting that comes from changing interests. *Damnatio memoriae*, or oblivion, as a principle of memory policy managing when person or historical fact must not be remembered. This policy of tabooing difficult memories of Civil War in wide public discourse have very much in common in Spain and in Russia. The same figure of silence remains the theme of Stalin regime's repression in the Russian official discourse.

The European memory policy towards the same narrative is right opposite. Although European Union started from the idea of «never more» wars in Europe and the overcoming of French-German antagonism some decades later it puts another storyline -the remembrance of 20th-century totalitarianism – notably National Socialism and Stalinism – in its midpoint. Preceded by initiatives since the 1990s, especially of the European Parliament, to increase awareness for the Holocaust and – since the Eastern Enlargement – also Stalinist crimes. In the EU there is a «palpable competition between two partly competing memory frames: the 'uniqueness of the Holocaust', that has shaped Western European post-war culture, and the 'National Socialism and Stalinism as equally evil» [5,10]. That is one of basic things Russia would never agree with. The OSCE Parliamentary Assembly at the 18th Annual Session approved the Vilnius Declaration, consisting of 28 resolutions. The declaration was supported by 213 parliamentarians out of 320 sitting in the assembly. One of the resolutions adopted, entitled «The reunification of a divided Europe», equates the crimes of the Stalinist regime with Nazism. This approach is encouraged in Russia only by few ultra-liberals and sounds extremely offensive for the most part of Russian population.

Thus the memory of Holocaust is replacing step by step by the memory of totalitarianism, by the idea of Captive nations which was more suitable for new members from Central and Eastern Europe. Their discourse of liberation of Captive nations (from Russia apparently) within the framework of the J. Bush's concept of a 'Europe Whole and Free and at Peace' sounded quite good but inevitably brought to the New Cold War – the new wave of confrontation with Russia [6].

As the European Parliament experts say «historical memory is not necessarily about reflecting 'historical realities', but instead incorporates a distinct degree of subjectivity, given that the choice of how to remember the past necessarily involves value judgements. Accordingly, historical memory can potentially play a functional role, which exposes it not only to the politics of memory, but also to the danger of it becoming a tool for a deliberate misinterpretation or falsification of history» [5], which legitimize reshaping of the world order. That's why the

mutual reproaches in historical revisionism is an essential part of Russian-Western controversies.

We argue that such substitution of memory gave rise to a foreign policy crisis in relations with Russia and an internal political crisis of European solidarity. At the same time migratory flows and the creation of migrants' enclaves outside the context of the European historical memory challenge the European social cohesion. There are communities who take in mind the colonial history as a main narrative and non-secular values which can completely undermine the European identity. Although Europeans tend to overestimate the proportion of immigrants in their countries, over half of Europeans feel comfortable with immigrants. Around a quarter (23%) of respondents hold a neutral perception on the contribution of immigrants to society. Overall three in ten (30%) have negative perceptions, with around a fifth (21%) having somewhat negative and less than a tenth (9%) a very negative perception. Just over half of Europeans think that integration of immigrants is successful. A clear majority (69%) of respondents agree that fostering integration of immigrants is a necessary investment for their country in the long run [9].

The construction of Eurasian integration requires Eurasian identity and thus common symbolic and memory policy of new regional geopolitical actor. The existence of a common set of events in the memory policy of major Eurasian states – Russia and Kazakhstan – makes Post-Soviet values work for the Eurasian integration potential. We understand values here as generalized representations of people about the most significant goals and norms of behavior that determine priorities in the perception of

reality, set the direction of their actions in all life spheres and to a large extent form the «life style» of society.

In the beginning of 2010s the unity of the value system of Russians, which represents within itself an eclectic set of socially democratic, liberal, conservative, patriotic values, is fixed by different research groups. In the minds of Russians the most significant values are «order», «justice» and «stability.» The most actualized in the minds of all generations of Russians are the values of security or materialistic values (in terms of R. Inglehart). They constitute the basis of the unified system of group political values existing in the mass consciousness, expressed in such terms as «peace», «order», «legality», «sovereignty», «patriotism», «freedom», «justice» which has very much in common with equality [7].

Syncretism and individualism coexisted in the minds of Russian citizens and determined the phenomenon that All-Russian Center of Public Opinion analysts call «Putin's meta-ideology». In Kazakhstan the moods of trans-civilizational status, fusion of traditionalism and modernism are also in official and public discourse.

Approach to the definition of Eurasian values can differ of course. First, to distinguish them in contrast to modern European ones and to emphasize the conservative and traditional aspect – the preservation of collective identities: family, ethnic, religious [2]. The second is to underline the security and social justice values which are ultimately needed precisely to ensure development, implementation of technological and worldview breakthroughs. In the ongoing Eurasian integration the circulation of migrants in this space becomes internal and brings much more coherent consequences than one within the EU.

## Conclusion

We know that historical memory is an important part of national (or supranational) identity. For the EU, historical memory is based on understanding the Holocaust as the main tragedy and on overcoming fascism as a fundamental event and preventing new European war as a fundamental goal. For Russian competing discourses the establishing event was WWII and victory, on the one hand, and repression and the end of the Cold War and the fall of the USSR, on the other. Nevertheless the idea of Common victory keeps the collective memory for almost all Former Soviet republics.

Mass migration flows challenge identity. The values of the arriving groups of migrants who do not share the notion of same establishing events may conflict with the values of local residents. This is what happens in the EU, which receives migrants from the countries of Africa and the Middle East.

In Russia, however, the migratory influx is provided mainly by immigrants from Central Asia and other post-Soviet republics, with which Russia has a common historical past and there is a place in both historical narratives for them. Therefore, from the point of view of the memory discourses, Russian identity faces less threats than the European one. Their common so called traditional values, the demand of security and justice make this social space more integrated than it looks at the first sight.

Common history and memory, common motives and places of memory should be part of a memory policy that would unite migrants and host communities both in national and supranational communities up to integration projects. Multiple complexity of society requires a more complex management system. Unless the reshaping of the history by principle «Better (or, sometimes, bitter) past for better future» is a very ambivalent.

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# Legal aspects of harmonization of labour migration legislation

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Modern Russia is facing an unprecedented migration flow. The majority of migrants in Russia is representatives of the countries of the former Soviet Union. The flow of migrants to Russia is heterogeneous in their legal status, which is explained by the different levels of integration of the former Soviet republics.

Because of this, there are problems of correlation between the legal status of a migrant worker, including his family members (who arrived together with him or were born on the territory of the Russian Federation), and the package of labor and social and economic rights

and freedoms guaranteed by the host state. Under the conditions of the formation of the common labor market of the Eurasian Economic Union (EAEU), it is important to clearly define the strategy of unification of the rules of conduct of migrants in the receiving country, the issues of securing their labor rights. It is necessary to develop a strategy of migration policy with respect to migrants from the EAEU countries, from the CIS countries and «third» countries (not included in these integration entities), which can subsequently take advantage of the visa-free space in the EAEU and the CIS.

## The legal environment in the field of migration in the CIS in comparison with the EAEU

The creation of a legal environment for the regulation of various spheres of activity, including the movement of labor resources, is an absolute merit of the CIS. The basic legal act for the CIS countries is the Agreement on cooperation in the field of labour migration and social protection of migrant workers of 15 April 1994<sup>60</sup> (which provides for the creation of only equal working terms).

The fundamental legal act regulating the issues of labor migration of the EAEU countries is the Treaty of the EAEU of May 29, 2014<sup>61</sup>, aimed at creating equal terms of residence, stay of migrants and their families. At the same time, all the EAEU member States are characterized by the predominance of the norms of the mentioned Agreement on cooperation in the field of labor migration and social protection of migrant workers in the CIS.

A comparative analysis of these documents reveals the following differences:

1. Different approach to the definition: if the EAEU Treaty considers the category of «worker» without country

affiliation, which implies full equality in the rights of employment and stay (residence) of all citizens of the EAEU countries, the CIS Agreement clearly defines the status of «migrant worker», whose rights are only close to the rights of citizens and are determined by a special licensing system with certain restrictions. At the same time, the employer is a hiring party in both cases, but the EAEU Treaty also considers the customer of services as an employer, which significantly expands the range of employers, providing for the future formation of a single market for services of all EAEU countries (now only a single market of goods operates). In this case, both documents define labor resources from other countries as «immigrants», without any differentiation of workers into categories.

2. The status of stay of an immigrant in the EAEU Treaty is defined as a temporary stay, since the principle of free movement of workers does not require the formation of terms of temporary and permanent residence. In the CIS

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<sup>60</sup> Agreement of 15.04.94 «On cooperation in the field of labour migration and social protection of migrant workers» (Moscow 14.04.1994). [Electronic resource]. URL [http://www.kadrovik.ru/docs/soglashenie\\_ot\\_15.04.94.htm](http://www.kadrovik.ru/docs/soglashenie_ot_15.04.94.htm)

<sup>61</sup> Treaty of the EAEU (section XXVI «Labour migration»), of 29 May 2014 r. [Electronic resource]. URL <http://docs.cntd.ru/document/420205962>

Agreement, the determination of the status of stay of an immigrant is based on the reference rule of the national legislation of the countries and bilateral agreements, which implies a differentiated approach to the regulation of the immigrant's stay on the basis of the country of origin. This approach remains decisive to this day, since the EAEU countries do not yet have a well-developed regulatory framework on the law enforcement practice of the main provisions of the Treaty.

3. Based on the principle of the EAEU Treaty «freedom of movement of labor resources» this legal act does not require permits to enter the country of employment. Meanwhile, the provisions of the CIS Agreement have a reference norm to national legislation. For employment in both legal documents a work permit under a contract with the employer, signed before entering into the territory of the country is required. However, the EAEU Treaty provides for the expansion of employment opportunities on the basis of a civil law Treaty (law enforcement practice has not been worked out yet). The term of stay (residence) on the basis of the EAEU Agreement is limited to the term of the employment agreement (with the right to extend it). The CIS agreement provides for a reference rule to national legislation or bilateral agreements, which significantly reduces the length of residence and tightens living conditions.

4. Access to the labour market under the Eurasian Economic Union Treaty is not burdened with restrictions and additional requirements; Agreement of the CIS allows for a simplified procedure – in the presence of the agreed bilateral agreements – registration experience and the transfer of money earned in the country of origin of the migrant. Social insurance and social security under the Treaty of the EAEU implies equal rights of immigrants on an equal basis with the citizens of the host country (except for pensions – on the basis of the legislation of the country of permanent residence of the migrant). Medical care and full education are provided to members of the migrant's family.

The CIS agreement gives the right to use social insurance and security with reference to the national legislation of

the country of employment. Medical care is provided at the expense of the employer of the employment party at the same level with its citizens; the inadmissibility of double taxation, compensation for injuries and disability with reference to national legislation, the recognition of seniority is stipulated. Knowledge of the language is not stipulated in any of the 170 acts; families are allowed to enter without restrictions.

The CIS Agreement provides for the early termination of employment relations and the return of a migrant worker to the country of origin in cases of violation of the laws of the party of employment and the rules of stay of foreign citizens. Under the EAEU Treaty, deportation is not stipulated, since the termination of employment is not a criterion of stay, the immigrant has the right to change the employer, free movement within the country of employment.

Recognition of diplomas is provided for in both legal documents without legalization, but with restrictions: under the agreement of the EAEU -diplomas for pedagogical, legal, medical or pharmaceutical activities must undergo the recognition procedure according to the rules established in the state of employment; under the CIS agreement – the documents must be certified in the prescribed manner on the territory of the party of departure with translation into the state language of the party of employment or into the Russian language.

5. The difference between the EAEU Treaty and other legislative acts is that citizens of other EAEU member states are subject to the national regime, which gives equal access to the system of social security of citizens of the state-employment of migrant workers, guarantees and family members. According to the CIS Agreement the rule of national treatment applies only to medical care.

The differences in these two basic agreements are due to the different level of integration, which requires the implementation of the provisions of the Treaty in the national legislation of the EAEU countries, and most importantly – it is necessary to develop regulations aimed at the creation and development of the law enforcement mechanism.

## **Legal and regulatory basis for regulating migration in Armenia and Kyrgyzstan**

Analyzing the national legislative acts of the Republic of Armenia (RA), bilateral and multilateral agreements in which Armenia is a party, it can be concluded that the implementation of the norms of international acts in the national legislation is not effective enough. We can note a significant number of reference norms in multilateral agreements that allow to interpret them in accordance with the legislation of the parties or bilateral agreements, which results in the emergence of legal inconsistencies in the field of migration.

Firstly. For Armenia in the field of establishing legal relations in the field of migration with the EAEU member states, the Treaty on the EAEU is the basic one.

In this regard, it is possible to draw attention, for example, to the following legal inconsistencies.

The Agreement between the government of the Russian Federation and the government of the Republic of Armenia

on the procedure of stay of citizens of the Russian Federation on the territory of the Republic of Armenia and citizens of the Republic of Armenia on the territory of the Russian Federation (Sochi, July 11, 2014), which prescribes the requirement that at the entrance it is necessary to fill in the migration card in contrast to the Treaty on the EAEU, indicating that the migration card is filled in at the entrance, if you plan a temporary stay for more than 30 days.

Secondly. In the sphere of establishing legal relations in the field of migration with the CIS member states, the basic agreement is the Agreement on cooperation in the field of labour migration and social protection of migrant workers of April 15, 1994, unless other multilateral and bilateral agreements are specified.

The analysis of the legal norms contained in the basic law of the Republic of Armenia «On foreign persons»

revealed the existence of inconsistencies both with the legal norms contained in the Treaty on the EAEU and the legal norms contained in the CIS Agreement on cooperation in the field of labour migration and social protection of migrant workers.

A comparison of national law and agreements on the CIS and the Treaty on the EAEU revealed that individuals are considered as possible employers only within the legal environment of the EAEU, in the national legislation of the RA such a concept is not implemented.

The law of the Republic of Armenia «On foreign persons», which prescribes the issues of entry and employment of citizens (Chapter 4)<sup>62</sup> does not contain a definition of «labour migrant» or «migrant worker», all entering the Republic of Armenia are defined as «foreign persons». This is contrary to the basic Agreement on the Eurasian Economic Union and bilateral agreements with the countries - members of the CIS: migrant workers are not recognized as a separate object of regulation.

With regard to the status of stay of migrant workers, it was revealed that in all cases, temporary status of stay is provided for a migrant worker, however, if the Treaty on the EAEU provides for the possibility of stay of a migrant worker in another state of the EAEU during the term of the contract, the law of the Republic of Armenia «On foreign persons» establishes temporary status of stay for up to one year with the possibility of extending the term for only one more year.

The same law of the Republic of Armenia «On foreign persons», although it contains the requirement to obtain a visa for entering for the purpose of employment, but there is a clause that «the government of the Republic of Armenia on the basis of the principle of reciprocity or, if necessary, also unilaterally may establish a visa-free stay for citizens of some states or may exempt a certain category of persons from the requirement to obtain an entry visa», which is not contrary to the Treaty on the EAEU, as well as other multilateral and bilateral agreements.

All legislation recognizes that the legal basis for employment is an employment agreement (contract), which must be concluded before entering the country of employment. However, the Treaty on the EAEU recognizes the absence of other permits for the entry and admission of labor migrants without assessing the needs of the labor market. The law of the Republic of Armenia «On foreign persons» contains a provision on the need to assess the needs of the labor market and obtain a work permit, however, there is a precept in paragraph «h» of art. 23 of the same law that «h) specialists or other persons arriving on the basis of international treaties of the Republic of Armenia» may work in the Republic of Armenia without a work permit, which can be generally interpreted as compliance with the Treaty on the EAEU.

Access to the labour market is subject to a contract in all cases. In the national legislation of Armenia, the

issues of social security of workers must necessarily be fixed in the employment contract. It does not contain specific guarantees of labour migrants and members of their families in terms of classification seniority, the unacceptability of double taxation, the receipt of the payment by the employer or government of Armenia in case of reception by the worker of occupational disease or injury, transfer of funds etc. In fact, this makes it impossible to compare the legal norms of the national legislation of Armenia with the legal norms of other existing bilateral and multilateral agreements.

The difference between the Treaty on the EAEU and other legislative acts is that citizens of other EAEU member states are subject to the national regime, which gives migrant workers equal access to the system of social security of citizens of the state-employment, guarantees are given to family members. In the CIS Agreement, the rule of national treatment applies only to medical care.

Pension provision should be considered as a separate agreement, which is indicated in the legislative acts of all levels.

The entry of members of the migrant's family and their cohabitation are permitted by all legislation.

Questions of amnesty/deportation are not considered by Treaty on the Eurasian Economic Union. The law of the Republic of Armenia «On foreign persons» does not affect Amnesty issues at all, but allows for the possibility of deportation in case of violation of the legislation of the host country, which is also spelled out in the CIS Agreement. The bilateral agreement does not provide specific guidance on this issue, which creates a moment of legal conflict.

Recognition of diplomas as a legal category is not considered in the law of the Republic of Armenia «On foreign persons», although the Treaty on the EAEU and the CIS Agreement require mutual recognition of diplomas without special procedures.

When considering in detail the multilateral and national legislative acts of the Kyrgyz Republic, it is noteworthy that there are significant contradictions, primarily in the area of quotas for labour migrants.

According to the Treaty on the EAEU, «the member States of the Union do not establish or apply legislative restrictions to protect the national labor market.» However, 2015 adopted a resolution of the government of the Kyrgyz Republic No. 58 of February 13, 2015 «On determination of quotas for labor migration, establishing limiting number of foreign citizens and individuals without citizenship, arriving in the Kyrgyz Republic in the implementation of the labor activity, on industries of economy and regions of the Kyrgyz Republic for 2015»<sup>63</sup>. This Resolution declares the establishment of a certain threshold value of the volume of accepted labor migrants in 2015, while there is no mention of the special legislative conditions for the EAEU member states or references to the agreement on its creation.

<sup>62</sup> Law of the Republic of Armenia «On foreign persons». [Electronic resource]. URL <http://mirpal.org/agreements.html>

<sup>63</sup> Resolution of the government of the Kyrgyz Republic of February 13, 2015 № 58 [Electronic resource]. URL: [http://base.spininform.ru/show\\_doc.fwx?rgn=73846](http://base.spininform.ru/show_doc.fwx?rgn=73846)

At the same time, the early Agreement between the government of the Russian Federation and the government of the Kyrgyz Republic on labour activity and social protection of migrant workers of 28 March 1996<sup>64</sup> also noted: «Depending on the situation on the labour market of the Russian Federation and the Kyrgyz Republic, the competent authorities will annually set the annual number of migrant workers by mutual agreement no later than 30 November».

The same Agreement also provides for restrictions on the maximum term on the basis of an employment agreement (contract) concluded with the employer of the host state. In particular, an employment contract may be concluded for a maximum of two years with the possibility of subsequent extension for up to one year. However, in accordance with the Treaty on the EAEU, an employee from a member state of the EAEU may temporarily stay in Russia as long as the employment contract is valid, i.e. without time limit.

### Specifics of legal regulation of migration in the CIS countries outside the EAEU

The analysis of multilateral and national legislative acts of the Republic of Azerbaijan in the field of regulation of migration processes did not reveal a noticeable level of differences and contradictions in key international, bilateral and national legislative acts. However, it should be noted that the Migration code<sup>65</sup> of the Republic of Azerbaijan, which has been in force since August 1, 2013, potentially contains a significant number of legal inconsistencies in the sphere of migration regulation.

First, one notable contradiction is the issues related to the registration of migrants. The RA Migration Code states: «foreign citizens or stateless persons temporarily staying in the Republic of Azerbaijan for more than three days must be registered at their place of residence. To do this, the administration of the place of stay of a foreign citizen or stateless person (hotel, sanatorium, holiday house, boarding house, camping, tourist base, hospital or other similar public place) or the owner of an apartment, other premises (then – «receiving party») within three days from the date of entry of a foreign citizen or stateless person to the country must send through the information Internet resource of the relevant Executive authority, by mail, e-mail or directly submit to the relevant Executive authority application form for registration at the place of residence and a copy of the passport (other travel document) of the person (Code, art. 16)».

Secondly, according to article 62 of the RA Migration code: «Taking into account the needs of the internal labor market, the relevant Executive authority may impose restrictions on labor migration of foreign citizens and stateless persons to the Republic of Azerbaijan in certain areas of activity».

Third, according to the Migration code of the Republic of Armenia, work permits are required for the implementation of labor activity.

Analyzing the national legislative acts of the Republic of Uzbekistan, bilateral and multilateral agreements to which this country is a party, we come to the following conclusions.

1. For Uzbekistan in the field of establishment of relations in the sphere of migration with the countries – members of the CIS priority is the CIS Agreement on cooperation in labour migration and social protection for migrant workers of 15 April 1994 Migration legislation of the Republic of Uzbekistan the basis of their compliance with the main provisions of this Agreement.

2. The migration legislation of the Republic of Uzbekistan reflects legal relations with migrants of all categories, including labour migrants, which are referred to in the documents as «foreign labour force». This category of citizens is provided for in the basic document – in the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan of October 19, 1995 No. 408<sup>66</sup>, which approved the Regulation on the procedure for attracting and using foreign labor force in the Republic of Uzbekistan (with further amendments and additions).

The provisions of this document were supplemented by the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan dated 21.11.1996 № 408<sup>67</sup>. Entry of foreign citizens arriving in the Republic of Uzbekistan at the invitation of legal entities to work under contracts and agreements for a period of more than three months is carried out on the basis of confirmation of the right to work, issued to a foreign citizen by the Agency for external labour migration in accordance with the established procedure.

In accordance with the trilateral Agreement between the government of the Republic of Kazakhstan, the government of the Kyrgyz Republic and the government of the Republic of Uzbekistan on the creation of legal, economic and organizational terms for the free movement

<sup>64</sup> Agreement between the government of the Russian Federation and the government of the Kyrgyz Republic on labour activities and social protection of migrant workers [Electronic resource]. URL: <http://www.lawmix.ru/abrolaw/10850>

<sup>65</sup> Migration code of the Republic of Azerbaijan of 01.08.2013 [Electronic resource]. URL: [http://base.spininform.ru/show\\_doc.fwx?rgn=62530](http://base.spininform.ru/show_doc.fwx?rgn=62530)

<sup>66</sup> Resolution of the Cabinet of Ministers of the Republic of Uzbekistan of 19 October 1995 № 408 «On labour activity of citizens of the Republic of Uzbekistan abroad and foreign citizens in the Republic». [Electronic resource]. URL: [http://base.spininform.ru/show\\_doc.fwx?rgn=5507](http://base.spininform.ru/show_doc.fwx?rgn=5507)

<sup>67</sup> Resolution of the Cabinet of Ministers of the Republic of Uzbekistan of 21.11.1996 № 408 «On the order of entry, exit, stay and transit of foreign citizens and stateless persons in the Republic of Uzbekistan». [Electronic resource]. URL: [http://base.spininform.ru/show\\_doc.fwx?rgn=823](http://base.spininform.ru/show_doc.fwx?rgn=823)

of labor force dated March 14, 1997, there is free movement of labour force between the three republics.

Workers who permanently reside in the territory of one of the member states of the Agreement on the establishment of the Common Economic Space between the Republic of Kazakhstan, the Kyrgyz Republic and the Republic of Uzbekistan carry out their work at enterprises, institutions, organizations of all forms of ownership in the territory of another member state of the Agreement in accordance with the legislation of the country of entry.

3. Since the Republic of Uzbekistan is a labour-surplus country, resolution № 505 of the Cabinet of Ministers of 12 November 2003<sup>68</sup> provides for the expansion of employment of Uzbek citizens abroad, mainly in economically developed countries. The Agency for external labour migration issues permits for citizens of the Republic of Uzbekistan to work abroad, as well as permits for legal entities to engage in foreign labour force. A work permit is issued abroad for the duration of the employment contract, and a fee is charged for its extension.

4. According to the current legislation (and first of all, the above-mentioned resolution of the Cabinet of Ministers of November 12, 2003 № 505), the Republic established a self-supporting Center for pre-departure adaptation and training of citizens traveling abroad, which is responsible for:

- informing citizens going to work abroad about the basics of legislation, traditions and norms of behavior in the country of entry;
- training in the language of the country of entry at a level sufficient for communication and performance of labor functions, safety rules and labor protection in the industries in which employment is to be contracted;
- carrying out, with the involvement of authorized medical institutions, a comprehensive medical examination of the health of citizens sent for employment abroad, taking into account the requirements of foreign employers.

5. Since the developing economy of the Republic of Uzbekistan needs highly qualified personnel, the legislation provides for the issuance of permits for employment in the Republic of Uzbekistan to foreign citizens with high qualification and unique experience of industrial activity, within 15 working days from the date of submission of documents by the employer. In this case, the presence of a foreign citizen of high qualification and unique experience of industrial activity is determined by the employer.

The national migration legislation of the Republic of Uzbekistan does not provide clear guidance on the social security of foreign workers. However, existing bilateral (the Russian Federation and the Republic of Uzbekistan) and multilateral agreements (the Republic of Kazakhstan, the Republic of Kyrgyzstan and the Republic of Uzbekistan) provide that the workers who have entered the country shall enjoy social guarantees and social security (except pension) in accordance with the acting legislation in

the territory of the country of entry. Their health care is provided at the same level with the citizens of the country of entry. The bilateral agreement between the Russian Federation and the Republic of Uzbekistan provides that medical care for migrant workers shall be provided at the expense of the employer (customer of works / services) in accordance with the legislation of the host state. The issues of pension provision of employees and their family members are regulated by the Agreement «On guarantees of the rights of citizens of the CIS member states in the field of pension provision» dated March 13, 1992 or (and) bilateral agreements.

National migration legislation of the Republic of Uzbekistan does not reflect the provision of the CIS Agreement on mutual recognition of diplomas. At the same time, the bilateral and trilateral agreements provide that each of the state members of the Agreement recognizes (without legalization) diplomas, certificates of education, relevant documents on the assignment of rank, category, qualification and other documents necessary for the implementation of labor activity, as well as work experience, including experience on preferential grounds and in the specialty. Forced (necessary) training of the employee in the interests of production is carried out at the expense of the employer or with the consent of the visitor at his expense. After successful completion of training he is given a certificate (document) of the established sample of the state.

In national legislation of the Republic of Uzbekistan there are no clear instructions regarding the joint residence of members of his family with a foreign citizen. At the same time, bilateral and trilateral agreements provide for this situation. Thus, the bilateral agreement between the Russian Federation and the Republic of Uzbekistan clearly declares that a migrant worker has the right to invite members of his or her family to the host state for cohabitation, provided that he or she has the means to maintain them, as well as housing that meets the requirements for accommodation established by the legislation of the host state.

National legislation of the Republic of Uzbekistan provides for the deportation of foreign specialists who have entered Uzbekistan for the purpose of carrying out work or who have been employed in violation of the law. Expulsion is carried out by the Ministry of Internal Affairs at the expense of the employer. At the same time, bilateral and trilateral agreements do not contain any instructions on this issue.

The Republic of Uzbekistan has not signed an Agreement on cooperation between the CIS member states in combating illegal migration of 6 March 1998, but a special agreement between the government of the Russian Federation and the government of the Republic of Uzbekistan of 4 July 2007<sup>69</sup> provides for cooperation between the relevant authorities of Russia and Uzbekistan in combating illegal migration.

<sup>68</sup> Resolution of the Cabinet of Ministers of the Republic of Uzbekistan «On measures to improve the organization of labor activity of citizens of the Republic of Uzbekistan abroad» of 12 November 2003 № 505. — [Electronic resource]. URL: [http://base.spininform.ru/show\\_doc.fwx?rgn=5534](http://base.spininform.ru/show_doc.fwx?rgn=5534)

<sup>69</sup> Agreement between the government of the Russian Federation and the government of the Republic of Uzbekistan on cooperation in combating illegal migration of 4 July 2007 [Electronic resource]. URL: [http://base.spininform.ru/show\\_doc.fwx?rgn=18617](http://base.spininform.ru/show_doc.fwx?rgn=18617)

Based on the analysis and comparisons, the authors propose the following recommendations.

Based on the fact that the establishment of legal relations in the sphere of migration for the member states of the EAEU base is the Treaty on the EAEU, it is advisable to cancel the reviewed bilateral agreements for the countries of the EAEU member states, as contrary to the basic document.

The Agreement on cooperation in the field of labor migration and social protection of migrant workers of April 15, 1994 (hereinafter – the Agreement) may be amended to indicate that the order of entry, stay and employment of citizens of the EAEU countries should be regulated in accordance with multilateral agreements.

To the Treaty on the Eurasian Economic Union the Protocol on cooperation between the member states of the EAEU with the third countries should be prepared and attached and countries of the CIS should be highlighted and written in a separate paragraph.

In the migration legislation of the Republic of Armenia it is necessary to specify the legal aspects of the regulation of migration processes for the EAEU member states. Armenia should adopt a basic law «On migrant workers», which would clarify the requirements for the entry, stay and employment of citizens of other states, depending on the country of origin.

When there is a legal conflict between the Treaty on the Eurasian Economic Union and the government of the Kyrgyz Republic № 58 of February 13, 2015 at the latest would have to be amended regarding the quota of labor migration, it is necessary to hold a new version of the Agreement between the government of the Russian

Federation and the government of the Kyrgyz Republic on labor activities and social protection of migrant workers dated March 28, 1996 in connection with the cancellation of the deadline of stay of labour migrants from the countries – members of the Eurasian Economic Union employed under labor or civil-law contract.

The Republic of Azerbaijan should liberalize migration legislation, remove restrictions on the employment of migrants from the CIS countries in accordance with the signed agreements, and increase the period of stay without registration.

In the Republic of Uzbekistan, the definition of «foreign labour force» as «migrant workers» should be brought into line with the Agreement, since it is used only in the bilateral agreement between the government of the Russian Federation and the government of the Republic of Uzbekistan on labour activities and protection of the rights of migrant workers who are citizens of the Russian Federation in the Republic of Uzbekistan and migrant workers who are citizens of the Republic of Uzbekistan in the Russian Federation of 4 July 2007.

Since the Republic of Uzbekistan needs an inflow of skilled labor force a new basic law «On migrant workers» should be developed, with the requirements on the procedure of entry, residence and employment of citizens of other states depending on the country of origin, including the member states of the CIS.

Finally, in concluding bilateral and multilateral agreements on cooperation in the field of labour migration and social protection of migrants, deportation / amnesty should be clearly spelled out in order to avoid legal conflicts.

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