

The situation of migrants in post-soviet countries is characterized by numerous violations of the rights of migrants and members of their families. While Russia is one of the biggest recipient of working migrants, it implements a tough migration policy which leads to increasing vulnerability of working migrants. Authorities of migrant donor countries do not provide adequate solutions to protect rights of their citizens outside of country.

I would like to focus in particular on places of deprivation of liberty. First, a lot of working migrants end up in detention centres for foreigners in cases of violation of migration rules. In fact, the conditions of such centres, according to decision of ECHR “Kim vs Russia”, were recognized as inhumane.

Pregnant women are quite often put in detention centres that don't have special conditions, required by their pregnancy. These practices are rigorous and completely unacceptable. Detention of stateless persons makes even less sense in view of their deportation as far as they could never be deported. Their living conditions in such centres are even worse than in prisons.

Recently the Constitutional Court of the Russian Federation recognized that such a detention of stateless people contradicts to the Constitution of Russia and basic Human Rights principles. But the legislation still hasn't been changed.

I would like to point out the problem of children, members of families in migration. According to the existing practice, migrant children are separated from their parents who are recognized as “violators of migration rules”, the children are kept locked in separate institutions and sometimes separately deported. Separation of children from parents leads to very high stress for the families, violates rights of children and their parents, but also could end up with death, like it happened in case of 5-months Tajik child, Umarali Nazarov, who died in few hours after separation from his mother during a raid by migration service. Russian authorities never acknowledge neither guilt in death of child, nor unlawful separation from mother.

There are special closed institutions for children, members of migrants' families, separated from parents which should play a role of an alternative detention, but in fact still it's deprivation of liberty. Unfortunately, there is lack of appropriate regulations of such centres. For example, children sometimes are not given back to their parents (working migrants) just because the living conditions are formally said to be not satisfactory. Meanwhile, some children don't even attend school because they are not allowed to go out of such closed institutions.

I would like to highlight also the problem of lack of appropriate international regulating procedures for such special closed institutions for children in post-Soviet countries. Existing international agreements, including Chisinau agreement, are not adequate to the reality and should be reconsidered.