

Russia as a settlement country

The number of people applying for refugee status in Russia is surprisingly low, taking into account economic development, the population and the size of the country. This was especially true before 2014, when Ukrainian refugees started arriving to Russia in masse. If one compares the number of refugee applicants in Russia and other countries in 2013, the result is staggering - according to UNHCR, in Russia the number of refugees was 3,458, in the Netherlands - 74,707, and in Germany - 187,567.

What is the reason for that? According to the Civic Assistance Committee, the success rate of refugee applications in Russia is average - between 2% and 9% of people who applied for refugee status in 2010-2014, have received it. The number of those who received temporary asylum (another option provided by the Russian law, which does not give the right to apply for permanent residence) is much higher - even before 2014, when Russia started receiving asylum seekers from Ukraine, it was about 60-63%. In 2014, this number has risen to 92%.

In the report on the implementation by Russia of the Convention on the status of refugees (1951), "Russia as an asylum country", Civic Assistance Committee, points to the existence in Russia of serious problems with access to the application procedure for refugee status. According to the Committee, obstacles accessing application procedure is one of the main problems causing the low level of successful refugee claimants.

According to the data of the Committee, many provisions of the 1951 Convention are fully implemented in the Russian legislation. However, there are important absences, which is significant, taking into account that today the Convention is considered to be a minimal standard. Nowadays, fully implementing the Convention is not a problem for developed countries, and the majority offer protection much surpassing it. In Russia, according to the research by the Committee, however, the both legislation and practice is not always up to the Convention's standards. For example, there is a marked lowering of standards relating to the Convention's prohibition of deportation of legally present refugees and asylum seekers, unless they present a threat to state security and public safety. The Russian law on Refugees allows for deportation without the court order following various reasons, there are also provisions relating to the repeal of the refugee status for any crime, which is again against the Covenant.

According to the results of Committee's monitoring, the most important problem encountered by refugees in Russia, is the refusal by migration officials to accept applications for refugee status and temporary asylum. In many regions of the Russian Federation, federal migration service systematically violates the rights of refugee applicants; there is absence of information about the procedure, lack of information about available under the law options, especially in languages other than Russian. Other obstacles include long wait lists, unmotivated refusals to grant refugee status, corruption. There are cases when refugee applicants were detained and deported without being given a chance to apply for refugee status. At the point of entry, there are frequent refusals by border control agents to pass refugee applications to the migrations service. When potential migrant crosses the border illegally, they are detained, and the administration of the detention centers frequently refuses to pass refugee applications to migration service. During the review of refugee applications multiple other requirements of the law are violated - interpretation is

frequently poor, inadequate and contradicting to the statements made by refugees. Many applicants report hostile attitude of caseworkers, aggressive and confrontational style of interviewing, antagonistic questioning, and violations of confidentiality.

In conclusion, the Committee points out, that the existing procedure for review of applications is far below the standards set out in the 1951 Convention. This procedure does not give applicants a chance to plead their case and present supporting documents. Because of the style of interviewing, problems with interpretation, refusal to give access to representatives, migration officials fail to gather all relevant facts and documents, and as a result frequently fail to fulfill set out in the law requirements for the protection of refugees and asylum seekers.

Report Review is written by Dr. Leah Utyasheva / Source: The Civic Assistance Committee (2015). Russia as a Country of Asylum. Report in Russian language. Please follow the link [here](#)

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