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Ilya Lomakin

Status of Post-February 2022 Russian Migrants

A Comparative Study

MAHRS, Master's Programme in Human Rights
and Sustainability in Central Asia

Ilya Lomakin

Status of Post-February 2022 Russian Migrants

A Comparative Study

**2022-жылдын февраль айынан кийинки орусиялык
мигранттардын статусу**
Салыштырмалуу изилдөө

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Foreword

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Biography

Ilya Lomakin is a social researcher and academic editor with a master's degree in Human Rights and Sustainability (OSCE Academy in Bishkek, Kyrgyzstan) and a bachelor's degree in Political Science (HSE University, Russia). Currently, he co-leads a peer-reviewed academic journal *Laboratorium: Russian Review of Social Research* (Finland). With a background spanning research, teaching and academic editing in social sciences, his present interests include, but are not limited to, human rights-based approaches to international and forced migration, citizenship studies, reproductive rights and transformative approaches to masculinities.

Abstract

This thesis examines how recent migration policy modifications have impacted the rights of regular Russian migrants who relocated following the 24 February 2022 exodus. Utilising comparative legal studies and the law-in-context approach, the research focuses on Germany, Kazakhstan and Türkiye. These diverse host states were selected for experiencing significant post-2022 Russian influxes and observable migration policy modifications by November 2024.

Despite the hypothesis that modifications to national migration policies shrink the sets of rights available to regular post-February 2022 Russian immigrants, the research findings paint a more complex picture. On the one hand, Kazakhstan and Türkiye introduced measures to reduce semi-legality by tightening migration controls and limiting practices like border runs. In turn, Germany has increased scrutiny of visa applications, driven by security concerns in the geopolitical context. On the other hand, all three jurisdictions have also expanded migrants' rights in various ways, mainly through measures aimed at attracting skilled workers, creating clearer pathways to long-term residence and fostering economic growth.

Considering that migrants' rights derive from their immigration statuses within the multi-dimensional legal framework and socio-political context of host states, the study concludes that while national migration policy modifications have restricted the rights of specific categories of migrants, they have simultaneously created new opportunities for regularisation and stability. Although none of the countries introduced specific mechanisms for post-February 2022 Russian immigrants, Germany maintained

targeted measures rather than sweeping restrictions, Kazakhstan demonstrated a pragmatic balance between economic interests and security concerns, and Türkiye's opaque, fast-changing migration policies reduced the migrant population.

Keywords: *immigration status / migration policy / rights of migrants / post-February 2022 Russian migrants / Germany / Kazakhstan / Türkiye*

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Table of Abbreviations

CFR	Charter of Fundamental Rights of the European Union
CIS	Commonwealth of Independent States
CLS	Comparative legal studies
EAEU	Eurasian Economic Union
ECHR	European Convention on Human Rights
ESC	European Social Charter
EU	European Union
HRC	United Nations Human Rights Committee
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP1	First Optional Protocol to the International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICESCR-OP	Optional Protocol to the International Covenant on Economic, Social and Cultural Rights

ICMPD	International Centre for Migration Policy Development
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
ILO	International Labour Organization
IOM	International Organization for Migration
NATO	North Atlantic Treaty Organization
NGO	Non-governmental organisation
OHCHR	Office of the United Nations High Commissioner for Human Rights
PMM	Republic of Türkiye Ministry of Interior Presidency of Migration Management
SDGs	Sustainable Development Goals
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
USA	United States of America

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1. Introduction

1.1 Problem statement and research question

When Russia invaded Ukraine in 2022, a large-scale outflow of Ukrainians was instantly provoked, later leading to their protracted displacement inside and outside Ukraine.¹ In less than three years, Ukrainian refugees and internally displaced persons have been studied from various perspectives in a vast number of works.² However, Russia's act of aggression also triggered some of its citizens to leave their country immediately or soon. While Russia has already been experiencing an outflow of highly skilled and young professionals for years,³ the exodus after 24

¹ ICMPD, 'ICMPD Migration Outlook: Eastern Europe and Central Asia 2024' (ICMPD 2024) 1.

² See eg Damiano Rizzi and others, 'Running Away from the War in Ukraine: The Impact on Mental Health of Internally Displaced Persons (IDPs) and Refugees in Transit in Poland' (2022) 19(24) *International Journal of Environmental Research and Public Health* 16439; Josephine Andrews and others, 'Feminized Forced Migration: Ukrainian War Refugees' (2023) 99(July–August) *Women's Studies International Forum* 102756; David De Coninck, 'The Refugee Paradox During Wartime in Europe: How Ukrainian and Afghan Refugees are (Not) Alike' (2023) 57(2) *International Migration Review* 578; Mikael Elinder, Oscar Erixson and Olle Hammar, 'Where Would Ukrainian Refugees Go If They Could Go Anywhere?' (2023) 57(2) *International Migration Review* 587; Manel Herat, 'Ukrainian Refugees: (Un)Deservingness and the Politics of Exclusion' (2023) 5(3) *Philosophy and Theory in Higher Education* 511; Alina Khelashvili, 'Forced Migration in Wartime: Decision-Making and Trajectory' (2025) 38(1) *Innovation: The European Journal of Social Science Research* 253; Tony Blomqvist Mickelsson, 'Ukrainian Refugees' Differentiated Treatment: A Critical and Systematic Review' (2025) 25(1) *Global Networks* e12502.

³ Ivan Aleshkovski, Alexander Gasparishvili and Aleksandr Grebenyuk, 'The Changing Landscape of Russia's Emigration from 1990 to 2020: Trends and Determinants' (2023) 14(1) *Journal of Globalization Studies* 42; Leslie Root, 'Russian Population Dynamics in the Putin Era' in Graeme J Gill (ed), *Routledge Handbook of Russian Politics and Society* (Routledge 2022) 306–307; Ekaterina Demintseva, 'Understanding Russia's Brain Drain in the 2010s' (2021) 68(6) *Problems of Post-Communism* 521.

February 2022 has appeared to be much larger-scale and more intense. In 2022 alone, around 800,000 Russians left the country,⁴ though this figure does not account for many countries due to data unavailability.⁵

Despite evidence that post-February 2022 Russian migrants are present in various regions of the world – such as North and South America, East and Southeast Asia, the Middle East, and so on⁶ – some post-Soviet and European Union (EU) states appeared to be particularly popular among these migrants while accepting many of them. Moreover, most of the research papers issued on the topic of the exodus from Russia following the 2022 invasion of Ukraine (see Chapter 3) are also devoted to these contexts. Namely, whereas various estimations indicated the EU among the top five quantitatively most popular destinations⁷ for post-February

⁴ Irina Umanskaia, ‘800 tysiach rossiian mogli pokinut’ stranu v 2022 godu’ (*Esli byt’ tochnym*, 27 February 2023) <<https://tochno.st/materials/rossiyan-mogli-pokinut-stranu-v-2022-godu>> accessed 19 December 2025 (in Russian).

⁵ According to the World Bank, the total population of Russia in 2022 was 144.2 million: World Bank, ‘Population, Total – Russian Federation’ <<https://data.worldbank.org/indicator/SP.POP.TOTL?end=2024&locations=RU&start=1991>> accessed 12 May 2025.

⁶ See eg Artur Roland Kozlowski, ‘The War and Tourism: Security Issues and Business Opportunities in Shadow of Russian War Against Ukraine’ (2023) 60 *Quality & Quantity*; Kristian Alexander and Froilan Malit Jr, ‘The Dynamics of “Geopolitical Migration” by Russians to the United Arab Emirates’ (UI Brief No 3, The Swedish Institute of International Affairs 2024) <<https://www.ui.se/globalassets/ui.se-eng/publications/ui-publications/2024/ui-brief-no-3-2024.pdf>> accessed 12 May 2025; Anton V Bredikhin, ‘Migratsiia rossiian v Mongoliiu: Istoricheskii i sotsiologicheskii aspekt’ (2024) 27(1) *Narodonaselenie* 153 (in Russian); Svetlana Ruseishvili and Sergey Ryazantsev, ‘Transcontinental Trajectories: Exploring Russian War-induced Migration Dynamics in Brazil’ (2024) 62(6) *International Migration* 189; Svetlana Ruseishvili, Ivetta Sergeeva and Emil Kamalov, ‘Far from Home: Russians Relocating to Latin America’ (PONARS Eurasia Policy Memo No 904, PONARS Eurasia 2024); Sergey V Ryazantsev and Marina N Khramova, ‘Russkoiazychnaia migratsiia v Latinskuiu Ameriku: Nove trendy’ (2024) 4 *Sotsiologicheskie issledovaniia* 101 (in Russian); Abubakr Kh Rakhmonov, ‘Migration Processes Between Russia and the Asia-Pacific Countries: The Sanctions Context and Implications for the Situation of Russians’ (2025) 31(4) *Science. Culture. Society* 133.

⁷ Denis Kasianchuk, ‘Skol’ko rossiian v 2022 godu uekhali iz strany i ne vernulos’ (*The Bell*, 30 December 2022) <<https://thebell.io/skolko-rossiian-v-2022-godu-uekhali-iz-strany-i-ne-vernulos>> accessed 19 April 2025 (in Russian); Umanskaia (n 4); Margarita Zavadskaia, ‘The War-Induced Exodus from Russia: A Security Problem or a Convenient Political Bogey?’ (FIIA Briefing Paper No 358, Finnish Institute of International Affairs 2023).

2022 Russian migrants,⁸ visa-free countries such as Armenia, Kazakhstan and Georgia are still significantly more prevalent.⁹ Almost three years after the start of both the invasion of Ukraine and the exodus Russians continue to leave their homeland and move from one country to another, though it gets less common.¹⁰ Many see their final destination in developed liberal democracies, such as EU member states, the United States of America (USA), Australia, Canada and others.¹¹

The influxes of Russian migrants into the states listed above and beyond have become not only a subject of academic research but also of public discussion and political decisions, as they have started to affect host states' economies and everyday lives.¹² Some host countries have welcomed incoming Russians depending on their attitudes vis-à-vis these immigrants, Russia in general or their international obligations, eg within the United Nations (UN), the EU or the Eurasian Economic Union (EAEU). In contrast, others have complicated migration regimes, securitised and even imposed restrictive measures on Russian nationals.¹³ In violation of the principle of non-discrimination, there have been

⁸ Hereinafter, Russian nationals who left for other countries after the 2022 Russian invasion of Ukraine, namely after 24 February 2022, are addressed as 'post-February 2022 Russian migrants' or 'new Russian migrants' in this thesis. Both terms are used as synonyms and could be modified within the thesis text. For example, the term 'migrants' could be substituted with 'immigrants' when migrants' relations to the state of origin, ie Russia, need to be stressed or with '*émigrés*' where the migrants' relations with a receiving state are emphasised. All the possible combinations are considered technical terms to address the social group briefly unless otherwise specified; in turn, these practices are not aimed at establishing a new legal concept. For the definition of a 'migrant,' see section 1.2.

⁹ Peter Mironenko, 'Russia's 650,000 Wartime Emigres' (*The Bell*, 19 July 2024) <<https://en.thebell.io/russias-650-000-wartime-emigres>> accessed 5 May 2025.

¹⁰ Emil Kamalov, Karolina Nugumanova and Ivetta Sergeeva, 'On the Move: Mobility, Integration, and Dynamics of Russian Emigration in 2022–2024' (SSRN Working Paper, 25 March 2025).

¹¹ Maria Volkova, Anna Kuleshova and Alexei Voronkov, 'New Russian Diasporas Outside the European Union: Policy Challenges for Czechia and Other Member-States' (IfR Working Paper, Boris Nemtsov Foundation for Freedom 2023); Maria Volkova and others, 'Not Quite "Russian Diaspora": Plural Solidarities and Stratified Economies of New Russian Migrants' (2026) 18(2) *Laboratorium: Russian Review of Social Research* (forthcoming).

¹² Timur Khayrutdinov, 'The Price of Russian Migration' (*Novaya Gazeta Europe*, 21 July 2023) <<https://novayagazeta.eu/articles/2023/07/21/the-price-of-russian-migration-en>> accessed 12 May 2025.

¹³ Costica Dumbrava, 'EU Entry Restrictions in Relation to Russia's War on Ukraine' (Briefing PE 733.644, European Parliamentary Research Service 2022); Stefania Kolarz and Aleksandra Koziol, 'EU Member States Take a Position on the Emigration of Russians' (*Polish Institute of International Affairs*, 11 January 2023) <<https://pism.pl/publications/eu-member-states-take-a-position-on-the-emigration-of-russians>> accessed 12 May 2025; Zavadskaya (n 7).

instances based on Russian citizenship,¹⁴ eg some European airlines systematically prevent passengers with Russian passports from boarding.¹⁵ Moreover, the exodus after 24 February 2022 was widely discussed in the mass media and sparked debates based on both facts and myths.¹⁶ In receiving countries, such discourses influenced how migration was regulated or even led to the creation of new provisions to regulate it, affecting the number of Russian migrants residing there.¹⁷

Nevertheless, all the actions of the host countries regarding the new Russian migrants – whether supportive, restrictive or neutral – (in)directly indicate recognition or, at least, the political existence of this social group and the host states' duty to respond to its emergence and presence.¹⁸ Therefore, legal and policy frameworks governing immigration statuses of the post-February 2022 Russian migrants, ie the statuses migrants hold 'under the immigration law of the country of destination'¹⁹ and that grant them a set of legal rights and obligations in this jurisdiction,²⁰ appear to be a promising research focus. More specifically, this research

¹⁴ See eg Ministry of Foreign Affairs of the Russian Federation, 'On Violations of the Rights of Russian Citizens and Fellow Citizens in Foreign Countries' (Report, 19 December 2024) <https://mid.ru/ru/foreign_policy/humanitarian_cooperation/1988380/?lang=en> accessed 8 May 2025.

¹⁵ Polskie Radio, 'Polish Airline Denies Boarding to Russian Tennis Player' (*Polskie Radio dla Zagranicy*, 25 April 2023) <<https://www.polskieradio.pl/395/9766/artykul/3156923.polish-airline-denies-boarding-to-russian-tennis-player>> accessed 12 May 2025; Meduza, "'No New Restrictions Have Been Introduced': Why Did Ryanair Stop Letting Russian Citizens Board Certain Flights to Estonia?" (*Meduza*, 21 February 2025) <<https://meduza.io/en/feature/2025/02/21/no-new-restrictions-have-been-introduced>> accessed 15 April 2025.

¹⁶ See eg Laura Teivaanmäki, 'Thematic Analysis of the Media Coverage of the Russian Influx to Kazakhstan During the Russian Full-Scale Invasion of Ukraine in 2022' (Master's thesis, Uppsala University 2023); Janne Perttu, 'Den ryska neologismen *relokant* (relokant) i massmedier 2020–2024' (Master's thesis, Åbo Akademi University 2024) (in Swedish).

¹⁷ Umanskaia (n 4).

¹⁸ Ilya Lomakin, 'From Migrants to Minorities. Are Russian 'Relocants' a New Minority?' (Diversity Governance Papers – Constitutional, Territorial and Societal Pluralism, No 02/2024, Eurac Research 2024).

¹⁹ Alice Sironi, Céline Bauloz and Milen Emmanuel (eds), *Glossary on Migration. International Migration Law, No 34* (IOM 2019) 104.

²⁰ Avinoam Cohen, 'From Status to Agency: Defining Migrants' (2010) 24 *Georgetown Immigration Law Review* 617, 617.

seeks to answer the question: how did the modifications in migration policies impact the rights granted to regular migrants from Russia who relocated to Germany, Kazakhstan and Türkiye following 24 February 2022?²¹

At first glance, the influxes of post-February 2022 Russian migrants, rather than the 2022 Russian invasion of Ukraine, may be seen as the primary triggers of changes in migration policies and, hence, the sets of rights available to these migrants in the various countries where they reside. However, in some cases, this is not so, eg the complete suspension of the 2007 EU-Russia visa facilitation agreement²² and visa bans in some Schengen Area countries were responses to the invasion of Ukraine, not to the massive influxes of Russians.²³ Additionally, in the case of Germany, '[n]ot all of this flow can be considered invasion-induced, as emigration from Russia to Europe was already occurring prior to [24 February 2022]'.²⁴ Thus, although it is hard, if not impossible, to fully distinguish the influxes and the invasion, both factors seem to complement each other. Anyway, when looking for the triggers in host countries' migration policies, the rationale behind these modifications is still expected to be traced within the analysis. It is likewise important to note that this research does not consider irregular, or illegal, migration as well as refugees, asylum seekers or

²¹ Focusing on post-Soviet countries and EU member states is promising due to their above-mentioned quantitative dominance in the number of new Russian migrants and their higher level of exploration. The selection of country cases is specifically discussed in section 2.3. Basically, it implies the theoretically informed sample supported by Mathias Siems' recommendation on the number of cases allowing balance between in-depth comparison and broader applicability: Katarina Linos, 'How to Select and Develop International Law Case Studies: Lessons from Comparative Law and Comparative Politics' (2015) 109(3) *American Journal of International Law* 475, 479; Mathias Siems, *Comparative Law* (2nd edn, CUP 2018) 17–18. The choice itself was determined by such factors as (1) their shared experience of significant migration influxes of Russians after 24 February 2022 and observable migration policy modifications by November 2024 and (2) the need to balance diversity and comparability in legal systems.

²² Agreement Between the European Community and the Russian Federation on the Facilitation of the Issuance of Visas to the Citizens of the European Union and the Russian Federation (signed Sochi 25 May 2006, entered into force 1 June 2007) OJ L129/27.

²³ Dumbrava (n 13) 6–7.

²⁴ Igor Gretskiy, *New Russian Immigration to the EU: The Case of the Baltic States, Finland, Germany, and Poland* (International Centre for Defence and Security 2024) 8.

those under subsidiary protection (see section 1.2). Nevertheless, this study also recognises that the boundaries of legality are not always clear and, in many cases, may be considered semi-legal (see section 3.3 for discussion).²⁵

Therefore, this thesis does not aim to explain why or where post-February 2022 Russian migrants left their homeland – these topics have already been studied in depth by social scientists (see Chapter 3). In turn, the thesis focuses on the post-migration situation,²⁶ notably on the migration policies of the states that received thousands of post-February 2022 Russian migrants and their consequences for these immigrants' rights by the end of November 2024. The hypothesis of this research is that migration policies are shrinking the sets of rights available to regular post-February 2022 Russian immigrants in their new states of residence.

1.2 Key concepts

First, the key concepts used throughout this thesis should be discussed more precisely.

International migration. Nowadays, human migration refers to the 'actual process of moving or relocating from one place to another', which can be either permanent or temporary,²⁷ domestic or international, regular or irregular.²⁸ In legal terms, migration could also be defined as a form of mobility that involves the change of residence across administrative borders.²⁹ This thesis embraces only international migration, ie from one country to another, which is a 'normal feature of contemporary societies'.³⁰ It is no longer 'linear, where migrants settled and assim-

²⁵ Agnieszka Kubal, 'Conceptualizing Semi-Legality in Migration Research' (2013) 47(3) *Law & Society Review* 555.

²⁶ Marco Martiniello, 'Comparisons in Migration Studies' (2013) 1(1) *Comparative Migration Studies* 7, 7–8.

²⁷ Immigration could be interpreted both as being temporary and permanent, where temporary means arrival in the destination country 'with intention of not staying ... in long term', while the permanent immigration refers to the 'intention of staying in that state in the long term'. Aygul Abbaszade, 'Typologies of Migration and Migrants' in Violeta Wagner and others (eds), *Migration Textbook* (ICMPD 2024) 39, 49.

²⁸ Carla Angulo-Pasel, 'Migration' in Clyde W Barrow (ed), *Encyclopedia of Critical Political Science* (Edward Elgar Publishing 2024) 439.

²⁹ Hein de Haas, Stephen Castles and Mark J Miller, *The Age of Migration: International Population Movements in the Modern World* (Guilford Press 2020) 23.

³⁰ Karen O'Reilly, 'Migration Theories: A Critical Overview' in Anna Triandafyllidou (ed), *Routledge Handbook of Immigration and Refugee Studies* (Routledge 2022) 3.

lated into their new society', as before decolonisation and globalisation.³¹ There is also an understanding that migration could be forced or involuntary when 'caused by factors such as war, conflict, generalised direct or indirect violence, and more recently, climate change';³² however, identifying the forcedness of migration is debatable.³³

Migrant. There are many definitions of 'migrant' used for various purposes, and there is no internationally agreed legal one. However, the International Organization for Migration (IOM) formulates that in a legal sense a migrant is 'a person who moves away from [their] place of usual residence, whether within a country or across an international border, temporarily or permanently, and for a variety of reasons'.³⁴

With this, the definition covers all forms of migrant movement. It serves as an umbrella term, meaning that anyone can be considered a migrant if they have moved, or are moving, from their place of usual residence across an international border or within a state's borders, regardless of legal status, causes of movement, length of stay or whether the movement is voluntary or involuntary.³⁵ Thus, although tourism, family or business visits usually relate to mobility and do not qualify as migration, the IOM's definition also includes these types of activities into the concept of migrant. As a result, the definition embraces several well-defined categories of people (eg migrant workers), persons whose specific types of movements are legally defined (eg smuggled migrants), as well as those whose status or means of movements are not explicitly defined under international law (eg international students).³⁶

Immigration status. Each regular immigrant, ie 'a person who moves into a country other than that of [their] nationality or usual residence, so that the country of destination effectively becomes [their] new country of usual residence',³⁷ holds a specific

³¹ Angulo-Pasel, 'Migration' (n 28) 439.

³² *ibid.*

³³ See n 49; Marta Bivand Erdal and Ceri Oeppen, 'Forced to Leave? The Discursive and Analytical Significance of Describing Migration as Forced and Voluntary' (2018) 44(6) *Journal of Ethnic and Migration Studies* 981.

³⁴ Sironi, Bauloz and Emmanuel (n 19) 109.

³⁵ Olga Gulina, 'Legal Aspects of Migration' in Violeta Wagner and others (eds), *Migration Textbook* (ICMPD 2024) 151.

³⁶ Sironi, Bauloz and Emmanuel (n 19) 132–33.

³⁷ *ibid* 103.

status.³⁸ When referring to ‘status’ in this thesis, the legal side of immigration is specifically addressed, unless otherwise specified. Hereby, the immigration status is ‘[t]he status of a migrant under the immigration law of the country of destination’.³⁹

It implies the key role of the law in classifying and defining people who move across borders. Such a status is shaped by domestic migration policies and refers to migrants’ compliance with legal procedures within national migration regimes. It also implies a set of legal rights and obligations that migrants possess in a host country and that differentiates them from the status of a citizen.⁴⁰ The set of rights and obligations is typically influenced by factors like nationality, the purpose of migration and the legal framework governing their stay. Specific procedures allow non-nationals also seeking a different immigration status to change one they already hold.⁴¹

Rights of migrants. This thesis comprehends the rights of migrants as human rights, combining the traditional system of diplomatic protection by the alien’s state of nationality and the ‘direct protection of [their] rights through [their] use of national and international procedures to enforce a set of reformulated international norms’,⁴² with an emphasis on the latter. As there has been a legal pluralist shift to a framework in which state actions violating human rights may be scrutinised by the international community,⁴³ states remain primary sources of protection, balancing between safeguarding the rights of migrants and maintaining the state’s authority over immigration matters.⁴⁴

³⁸ The definition provided could be applied both to long- and short-term (over and less than 12 months, respectively) immigrants who, excluding those travelling for recreational, business, medical and religious reasons, as well as family or friends’ visits. For additional clarifications on using this term in the thesis, see n 45.

³⁹ Sironi, Bauloz and Emmanuel (n 19) 104.

⁴⁰ Cohen (n 20) 617.

⁴¹ Sironi, Bauloz and Emmanuel (n 19) 27.

⁴² Richard B Lillich, *The Human Rights of Aliens in Contemporary International Law* (Manchester UP 1985) 3.

⁴³ Johan D van der Vyver, ‘Sovereignty’ in Dinah Shelton (ed), *The Oxford Handbook of International Human Rights Law* (OUP 2013).

⁴⁴ Cohen (n 20) 618.

Refugees. Though this research does not cover refugees, asylum seekers or those under subsidiary protection, it is important not to confuse them with migrants.⁴⁵ The former are forced to flee their homes due to severe threats to their lives and freedom. In contrast, the movements of migrants usually happen for economic or social reasons. Moreover, unlike the term ‘migrant’, the ‘refugee’ is legally and internationally defined.⁴⁶ Namely, the 1951 Convention Relating to the Status of Refugees defines a refugee as someone who:

owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of [their] nationality and is unable or, owing to such fear, is unwilling to avail [themselves] of the protection of that country.⁴⁷

Additionally, the principle of *non-refoulement* under the 1951 Refugee Convention ensures asylum seekers access to protection and status stability for recognised refugees; this provision could not be subjected to reservations.⁴⁸ Still, in a practical sense, the line between a migrant and a refugee is often blurred, and individuals may fit the definition of one without being entirely excluded

⁴⁵ Despite the variety in self-evaluations, most post-February Russians left their homeland voluntarily, often for economic reasons or to avoid potential military service, rather than due to a ‘well-founded fear of persecution’, as defined under the 1951 Refugee Convention (adopted 28 July 1951): United Nations High Commissioner for Refugees, ‘Convention and Protocol Relating to the Status of Refugees’ (UNHCR Communications and Public Information Service 2011), art 1A(2) (Refugee Convention). See eg After24, “‘My do obeda uzhe znali, chto uedem.’ Portret rossiiskoi emigratsii-2022 na primere okazavshikhsia v Armenii i Gruzii’ (*Republic*, 17 August 2022) <<https://republicmag.io/posts/104819>> accessed 29 May 2026 (in Russian); Ekaterina Chigaleichik, “‘Sentiabriata’ i “fevraliata”: Zarisovki o volnakh rossiiskoi migratsii v Gruziiu i Armeniiu’ (*Govorit NeMoskva*, 14 November 2022) <<https://telegra.ph/Sentyabryata-i-fevralyata-zarisovki-o-volnah-rossijskoj-migratsii-v-Gruzii-i-Armenii-11-14>> accessed 10 May 2025 (in Russian); Exodus-22, ‘Mass Exodus of Russians from the Country in the Context of War and Mobilization: Overview Analytics of Two Waves of Military Emigration’ (*Exodus-22*, 7 March 2023) <<https://exodus22team.wordpress.com/2023/03/07/pressrelease-eng/>> accessed 18 April 2025.

⁴⁶ However, neither the Convention nor its 1967 Protocol guarantee the right of asylum to refugees.

⁴⁷ Refugee Convention (n 45) art 1A(2).

⁴⁸ *ibid* art 33(1).

from the other.⁴⁹ To make things even more complicated, the distinction between a migrant and a refugee gets even vaguer when several reasons to move overlap, and a person ‘may become a refugee even if their original intention was not to flee persecution or conflict’.⁵⁰

Migrant flow. Migrant flow is the ‘number of international migrants arriving in a country (immigrants) or the number of international migrants departing from a country (*émigrés*) over the course of a specific period’.⁵¹ In this thesis, the flows of new Russian migrants are addressed as influxes (for immigration) and outflows or exodus (for emigration). These terms are used as synonyms only; their semantic backgrounds are therefore not taken into account in this study.

Migration policy. Following the DEMIG Policy project, this study defines migration policies as ‘laws, rules, measures, and practices implemented by national states with the stated objective to influence the volume, origin, and internal composition of migration flows’.⁵² Generally, affecting immigration statuses, migration policies have a strong effect on immigration flows.⁵³ The ‘modifications in migration policies’ mentioned in the research question may include both minor changes and full-scale reforms covering regulations on labour migration, family reunification, permanent immigration, citizenship acquisition, asylum and refugees, border and land control, deportation, integration

⁴⁹ Abbaszade (n 27) 42. For instance, Olga Veselovskaya and others consider post-February 2022 Russian migrants as forced migrants, referring to their unpredetermined choice of the host country: Olga Veselovskaya and others, ‘Homegrown Educational Leadership in Forced Russian-Origin Migrant Society: The Case of Georgia’ in Mary Guntman (ed), *Challenges Facing Education Leadership in the Shadow of War: International and Multicultural Perspectives from Zones of Conflict* (Routledge 2025) 131. Furthermore, Anna Prashizky believes that core characteristics of the 2022 Russian invasion of Ukraine, such as ‘sudden, involuntary departure’, ‘political reasons for leaving including opposition to Putin’s rule and the war in Ukraine, the escape from mobilisation and fear of persecution due to political opinions and participation in anti-war demonstrations’, bring post-February 2022 migrants from Russia under the definition of refugee according to the 1951 Refugee Convention, although such inclusion is highly debatable: Anna Prashizky, ‘“Living in Limbo”: Digital Narratives of Migrants Fleeing Russia after the Russian Invasion of Ukraine’ (2023) 28(6) First Monday.

⁵⁰ Abbaszade (n 27) 42.

⁵¹ UNDESA, *Toolkit on International Migration* (UNDESA – Population Division – Migration Section 2012) 3.

⁵² Hein de Haas, *The Determinants of International Migration: Conceptualising Policy, Origin, and Destination Effects* (IMI Working Papers Series, No 32, University of Oxford International Migration Institute 2011) 25.

⁵³ Marc Helbling and David Leblang, ‘Controlling Immigration? How Regulations Affect Migration Flows’ (2019) 58(1) *European Journal of Political Research* 248.

and irregular migration. Domestic migration policies' compliance with international standards is ensured under the UN treaty-based monitoring bodies, IOM, International Labour Organization (ILO), regional bodies (eg European Commission), national governments, etc.

1.3 Literature review

The post-February 2022 Russian migration quickly became a subject of social research. Despite several attempts to estimate the approximate number of those who left,⁵⁴ social researchers mainly focused on the socio-demographic features of the migrants, their

⁵⁴ Kasianchuk (n 7); Umanskaia (n 4); Re:Russia, 'Escape from War: New Data Puts the Number of Russians Who Have Left at More Than 800,000 People' (*Re:Russia*, 28 July 2023) <<https://re-russia.net/en/review/347>> accessed 12 May 2025; Mironenko (n 9).

motivations for leaving Russia and choosing specific host countries;⁵⁵ their efforts to understand and/or recombine own identities;⁵⁶ their ways of adapting to new environments;⁵⁷ and their civil and political activities abroad.⁵⁸

⁵⁵ After24 (n 45); Exodus-22 (n 45); Lyubov Borusyak, 'Novaia volna vysokoobrazovannoi emigratsii: Pochemu oni uvezhaiut iz Rossii?' (2022) 3(2) Palladium 98 (in Russian); Emil Kamalov and others, 'Russia's 2022 Anti-War Exodus: The Attitudes and Expectations of Russian Migrants' (PONARS Eurasia Policy Memo No 790, PONARS Eurasia 2022); Eva Rapoport, 'Shock Wave of Russian Emigration and Self-Reflection of Its Representatives' (2023) 15(3) Laboratorium: Russian Review of Social Research 33; Athina Anastasiadou, Artem Volgin and Douglas R Leasure, 'War and Mobility: Using Yandex Web Searches to Characterize Intentions to Leave Russia After Its Invasion of Ukraine' (2024) 50 Demographic Research 205; Margaret Hanson and Gaukhar Baltabayeva, 'Exit as Voice, for the Economically Mobile: Russian Migration to Central Asia & the Caucasus' (2025) 51(9) Journal of Ethnic and Migration Studies 2393.

⁵⁶ Cesare Figari Barberis and Leonardo Zanatta, 'Distinguishing Ontological Security from Security of Identity: The Case of Russian "Relokanty" in Tbilisi in the Aftermath of the 2022 Russian Invasion of Ukraine' (2023) 1 ASIAC – Studies on Central Asia and the Caucasus 161; Ekaterina Purgina and Andrey Menshikov, 'Digital Narratives of the New Russian Emigrants: Identity Negotiations Across Borders and Borderlines' (2023) 104 Matica Srpska Journal of Slavic Studies 35; Vlada Baranova, 'Debate on Decoloniality and Sense of Belonging Among Young Kalmyks and Buryats Who Fled to Mongolia After 2022' (2024) 45 Ethnologia Polona 149; Magdalena Kozhevnikova and Magdalena Lejman, 'Between the Individual and the Collective: Identity Dilemmas of Russian Migrants After the Russian Invasion of Ukraine' (2025) 22 Adeptus 1.

⁵⁷ Dinara Aitieva, Sehun Kim and Meerbek Kudaibergenov, 'Russian "Relocants" Share Their Experiences: A Study of Perceptions of Kyrgyzstan as a Destination' (2024) 20 Social Sciences & Humanities Open 100930; Vlada Baranova and Verena Podolsky, 'Life in Motion: Mobility and Identity Among Russian Migrants in the South Caucasus' (2023) 15(3) Laboratorium: Russian Review of Social Research 16; Liubov Chernysheva, 'Migranty, turisty, relokanty ili okkupanty? Esse o rossiianakh v Tbilisi, polomannom gostepriimstve i prave na gorod' (2023) 15(3) Laboratorium: Russian Review of Social Research 46 (in Russian); Volkova, Kuleshova and Voronkov (n 11); Kira Legut, 'Adaptation Practices of Forced Migrants: A Comparative Study of Russian Emigrants in Georgia and Germany in 2022–2023' (2026) 29(1) The Journal of Sociology and Social Anthropology 118; Volkova and others (n 11).

⁵⁸ Yevgeniy Lapin, 'Russian Political "Tourists" in Georgia' (Master's thesis, Yerevan State University, 2022); Maria Domańska and Stefan Ingvarsson, *Russia in Exile: Support for Russian Political Migrants as an Instrument to Increase European Security* (SCEEUS Report No 16, Stockholm Centre for Eastern European Studies 2023); Emil Kamalov and others, 'New Russian Migrants Against the War: Political Action in Russia and Abroad' (Series 'The Russian Crisis,' Paper #5, Friedrich Ebert Foundation 2023); Laura A Henry, Valerie Sperling and Lisa McIntosh Sundstrom, 'Movement of Movements: Russian Activism in Exile and the Porous Political Opportunity Structure' (2024) 29(3) Mobilization: An International Quarterly 375; Andrey Makarychev, 'New Russian Migrants in Estonia: Performative Agency in Insecure Times' (2024) 33(4) European Security 537; Nicolas Bouchet and Anastasia Burakova, 'Russia's Recent Emigrants: Mobility and Engagement' (Policy Brief, German Marshall Fund of the United States February 2025); Varvara Mukhina, 'Exit to Feel, Voice, and Act: Emotions and Actions of Russian Migrants Opposing the Invasion of Ukraine' (2026) 24(1) Journal of Immigrant & Refugee Studies 174.

Uncertainty is one of the key features that embraces the everyday lives of many post-February 2022 Russian migrants,⁵⁹ and one of its sides is the legal one, focused on their immigration statuses.⁶⁰ There were also some timid attempts to approach the exodus from a legal perspective,⁶¹ and there is a growing number of rational reasons why such a research focus would benefit the host countries. However, until now, lawyers have not comprehensively studied the recent migration flows from Russia. More specifically, legal systems and migration regimes in which new Russian migrants have begun their new lives, or between which they have to commute from time to time, are usually presented only as secondary and/or contextual information in existing research. Notwithstanding, the research from a legal perspective is considered not just interesting but vital, given the law's essential role in setting rules and structuring reality⁶² within the nation-state and beyond. In any case, the law influences social, economic, political and cultural life complementing the legal doctrine elaboration.⁶³

1.4 Theoretical framing and methodology

Legal pluralism recognises that multiple legal systems coexist within a single geographic or political space. This complexity extends to migration and human rights, sometimes defined as a 'global normative discourse which enters into local normative patterns in many distinct ways'.⁶⁴ Post-February 2022 Russian migrants navigating this pluralistic legal terrain face intersecting norms from national legal systems of host countries, UN human rights treaties and regional frameworks like EU or EAEU.

⁵⁹ Eg Anna Kuleshova and others, 'Russian Migration to Armenia and Georgia in 2022: Enclave Economy and Local Employment' (*Caucasus Edition: Journal of Conflict Transformation*, 29 May 2023) <<https://caucasusedition.net/russian-migration-to-armenia-and-georgia-in-2022-enclave-economy-and-local-employment>> accessed 12 May 2025.

⁶⁰ Lapin (n 58); Prashizky (n 49).

⁶¹ Dumbrava (n 13); Olga Gulina, 'Emigration from Russia After 24 February 2022: Main Patterns and Developments' (Prague Process Policy Brief, June 2023, Prague Process Secretariat 2023); Kolarz and Koziol (n 13); Lomakin (n 18).

⁶² Mark Van Hoecke, 'Methodology of Comparative Legal Research' (2015) 12 *Law and Method* 1, 11.

⁶³ Francis Snyder, 'Law in Context: A Personal Roadmap' (2023) 37(3) *Revue de la recherche juridique* 1481, 1484–85.

⁶⁴ Margaret Davies, 'Legal Pluralism' in Peter Cane and Herbert M Kritzer (eds), *The Oxford Handbook of Empirical Legal Research* (OUP 2010) 815.

The availability or absence of civil and political rights in countries of origin, transit and destination significantly influence migration and destination choices,⁶⁵ often driving individuals to seek asylum in developed countries.⁶⁶ Migrants' rights are rooted in international law but remain unevenly protected, with binding commitments often focused on specific migrant categories like refugees or labour migrants. Despite the universality principle in international human rights law, states retain significant discretion over entry and stay conditions, leading to disparities between legal provisions and their practical application.⁶⁷

The securitisation of post-February 2022 flows of Russian migrants further complicates their statuses in receiving countries.⁶⁸ Many are in legal grey zones, utilising temporary or semi-legal mechanisms to prolong their stays, reflecting broader tensions between state sovereignty, migration governance and human rights.⁶⁹ Understanding these dynamics is critical to analysing how host countries' migration policies reshape the rights available to migrants. Therefore, intersections of law and policy offer a unique lens to examine the challenges and opportunities faced by post-February 2022 Russian migrants within pluralistic legal systems.

Since this research is at the intersection of comparative law and the social sciences, an interdisciplinary approach with a strong emphasis on contextual factors is vital to this study. Comparative legal studies (CLS) serve as a methodology for this research.⁷⁰ In general, opposite to dogmatic method, the comparative method is a critical one, 'founded upon the actual observation of the elements at work in a given legal system'.⁷¹ While acknowledging and building on classical comparative law methodologies,

⁶⁵ Mathias Czaika and Constantin Reinprecht, 'Migration Drivers: Why Do People Migrate?' in Peter Scholten (ed), *Introduction to Migration Studies: An Interactive Guide to the Literatures on Migration and Diversity* (Springer 2022) 67.

⁶⁶ Erdal and Oeppen (n 33).

⁶⁷ Vincent Chetail, 'The Human Rights of Migrants in General International Law: From Minimum Standards to Fundamental Rights' (2013) 28(1) *Georgetown Immigration Law Journal* 225.

⁶⁸ Zavadskaya (n 7).

⁶⁹ Lapin (n 58); Prashizky (n 49); Lomakin (n 18).

⁷⁰ Jaakko Husa, *Interdisciplinary Comparative Law: Rubbing Shoulders with the Neighbours or Standing Alone in a Crowd* (Edward Elgar Publishing 2022); Jaakko Husa, 'Comparative Law and Interdisciplinarity' (*HKU Centre for Interdisciplinary Legal Studies*, 23 September 2024) <<https://cils.law.hku.hk/law-and/comparative-law-and-interdisciplinarity>> accessed 18 April 2025; Siems, *Comparative Law* (n 21).

⁷¹ J Paul Lomio, Henrik S Spang-Hanssen and George D Wilson, *Legal Research Methods in a Modern World: A Coursebook* (DJØF Publishing 2011) 60.

CLS involve both interdisciplinarity and contextuality, allowing for considering ‘normative and non-normative rules, binding and non-binding practices that apply at the local, national, and supra-national level’ when studying the movements of people.⁷² Additionally, addressing the taxonomy of five levels of integration between legal and non-legal disciplines,⁷³ this research goes with the perspectivist level of interdisciplinary research. While each discipline has its role, this kind of interdisciplinary research allows for switching between them using concepts of both legal and social sciences.⁷⁴

This research focuses on micro-level comparison, ie not on legal systems themselves but on a specific legal issue and how it is treated in two or more legal systems.⁷⁵ This functionalist approach appears relevant within the CLS. Examining concrete societal issues and analysing how various jurisdictions address them, this approach allows for an account of the issue, mainly staying independent of national doctrinal frameworks.⁷⁶ Furthermore, considering that migration policymaking is usually highly politicised⁷⁷ and aiming to avoid the risk of inadequate interpretation of how the law works in practice, functionalism is recommended to be extended to the law-in-context approach.⁷⁸ As the latter takes into account the broader social, political and institutional factors that shape migration policies and their implementation, it can help explore how the legal frameworks in Germany, Kazakhstan and Türkiye have evolved in response to the influxes of Russian migrants since February 2022 and how these modifications have impacted these migrants’ rights.

⁷² Gulina, ‘Legal Aspects of Migration’ (n 35) 143.

⁷³ Sanne H Taekema and Bart van Klink, ‘On the Border: Limits and Possibilities of Interdisciplinary Research’ in Bart van Klink and Sanne H Taekema (eds), *Law and Method: Interdisciplinary Research into Law* (Mohr Siebeck 2011) 10–13.

⁷⁴ *ibid* 12.

⁷⁵ Siems, *Comparative Law* (n 21) 14. Additionally, as a relatively new endeavour, the combination of comparative law and international law calls for micro-comparison about how different legal systems interpret and apply substantive international norms in diverse ways.

⁷⁶ Jaakko Husa, ‘Comparative Law, Legal Linguistics and Methodology of Legal Doctrine’ in Mark van Hoecke (ed), *Methodologies of Legal Research: Which Kind of Method for What Kind of Discipline?* (Hart Publishing 2011) 221–22.

⁷⁷ Peter Scholten, ‘Migration and the Policy Sciences’ in Christine Inglis, Wei Li and Binod Khadria (eds), *The SAGE Handbook of International Migration* (Sage 2020) 159; Kevin L Cope, ‘Methods for Comparative Migration Law: Insights from the Social Sciences’ (2023) 7(2) *International Journal of Migration and Border Studies* 166.

⁷⁸ Snyder (n 63); Sanne Taekema and Wibren van der Burg, *Contextualising Legal Research: A Methodological Guide* (Edward Elgar Publishing 2024).

While comparison is embedded in this thesis's research design, the multi-jurisdictional case study serves as a method, and countries are considered units of analysis. As Lisa Webley states, a case study method 'seeks explicitly a phenomenon in its natural environment and (in most instances) without means to control for variables, including the behaviour of any participants'.⁷⁹ It does not control the environment but 'aims to harness context and work with it'.⁸⁰ Moreover, case studies provide 'ideal means to focus on the particular and yet to draw analytical inferences to similar contexts too'.⁸¹ Therefore, this study is based on legal and socio-political data, where national legislation, amendments to it, domestic migration policy frameworks, official government reports and public statements are considered as primary sources. In turn, metadata on international human rights law treaties, statistics, academic socio-political research, migration data reports and analyses, and media publications serve as secondary sources in this study. The analysis is guided by the case study method and involves triangulation of data, 'allowing ... to reach robust findings ... by integrating analysis from multiple data points'.⁸²

1.5 Research significance

This study is guided by the fact that previous research did not comprehensively touch upon the legal background of the post-February 2022 Russian migration. Furthermore, the comparative legal approach has yet to be applied to this issue. More specifically, the research significance of this study is supported by the following facts.

First, the ongoing Russian invasion of Ukraine continues to transform the international image of post-Soviet Russia dramatically and, consequently, affects the general perception of Russian nationals' outward migration flows. Despite migration being

⁷⁹ Lisa Webley, 'Stumbling Blocks in Empirical Legal Research: Case Study Research' (2016) 10 Law and Method 1, 4.

⁸⁰ *ibid* 4.

⁸¹ *ibid* 20.

⁸² *ibid* 16.

a highly political issue associated with security,⁸³ the current conflict has made the Russian exodus following February 2022 an even more pressing topic in both host countries and Russia itself. On the one hand, rapid autocratisation in today's Russia tends to consider post-February 2022 *émigrés*⁸⁴ as traitors⁸⁵ and seeks (il)legal avenues to complicate their lives abroad,⁸⁶ while also serving as a push factor⁸⁷ for those with opposing views still residing in the country.⁸⁸ On the other hand, for host countries, challenges arise around evaluating, sorting and integrating these newcomers.⁸⁹ This research focuses on the legal aspects of the latter issue while considering the broader context.

⁸³ Monika Wohlfeld, 'Is Migration a Security Issue?' in Omar Grech and Monika Wohlfeld (eds), *Migration in the Mediterranean: Human Rights, Security and Development Perspectives* (Mediterranean Academy of Diplomatic Studies 2014); Patti Tamara Lenard, 'Migration Studies' in Tuija Takala and Matti Häyry (eds), *Concise Encyclopedia of Applied Ethics in the Social Sciences* (Edward Elgar Publishing 2024).

⁸⁴ The IOM's glossary defines an *émigré/emigrant* as 'a person who moves from [their] country of nationality or usual residence to another country, so that the country of destination effectively becomes [their] new country of usual residence': Sironi, Bauloz and Emmanuel (n 19) 63. This definition could be applied both to long- and short-term (over and less than 12 months, respectively) *émigrés*, excluding those travelling for recreational, business, medical and religious reasons, as well as family or friends visits. For clarifications on using this term in the thesis, see n 45.

⁸⁵ Julia Lerner and Svetlana Stephenson, 'From Moral Indignation to Affective Citizenship: Public Shaming of Celebrity Emigration from Russia During the War Against Ukraine' (2024) 70(7) *American Behavioral Scientist* 1003, 1114; Prashizky (n 49).

⁸⁶ Benoît Vitkine, 'Millions of Russians Ordered to Hand Over Passports to Authorities' (*Le Monde*, 13 December 2023) <https://www.lemonde.fr/en/international/article/2023/12/13/millions-of-russians-ordered-to-hand-over-passports-to-authorities_6337556_4.html> accessed 18 April 2025.

⁸⁷ Here, I refer to the widely cited classical theory of push and pull factors of migration; Ernst Georg Ravenstein, 'The Laws of Migration' (1885) 48(2) *Journal of the Statistical Society of London* 167; Ernst Georg Ravenstein, 'The Laws of Migration' (1889) 52(2) *Journal of the Royal Statistical Society* 241. Although the original version, presented by Ernst Ravenstein, took into account economic conditions only, its later neoclassical versions also acknowledged other factors such as political oppression, low economic opportunities, poor living standards, and so on: O'Reilly (n 30) 4.

⁸⁸ Mariana Katzarova, 'Situation of Human Rights in the Russian Federation' (13 September 2024) UN Doc A/HRC/57/59; Dan Storyev, 'Russia's Repressive Home Front' (*Riddle.io*, 17 December 2024) <<https://ridl.io/russia-s-repressive-home-front>> accessed 12 May 2025; Elena Lukyanova, 'War in Europe and Human Rights. The Time of Rethinking' in Anna Ayvazyan and Sebastjan Pikl (eds), *The Contemporary Human Rights Situation in Central and Eastern Europe* (Novum 2023). Mariana Katzarova, Special Rapporteur on the Situation of Human Rights in the Russian Federation, addressed the situation after 24 February 2022 that way: 'The environment of impunity, the unpredictability of changes to the law, in addition to their ambiguity, sheer number and scope, along with arbitrary enforcement, has forced many Russians into exile'. Mariana Katzarova, 'Situation of Human Rights in the Russian Federation (Advance Edited Version)' (15 September 2023) UN Doc A/HRC/54/54, para 108.

⁸⁹ Lomakin (n 18).

Second, the current legal status of many Russian migrants in certain countries remains ambiguous. For example, Georgia's liberal migration regime allows most foreigners to stay for up to 365 days without a visa or residence permit and to reset this period through a border run.⁹⁰ The same can be done in Armenia every 180 days, although national law technically prohibits border runs.⁹¹ Furthermore, of March 2023, out of the approximately 50,000 Russian citizens in Serbia, only 20% had a regular right to stay in the country; the remaining 80% were compelled to rely on border runs every 30 days, usually to Bosnia and Herzegovina or Montenegro, which are also visa-free for them.⁹² Hereby, the factors governing the long-term presence of post-February 2022 Russian migrants remain in the blind spot of host countries' migration statistics, simultaneously putting them in a vulnerable position.

Third, instances of alleged discrimination on the grounds of Russian citizenship that periodically occur in third countries⁹³ provide another rationale for the involvement of both lawyers and human rights specialists in discussions on the Russian exodus after 24 February 2022. For example, there have been reports of European airlines systematically preventing passengers with Russian passports from boarding.⁹⁴ Moreover, obtaining visas for study or family visits to the Baltic states, Poland or Czechia has become almost impossible for Russian citizens.⁹⁵ All these cases – and many more – raise the question of whether host states are infringing on the fundamental human rights of Russian citizens, such as those outlined in articles 2(1) and 26 of the widely ratified International Covenant on Civil and Political Rights (ICCPR),⁹⁶ stating the right to be effectively protected against discrimination on any ground.

⁹⁰ Lapin (n 58) 38–45; Svenja Petersen, 'From Emperors to Refugees: Russian Emigration to Armenia and Georgia' (2022) 4 *New Eastern Europe* 112; Kuleshova and others (n 59).

⁹¹ Ministry of Foreign Affairs of the Republic of Armenia, 'Visa' <<https://www.mfa.am/en/visa>> accessed 12 May 2025.

⁹² Beta Briefing, 'NGO: 50,000 Russians Fleeing War Have Remained in Serbia' (*Beta Briefing*, 30 March 2023) <<https://betabriefing.com/archive/news/22928-ngo-50-000-russians-fleeing-war-have-remained-in-serbia>> accessed 12 May 2025.

⁹³ See eg Ministry of Foreign Affairs of the Russian Federation (n 14).

⁹⁴ Polskie Radio (n 15); Meduza (n 15).

⁹⁵ Dumbrava (n 13); Gulina, 'Emigration from Russia After 24 February 2022' (n 61); Kolarz and Kozioł (n 13).

⁹⁶ International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171 (ICCPR), arts 2(1), 26.

1.6 Thesis outline

This master's thesis consists of an introduction, five chapters and a conclusion. Chapter 2 discusses the research design used to address the research question, including underlying methodological principles and approaches, a discussion of the method and reasons for selecting the country cases. It also covers key data sources, the ways they are treated in this study, as well as their limitations and risks. Chapter 3 is devoted to an extensive literature review of existing research on post-Soviet, especially post-February 2022, emigration from Russia. Next, given the legal plurality across jurisdictions in managing migration, Chapter 4 addresses relevant legal and policy frameworks governing the immigration statuses of new Russian migrants, thereby defining the research's theoretical framework.

The last two chapters are devoted to the research. Chapter 5 consistently describes three country cases, focusing on various aspects: the immigration system; the number and social profile of the influx(es) of Russian immigrants; the domestic problematisation of the influx(es); and modifications to the immigration systems since 24 February 2022. Chapter 6 proceeds with a cross-country comparison, focusing on the post-February 2022 migrants' rights dimension. It traces the impact of national immigration policies on immigrants' rights, considering how these changes comply with the international and regional obligations of the jurisdictions under study.

Finally, in addition to summarising and restating the research findings, the conclusion will offer reflections on the current study and propose ideas for future research.

2. Methodology

2.1 Interdisciplinarity and comparative legal studies

Nowadays, international relations influence migration and its legal frameworks, whereas geopolitical preferences shape migration corridors. Moreover, the complexity of international migration leads to a ‘deep compartmentalisation’ of the research field. Researchers from various disciplines engage with distinct bodies of literature, publish their findings in different types of journals and interact with colleagues within separate and rarely overlapping constituencies, thus ‘constituting distinguishable epistemological communities’.⁹⁷

At the same time, many researchers ‘borrow insights from other disciplines’ and ‘contribute to wider and overarching theoretical debates’.⁹⁸ Olga Gulina states that ‘[w]hen studying the movement of people, it is important to be aware of normative and non-normative rules, binding and non-binding practices that apply at the local, national, and supra-national level’.⁹⁹ Thereafter, it seems impossible to fulfil such a demand without applying interdisciplinarity. Currently, the latter appears to be a ‘container concept’, and various levels of interdisciplinary studies could be categorised based on the input from other disciplines and the legal perspective. More specifically, Sanne Taekema and Bart van Klink

⁹⁷ Jan Rath, ‘Interdisciplinarity in Migration Research’ in Ricard Zapata-Barrero and Daniela Vintila (eds), *How to Do Migration Research* (Edward Elgar Publishing 2024) 17–18.

⁹⁸ *ibid* 18.

⁹⁹ Olga Gulina, ‘Legal Aspects of Migration’ in Violeta Wagner and others (eds), *Migration Textbook* (ICMPD 2024) 143.

distinguish five levels – heuristic, auxiliary, comparative, perspectivist and integrated – thereby varying from the arbitrary use of non-legal discipline to the complete integration of two or more research perspectives along with the legal one.¹⁰⁰

The study of Russian immigrants' influxes following the 2022 Russian invasion of Ukraine may benefit significantly from interdisciplinarity, eg when integrating legal research and social sciences.¹⁰¹ On the one hand, a legal focus helps us understand the framework in which people's real lives unfold. Although the legal characterisation of migrants may appear dull and superficial, it 'provides the principal common characteristic that allows us to think and speak collectively of people with markedly different life experiences'.¹⁰² In turn, social research on international migration brings a 'potential to exploit, to enrich, to bring about competition, and to engender transformation for individuals and societies'.¹⁰³ Combining existing socio-political research on the issue with original legal research on the selected countries' cases provides a multidimensional perspective.

In general, interdisciplinarity means that other disciplines are 'taken ... seriously and abandon the pure normative point of view'.¹⁰⁴ Since the author of this research does not have a comprehensive background in law but rather a decade of professional expertise in sociology and political science, along with recent education in international human rights law, it would not have been fair to claim the full integration of research perspectives, as proposed by Taekema and van Klink.¹⁰⁵ On the contrary, while switching

¹⁰⁰ Sanne H Taekema and Bart van Klink, 'On the Border: Limits and Possibilities of Interdisciplinary Research' in Bart van Klink and Sanne H Taekema (eds), *Law and Method: Interdisciplinary Research into Law* (Mohr Siebeck 2011) 10–13.

¹⁰¹ Kevin Cope believes that social sciences offer 'ideal opportunities for borrowing' in the field of comparative migration law, although their potential has been hindered by a limited understanding of law across legal sources and institutions: Kevin L Cope, 'Methods for Comparative Migration Law: Insights from the Social Sciences' (2023) 7(2) *International Journal of Migration and Border Studies* 166, 177. Jaakko Husa, *Interdisciplinary Comparative Law: Rubbing Shoulders with the Neighbours or Standing Alone in a Crowd* (Edward Elgar Publishing 2022) 148–71.

¹⁰² Avinoam Cohen, 'From Status to Agency: Defining Migrants' (2010) 24 *Georgetown Immigration Law Review* 617, 617.

¹⁰³ Karen O'Reilly, 'Migration Theories: A Critical Overview' in Anna Triandafyllidou (ed), *Routledge Handbook of Immigration and Refugee Studies* (Routledge 2022) 3.

¹⁰⁴ Jaakko Husa, 'Comparative Law and Interdisciplinarity' (*HKU Centre for Interdisciplinary Legal Studies*, 23 September 2024) <<https://cils.law.hku.hk/law-and-comparative-law-and-interdisciplinarity>> accessed 18 April 2025.

¹⁰⁵ Taekema and van Klink (n 100) 13.

between the co-existing disciplines and using concepts of both, the proposed study appears to fulfil the perspectivist level of interdisciplinary research. Each discipline has its distinct role, and switching perspectives and moving between layers is essential.¹⁰⁶

However, the aforementioned demand for interdisciplinarity requires a framework broad enough to integrate legal and social research while also serving as a tool for comparing country cases. Comparative law addresses this need, particularly in its recent forms, such as CLS; hence, the two fields are not mutually exclusive. As a methodology, CLS adopts a flexible and pluralistic approach, advocating a toolbox of methods rather than a one-size-fits-all solution. It is a dynamic field that is open to innovation and not bound to any specific legal discipline. Such methodological pluralism enables CLS to conceptualise legal systems broadly, encompassing formal state law and religious norms, non-national bodies of legal rules, and more. Law, as Brian Tamanaha states, ‘swims in the social sea with everything else’.¹⁰⁷ Furthermore, CLS seeks ‘to go beyond what doctrinal study of law can methodologically offer’ by describing similarities and differences and explaining the reasons behind them.¹⁰⁸

Thus, interdisciplinarity is intrinsic to CLS. While acknowledging and building on classical comparative law methodologies, it also challenges the notion of contextuality (or law-in-context¹⁰⁹). This makes CLS particularly well-suited to addressing contemporary legal phenomena that demand methodological flexibility and theoretical depth. Thus, when applied to the field of comparative immigration law, Kevin Cope’s observation is particularly apt:

¹⁰⁶ Taekema and van Klink (n 100) 12.

¹⁰⁷ Brian Z Tamanaha, ‘The Primacy of Society and the Failures of Law and Development’ (2011) 44(2) *Cornell International Law Journal* 209, 247.

¹⁰⁸ Husa, *Interdisciplinary Comparative Law* (n 101); Husa, ‘Comparative Law and Interdisciplinarity’ (n 104); Mathias Siems, *Comparative Law* (2nd edn, CUP 2018).

¹⁰⁹ Mark van Hoecke, ‘Methodology of Comparative Legal Research’ (2015) 12 *Law and Method* 1, 29; Francis Snyder, ‘Law in Context: A Personal Roadmap’ (2023) 37(3) *Revue de la recherche juridique* 1481.

[b]y using an interdisciplinary approach, the field [of comparative immigration law] can start tackling some of the most pressing immigration questions. These include, but are not limited to, questions such as: What prompts countries to enact restrictive immigration policies toward certain nationalities, ethnicities, religions, or other groups? How do national refugee legal regimes affect refugee flows ...? How do liberal resident-visa or citizenship policies draw would-be immigrants from their home countries, creating a brain/skilled-labour drain?¹¹⁰

2.2 Functionalism and law-in-context

First, since the research question of this study implies micro-level comparison, ie the analysis of a specific legal issue and the ways it is treated in two or more legal systems,¹¹¹ it could be practically helpful to discuss a functionalist approach.¹¹² Functionalism is one of the classical approaches in comparative law and CLS opposite to formal positivist approach. It examines the concrete societal issue at hand and analyses how various jurisdictions address it through similar or distinct approaches, resulting in comparable or divergent outcomes.¹¹³ Holding an ‘assumption that problems are the same everywhere’,¹¹⁴ functionalism enables us to view those problems largely independent of the doctrinal framework of the legal systems under comparison.¹¹⁵ For instance, a functionalist approach to refugee admissions may focus less on how ‘refugee’ is defined in national legislation or regulations but place greater emphasis on the characteristics of those who are granted refugee status in real practice.¹¹⁶

¹¹⁰ Cope (n 101) 168.

¹¹¹ Siems, *Comparative Law* (n 108) 14.

¹¹² Although micro-comparisons deal with specific problems or institutions, they may not work entirely if the ‘general institutional contexts in which the rules under comparison have evolved and are actually applied’ are not considered: J Paul Lomio, Henrik S Spang-Hanssen and George D Wilson, *Legal Research Methods in a Modern World: A Coursebook* (DJØF Publishing 2011) 65.

¹¹³ Fernanda G Nicola and Sheila Foster, ‘Comparative Urban Governance for Lawyers’ (2014) 42(1) *Fordham Urban Law Journal* 1, 12.

¹¹⁴ Van Hoecke (n 109) 10.

¹¹⁵ Jaakko Husa, ‘Comparative Law, Legal Linguistics and Methodology of Legal Doctrine’ in Mark van Hoecke (ed), *Methodologies of Legal Research: Which Kind of Method for What Kind of Discipline?* (Hart Publishing 2011) 221–22.

¹¹⁶ Cope (n 101) 175.

However, just as it is risky to compare legislation without available information on how it works in practice,¹¹⁷ the functional method, which does not imply using results from other disciplines, needs to be advanced. To make things even more complicated, it should be noticed that the policymaking in the field of migration is usually highly politicised, being affected by ambiguous and contested concepts, ‘inequalities and power imbalances in the relation between majorities and minorities or newcomers’, ‘friction and often path-dependent logics of established institutions’.¹¹⁸ Hence, the functional method, especially when addressing migration issues, greatly benefits being complemented by other methods.¹¹⁹ Realising that ‘comparative research cannot be limited to pure black-letter comparison of legal rules, concepts or systems’,¹²⁰ the functionalist basis could be extended to the law-in-context approach in this study. Such an extension is natural, as the functional method inherently refers to context whenever it asks, ‘which societal problem is addressed with what kind of legal construction?’¹²¹ Consequently, functionalism incorporates, at least to some extent, law-in-context.

In practice, law-in-context directly refers to interdisciplinarity and openness to other materials and approaches beyond purely legal ones. Thereby, the law-in-context inevitably includes a historical dimension but primarily emphasises the law’s present societal context, taking into account relevant factors.¹²² It considers how law operates in practice, allowing to examine its impact on society and vice versa, often also questioning assumptions and examining the underlying values and power structures that shape legal systems. Law-in-context also focuses on ‘interests that are expressed or crystallised in, or neglected by, law and other norms’; it approaches norms broadly, encompassing not only national legislation and administrative regulations but also soft and international law. Finally, it acknowledges the interrelationship between institutions and substantive law.¹²³

¹¹⁷ Van Hoecke (n 109) 6.

¹¹⁸ Peter Scholten, ‘Migration and the Policy Sciences’ in Christine Inglis, Wei Li and Binod Khadria (eds), *The SAGE Handbook of International Migration* (Sage 2020) 159, 159.

¹¹⁹ Van Hoecke (n 109) 11.

¹²⁰ *ibid* 19.

¹²¹ *ibid* 19.

¹²² *ibid* 29.

¹²³ Snyder (n 109) 1485.

In addressing the exodus from Russia after 24 February 2022, the functionalist law-in-context approach helps counterbalance the emerging dominance of the social sciences in this field of research. By shifting the focus from treating host countries' legislation as contextual information to treating it as the central subject of analysis, this thesis aims to highlight how various legal systems attempt to address the shared challenge posed by post-February 2022 Russian migrant influxes. In turn, social, political and institutional factors that shape migration policies and their implementation serve as contextual support. Such a reversal requires mastery of relevant positive law while simultaneously paying special attention to the way it is implemented.¹²⁴

2.3 Case study method and cases selection

The process of comparison itself is among the main matters on which comparative analysis relies;¹²⁵ however, although comparison is embedded in this study, it cannot be considered a separate research method. As Michael Stausberg states, comparison often serves as a research design rather than a method; moreover, it is fundamentally inherent in most research methods.¹²⁶ In turn, Arend Lijphart argues that the 'case study method can and should be closely connected with the comparative method'.¹²⁷ Indeed, given the international character of the phenomenon under study,

¹²⁴ Snyder (n 109) 1490.

¹²⁵ Mathias Reimann, 'The Progress and Failure of Comparative Law in the Second Half of the Twentieth Century' (2002) 50(4) *American Journal of Comparative Law* 671, 673.

¹²⁶ Michael Stausberg, 'Comparison' in Michael Stausberg and Steven Engler (eds), *Routledge Handbook of Research Methods in the Study of Religion* (Routledge 2012).

¹²⁷ Arend Lijphart, 'Comparative Politics and the Comparative Method' (1971) 65(3) *American Political Science Review* 682, 691.

comparing case countries as units of analysis¹²⁸ seems a fruitful method. Moreover, comparison can bring a higher level of abstraction,¹²⁹ although this is not an end in itself, given the particular focus of this study on contextual factors.

Therefore, a comparative multi-jurisdictional case study serves as a research method bonded by the ‘how’ question, allows for interdisciplinarity and examines the phenomena in context. Falling within the social sciences, a case study involves systematically comparing and contrasting multiple cases while ‘employing a combination of data sources to derive in-depth insight into a particular situation’.¹³⁰ Beneficially, it emphasises not just outcomes but also events’ unfolding over time, going beyond the ‘big gap between what states say and what states do’.¹³¹ Acknowledging that samples are used in case studies ‘to help select cases in a sound manner’,¹³² the research design of this project brings to go with the theoretically informed sample. The latter ‘requires the researcher to choose cases in light of some knowledge of the underlying population of cases’.¹³³ Sure, as a non-random one, this sampling technique creates more grounds for (inadvertently) introduced biases; however, as Katarina Linos states, ‘it is likely the strongest of available alternatives’ for comparative researchers.¹³⁴

¹²⁸ Unit of analysis, ie the ‘subject (the who or what) of study about which an analyst may generalise’, is a social sciences’ concept: Kenneth J Long, ‘Unit of Analysis’ in Michael S Lewis-Beck, Alan Bryman and Tim Futing Liao (eds), *The Sage Encyclopedia of Social Science Research Methods* (Sage 2004) 1157. Approaching the legal perspective, the units of comparison are addressed in this study, ie “the subjects that are compared”: Mathias Siems, ‘The Power of Comparative Law: What Types of Units Can Comparative Law Compare?’ (2019) 67(4) *American Journal of Comparative Law* 861, 864. Hereby, the units of comparison are (1) migration policies of Germany, Kazakhstan and Türkiye, specifically focusing on modifications made from 24 February 2022 till 30 November 2024 and (2) sets of rights available to migrants from Russia in each of these three countries by 30 November 2024.

¹²⁹ Giovanni Sartori, ‘Concept Misformation in Comparative Politics’ (1970) 64(4) *American Political Science Review* 1033.

¹³⁰ Lisa Webley, ‘Stumbling Blocks in Empirical Legal Research: Case Study Research’ (2016) 10 *Law and Method* 1, 1–2, 12.

¹³¹ Katarina Linos, ‘How to Select and Develop International Law Case Studies: Lessons from Comparative Law and Comparative Politics’ (2015) 109(3) *American Journal of International Law* 475, 477.

¹³² Webley (n 130) 1–2, 5.

¹³³ Linos (n 131) 479.

¹³⁴ *ibid.*

There is always a trade-off as in-depth comparison often comes at the cost of broader applicability.¹³⁵ Hereby, selecting appropriate cases is vital to avoid biases and ensure meaningful cross-country generalisations.¹³⁶ In the sense of quantity, Mathias Siems's recommendation is followed, and three country cases are proposed to be covered in this study.¹³⁷ Concentrating on lesser number of cases 'may allow to go deeper into the historical developments which explain the current situation and into the way ... structures work in practice'.¹³⁸

Next, it is also important to make sure that the legal systems chosen are compatible, ie neither too different nor too similar.¹³⁹ First, the key similarity of our interest within this research is that country cases should share is their experience of migration influxes of Russians after 24 February 2022¹⁴⁰ which serves as a practical consideration for the selection of cases.¹⁴¹ Therefore, it appeared that several regions of the world were quantitatively represented better than others, namely Central Asia (Kazakhstan, Kyrgyzstan, Uzbekistan), South Caucasus (Armenia, Georgia), the EU (Germany, Spain, etc) and Europe outside the EU (Serbia, Türkiye, Montenegro, etc). According to pre-existing estimates, seven countries were found to be eligible: Armenia, Georgia, Germany, Kazakhstan, Serbia and Türkiye (see Table 1 in section 3.2¹⁴²).

¹³⁵ Jaakko Husa, *A New Introduction to Comparative Law* (Hart Publishing 2015) 108–10.

¹³⁶ Linos (n 131).

¹³⁷ Siems, *Comparative Law* (n 108) 17–18.

¹³⁸ Van Hoecke (n 109) 5.

¹³⁹ Siems, *Comparative Law* (n 108) 18.

¹⁴⁰ Denis Kasianchuk, 'Skol'ko rossiian v 2022 godu uekhalo iz strany i ne vernulos' (*The Bell*, 30 December 2022) <<https://thebell.io/skolko-rossiian-v-2022-godu-uekhalo-iz-strany-i-ne-vernulos>> accessed 19 April 2025 (in Russian); Irina Umanskaia, '800 tysiach rossiian mogli pokinut' stranu v 2022 godu' (*Esli byt' tochnym*, 27 February 2023) <<https://tochno.st/materials/rossiian-mogli-pokinut-stranu-v-2022-godu>> accessed 19 December 2025 (in Russian); Re:Russia, 'Escape from War: New Data Puts the Number of Russians Who Have Left at More Than 800,000 People' (*Re:Russia*, 28 July 2023) <<https://re-russia.net/en/review/347>> accessed 12 May 2025; Peter Mironenko, 'Russia's 650,000 Wartime Emigres' (*The Bell*, 19 July 2024) <<https://en.thebell.io/russias-650-000-wartime-emigres>> accessed 5 May 2025.

¹⁴¹ Linos (n 131) 480.

¹⁴² In Table 1, data for Germany cannot be distinguished from the aggregated EU data. However, Germany was the main recipient within the EU. See eg Eurostat, 'First Permits by Reason, Length of Validity and Citizenship' (*Eurostat Data Browser*, 23 October 2024); Eurostat, 'Persons Subject to EU Blue Card Decisions by Length of Validity, Age, Sex, Citizenship and Occupation' (*Eurostat Data Browser*, 22 August 2025).

Second, recalling the research question's focus on modifications to migration policies raises theoretical considerations regarding selection from the list of states. Thus, countries with no significant dynamics in this regard, ie Armenia and Georgia, were discarded. Third, both Serbia and Türkiye represented Europe outside the EU and played unique geopolitical roles as bridges between East and West. However, the case of Türkiye was selected over Serbia because it was considered more convenient. More specifically, the case of Türkiye appears more comprehensive according to previous publications¹⁴³ – namely, due to its abrupt changes in migration policies vis-à-vis post-February 2022 Russian migrants. Additionally, aside from many other Islamic countries, a European Code was largely imported in Türkiye – primarily the German Bürgerliches Gesetzbuch¹⁴⁴ – making it a compatible case. At the same time, post-Soviet countries, including Kazakhstan, were subjects of comprehensive codification, 'self-identifying with the continental, or civil law, tradition and the use of particular legal systems with codified laws (eg Germany, the Netherlands) as models pointed in the same direction'.¹⁴⁵

In terms of the availability of primary and secondary resources in these legal systems, the language limitation should be emphasised. Since the author of the thesis cannot read German and has limited experience in Turkish, the research primarily relies on their English and Russian knowledge. This may affect research results, especially when addressing primary resources (eg domestic legislation) published in the original language.¹⁴⁶ However, the involvement of international and regional legal frameworks and the interdisciplinary character of this study are expected to counterbalance it.

¹⁴³ See eg Ayşem Biriz Karaçay, "'New Wave" of Russian Emigration to Türkiye' (2023) 104(4) *International Relations and International Law Journal* 33; Karina Goulordava, 'A Temporary Welcome: Russians in Turkey Since February 2022' (*Russia.Post*, 17 October 2024) <https://russiapost.info/society/russians_in_turkey> accessed 12 May 2025; Félix Krawatzek, 'Turkey: A New Hub for Migration from Russia' (*ZÖi Spotlight*, 6 March 2024) <<https://www.zois-berlin.de/en/publications/zois-spotlight/turkey-a-new-hub-for-migration-from-russia>> accessed 12 May 2025.

¹⁴⁴ Van Hoecke (n 109) 25.

¹⁴⁵ Andrey Shirvindt, 'Former Soviet States of Eastern Europe, Caucasus and Central Asia' in Mathias Siems and Po Jen Yap (eds), *The Cambridge Handbook of Comparative Law* (CUP 2024) 290.

¹⁴⁶ Siems, *Comparative Law* (n 108) 19, 20–21.

Therefore, all three case countries – Germany, Kazakhstan and Türkiye – have experienced influxes of post-February 2022 migrants from Russia and, by the end of November 2024, have implemented some form of policy change in response to the increased migration after 24 February 2022. Nevertheless, all three represent different legal systems – as an EU member, Germany operates under different legal constraints compared to Kazakhstan (EAEU member) and Türkiye. While Germany and Türkiye have relatively autonomous legal traditions, Kazakhstan, as a post-Soviet state, appears as part of a ‘socialist legal tradition without socialism’.¹⁴⁷ Furthermore, all the case countries have varying geopolitical relevance. Germany’s policies are closely aligned with the EU and NATO (the North Atlantic Treaty Organization), influencing its response to migration, whereas Kazakhstan balances its EAEU and Collective Security Treaty Organisation memberships with domestic concerns, and Türkiye maintains a unique position between East and West.

2.4 Data collection and analysis

This study is based on legal and socio-political data. The primary sources for this research are national legislation and its amendments, domestic migration policy frameworks, official government reports and public statements from 24 February 2022 to 30 November 2024. On the other hand, metadata for international human rights treaties, state and independent statistics, academic socio-political research, (inter)national migration data reports and analyses, and media publications serve as secondary sources.

Data analysis is guided by the method. A case study is ‘structured with triangulation of data at the fore, allowing the researcher to reach robust findings ... by integrating analysis from multiple data points gathered using different methods’.¹⁴⁸ Thereby, starting with doctrinal analysis, two levels of contextualisation will be attempted in this research. First, institutional data, such as countries’ ratifications of international human rights law instruments on relevant migration-related matters or their membership in international and regional frameworks dealing with migration, will

¹⁴⁷ Shirvindt (n 145) 301.

¹⁴⁸ Webley (n 130) 16.

inform modifications to migration policy under international human rights law. Second, socio-political data from previous social and historical research, mass media, state and independent statistical agencies, etc, will be integrated into the analysis. This data set will help highlight the ‘living’ side of formal changes in national migration regimes. Recalling the switching nature intrinsic to the perspectivist level of interdisciplinarity,¹⁴⁹ both contextualisation levels will be co-integrated, connecting laws with socio-political dynamics.

Finally, comparative analysis will allow cross-country comparisons, facilitating a structured contrast of migration policies and their outcomes, as well as the analysis of various approaches to managing a similar challenge and protecting the rights of immigrants. Throughout the analysis, ‘balancing generality and specificity when identifying patterns and functional equivalents’¹⁵⁰ will be undertaken. Therefore, by triangulating data from different sources, the research will offer a well-rounded perspective on the effects of post-February 2022 migration policies on the rights of new Russian migrants by the end of November 2024.

2.5 Limitations and risks

Addressing the possible limitations of the research, first, the author’s lack of knowledge of the national languages of each country under research must be acknowledged. Fluent in Russian and English, with limited experience in Turkish language classes, this allows the author to work confidently with the case of Kazakhstan (Russian is an official language there) and, to a lesser extent, with the case of Türkiye. However, the author’s ability to study the German case is more limited and relies heavily on existing translations (or originals) of legal and other textual materials into English and Russian. Sure, legal systems can only be accurately understood through their language and from their internal perspective.¹⁵¹ However, for the needs of further progress, it is justified to

¹⁴⁹ Taekema and van Klink (n 100) 12.

¹⁵⁰ Linos (n 131) 482–83.

¹⁵¹ Catherine Valcke, ‘Reflections on Comparative Law Methodology – Getting Inside Contract Law’ in Maurice Adams and Jacco Bomhoff (eds), *Practice and Theory in Comparative Law* (CUP 2012).

work out and use second-order language(s), eg each discipline's 'coherent conceptual tool kits'.¹⁵² Additionally, this study considers existing academic research on the immigration systems of each jurisdiction under research as guides.

Second, although the case study method appears to be a balanced decision for the research question proposed, there is still an understanding that 'data collected across multiple case studies is less rather than more likely to be comparable as the conditions within the case study cannot be manipulated or controlled by the researcher and yet environment is expected to have an impact on the data'.¹⁵³ Additionally, as the events covered are recent and have been – and still – unfolding for approximately three years, collecting sufficient evidence of significant changes, even less deep-going legal analysis, might remain a challenge for some countries' cases. Nevertheless, the latter could also be seen as a research outcome.

Third, since the case study method is expected to 'draw inferences from observations of phenomena extrinsic to the researcher',¹⁵⁴ the fact that the author of this thesis studies the migration wave to which he partly belongs is important to mention. Such a situation is not something rare;¹⁵⁵ nevertheless, to avoid personal experience-related biases, reflection on 'subjectivity and the relationship between knowledge and biography' needs to be introduced.¹⁵⁶ More specifically, countries where the author lived under various immigration statuses – Armenia and Kyrgyzstan – are not covered in this study. In contrast, narratives of new Russian

¹⁵² Van Hoecke (n 109) 27–28.

¹⁵³ Webley (n 130) 13.

¹⁵⁴ *ibid* 1.

¹⁵⁵ Marco Gemignani, Yolanda Hernández-Albújar and Jana Sládková (eds), *Migrant Scholars Researching Migration* (Routledge 2023).

¹⁵⁶ *ibid* 6.

migrants serve just as contextual information. Furthermore, previous relevant research experience could serve as additional justification for the author's ability to abstract from personal perception of the phenomenon.¹⁵⁷

¹⁵⁷ In particular, the author refers to his experience with the Russian Science Foundation grant research on incoming family and labour migration from Central Asia to Russia (project no 22-18-00377). Moreover, his contribution as an independent social researcher within the After24 project must also be cited: After24, "“My do obeda uzhe znali, chto uedem.” Portret rossiiskoi emigratsii-2022 na primere okazavshikhsia v Armenii i Gruzii" (*Republic*, 17 August 2022) <<https://republicmag.io/posts/104819>> accessed 29 May 2026 (in Russian); Exodus-22, 'Mass Exodus of Russians from the Country in the Context of War and Mobilization: Overview Analytics of Two Waves of Military Emigration' (*Exodus-22*, 7 March 2023) <<https://exodus22team.wordpress.com/2023/03/07/pressrelease-eng>> accessed 18 April 2025. Finally, the author's experience within the project on the new Russian diasporas that emerged in Armenia, Israel, Kazakhstan, Serbia and Türkiye after 24 February 2022 is also relevant here: Maria Volkova and others, 'Not Quite "Russian Diaspora": Plural Solidarities and Stratified Economies of New Russian Migrants' (2026) 18(2) *Laboratorium: Russian Review of Social Research* (forthcoming).

3. Post-February 2022 Russian *émigrés*: A sociological perspective

3.1 Recent waves of emigration from Russia

For years, Russia – especially Moscow and Saint Petersburg, as former colonial capitals¹⁵⁸ – remained more of a destination for migrants than a source. For instance, Russia has long been a primary destination for millions of labour migrants from Central Asia, the South Caucasus, Ukraine and Belarus, along with their families.¹⁵⁹ Nevertheless, Russia itself has been experiencing an unobtrusive population outflow, especially of well-educated and highly skilled professionals.¹⁶⁰ Though research on Russian diasporas in various countries existed, a report titled *The Putin Exodus: The Russian Brain Drain* provoked a broader discussion on the overall brain drain trend and its scale. Among other things, the report's authors estimated that 1.6 to 2 million new *émigrés* have left since 2000, thereby defining this flow as the sixth wave of

¹⁵⁸ Jeff Sahadeo, *Voices from the Soviet Edge: Southern Migrants in Leningrad and Moscow* (Cornell UP 2019).

¹⁵⁹ See eg Elena Nikiforova and Olga Brednikova, 'On Labor Migration to Russia: Central Asian Migrants and Migrant Families in the Matrix of Russia's Bordering Policies' (2018) 66 *Political Geography* 142; Franck Düvell, 'Shifts in the Global Migration Order and Migration Transitions in Europe: The Cases of Turkey and Russia' (2020) 8 *Comparative Migration Studies*; Ol'ga Brednikova and Sergei Abashin (eds), *Zhit' v dvukh mirakh: Pereosmysliaia transnatsionalizm i transloka'nost'* (Novoe literaturnoe obozrenie 2021) (in Russian); Vera Peshkova, 'Mezhdunarodnaia migratsiia i grazhdanstvo v Rossiiskoi Federatsii (na primere migratsii iz Tsentral'noi Azii)' (2023) 31(6) *Vlast'* 162 (in Russian).

¹⁶⁰ Leslie Root, 'Russian Population Dynamics in the Putin Era' in Graeme J Gill (ed), *Routledge Handbook of Russian Politics and Society* (Routledge 2022) 306–307.

emigration from Russia.¹⁶¹ Other studies have presented even larger estimates, eg 4 to 5 million Russian citizens left the country between 2000 and 2020, and emigration has been accelerating since 2012, with annual outflows of 150,000–300,000 people.¹⁶²

Among other things, *The Putin Exodus* report found a ‘distinct disparity between those who emigrated before 2012 and those who left later’, describing the latter as having a ‘growing pro-Western and liberal orientation and greater politicisation in general’.¹⁶³ Consequent studies delved deeper into the motivations and characteristics of new Russian *émigrés*.¹⁶⁴ More specifically, they found that motivations for emigration in the 2010s were predominantly political rather than economic. Unlike earlier waves, the ‘young intellectuals’, as Lyubov Borusyak addresses them, were already successful in Russia and left primarily in search of better professional opportunities, quality of life and political freedom. Notably, these *émigrés* often maintained strong cultural ties to Russia while integrating into the global labour market, viewing their emigration as part of a broader, more fluid professional mobility rather than a permanent departure.

As of 2020, Russia had the third-largest *émigré* population in the world at around 10.8 million,¹⁶⁵ and the exodus following the 2022 Russian invasion of Ukraine most possibly have contributed at least several hundred thousand to this number. At least, the

¹⁶¹ John Herbst and Sergei Erofeev, *The Putin Exodus: The Russian Brain Drain* (Atlantic Council 2019) 5. The authors of the report identify the First Jewish Emigration (1881–1914) as the first wave, although there are different approaches to categorising emigration waves. Some scholars refer to the seventh wave following the 2022 Russian invasion of Ukraine ‘[d]ue to the large numbers leaving in a relatively short time’: Anna Prashizky, “‘Living in Limbo’: Digital Narratives of Migrants Fleeing Russia After the Russian Invasion of Ukraine” (2023) 28(6) *First Monday*. Others trace the current wave back to 2020, attributing it to repression-induced political emigration: Sergei Erofeev, ‘What Will the Russian Diaspora Do When “Dvizhukha” Starts at Home?’ (2023) 13(35) *Euxinos* 48; Anton Troianovski, ‘Exile or Jail: The Grim Choice Facing Russian Opposition Leaders’ (*The New York Times*, 31 August 2021) <<https://www.nytimes.com/2021/08/30/world/europe/russian-opposition-leaders-exile.html>> accessed 12 May 2025

¹⁶² Artem Tinchurin and others, ‘Emigratsiia 2000-kh: Kuda i pochemu uezzhali iz Rossii’ (*Esli byt' tochnym*, 5 October 2021) <<https://tochno.st/materials/emigratsiya-2000-kh>> accessed 5 May 2025 (in Russian).

¹⁶³ Herbst and Erofeev (n 161) ix.

¹⁶⁴ See eg Lyubov Borusyak, ‘Young Intellectuals: Why Are They Leaving Russia and Do They Plan to Come Back?’ (2019) 50(3) *Social Sciences* 4; Ekaterina Demintseva, ‘Understanding Russia’s Brain Drain in the 2010s’ (2021) 68(6) *Problems of Post-Communism* 521; Ivan Aleshkovski, Alexander Gasparishvili and Aleksandr Grebenyuk, ‘The Changing Landscape of Russia’s Emigration from 1990 to 2020: Trends and Determinants’ (2023) 14(1) *Journal of Globalization Studies* 42.

¹⁶⁵ United Nations Department of Economic and Social Affairs, *Toolkit on International Migration* (UNDESA – Population Division – Migration Section 2012).

2024 World Migration Report addressed it as a ‘historic influx of Russians into Central Asia’.¹⁶⁶ In particular, Vladimir Putin’s announcement of the ‘special military operation’ in Ukraine on 24 February 2022¹⁶⁷ and subsequent military invasion have resulted into migration outflow, which is usually referred to as the ‘February wave’. Together with the second, the ‘September wave’, following Putin’s announcement of ‘partial mobilisation’ on 21 September 2022,¹⁶⁸ they represent two main statistically significant extremes of the post-February 2022 exodus from Russia. Though both migration outflows were associated with a set of fears, in spring, the latter did not affect a broad, statistically visible segment of the population as it did in the autumn.¹⁶⁹

The trend of post-February 2022 emigration from Russia continues gradually and shows no statistical peaks, so they have no specific labels. Nevertheless, the growing labour shortage and abnormally low unemployment in Russia¹⁷⁰ are just some of the indicators that the sixth wave of emigration – the ‘Putin exodus’ – is continuing even beyond 2022. The following section will elaborate on general results from previous social research on post-February 2022 emigration from Russia.

¹⁶⁶ Marie McAuliffe and Linda Adhiambo Oucho (eds), *World Migration Report 2024* (International Organization for Migration 2024) 76.

¹⁶⁷ President of Russia, ‘Address by the President of the Russian Federation’ (24 February 2022) <<http://www.en.kremlin.ru/events/president/transcripts/statements/67843>> accessed 15 April 2025.

¹⁶⁸ President of Russia, ‘Address by the President of the Russian Federation’ (21 September 2022) <<http://www.en.kremlin.ru/events/president/transcripts/statements/69390>> accessed 15 April 2025.

¹⁶⁹ Rustam Alexander, ‘How Antidepressants Have Become a Lifeline in Russia’ (*Russia. Post*, 8 November 2024) <https://russiapost.info/society/antidepressants_become> accessed 12 May 2025.

¹⁷⁰ See eg Lev Gudkov and Yevgeny Senshin, ‘Most of the Population is Characterized by Diffuse Fear, Which Saps Any Possibility of Change for the Better’ (*Russia. Post*, 26 June 2024) <https://russiapost.info/society/public_sentiment> accessed 18 April 2025; Mario Bowden, ‘Anxiety, Grief, Pain: More People in Russia Take Antidepressants since the War Began’ (*Euronews*, 10 November 2022) <<https://www.euronews.com/2022/11/10/angstzustande-trauer-druck-mehr-menschen-in-russland-nehmen-seit-kriegsbeginn-antidepressi>> accessed 12 May 2025; Ekaterina Chigaleichik, ‘“Sentiabriata” i “fevraliata”: Zarisovki o volnakh rossiiskoi migratsii v Gruziiu i Armeniiu’ (*Govorit NeMoskva*, 14 November 2022) <<https://telegra.ph/Sentyabryata-i-fevralyata-zarisovki-o-volnah-rossijskoj-migracii-v-Gruzii-i-Armenii-11-14>> accessed 10 May 2025 (in Russian); Peter Mironenko, ‘Russia’s 650,000 Wartime Emigres’ (*The Bell*, 19 July 2024) <<https://en.thebell.io/russias-650-000-wartime-emigres>> accessed 5 May 2025.

3.2 Post-February 2022 emigration from Russia

Since the very beginning of the exodus, the new Russian migrants have been described as a ‘heterogeneous group that ... left the country for a variety of reasons’.¹⁷¹ Future research also found them ‘differing strongly in their views on Russian politics and Russia’s war against Ukraine and in their political behaviour and social values’.¹⁷² In just three years following the invasion, a significant amount of social research, along with an even larger number of journalistic investigations, has been conducted to identify the social characteristics of post-February 2022 – and post-September 2022 – Russian migrants as well as their ways of adaptation across many countries of interest. While numerous differences exist between the various country cases, some common features remain.

¹⁷¹ Svenja Petersen, ‘From Emperors to Refugees: Russian Emigration to Armenia and Georgia’ (2022) 4 *New Eastern Europe* 112, 112.

¹⁷² Félix Krawatzek and Gwendolyn Sasse, *The Political Diversity of the New Migration from Russia Since February 2022* (ZOiS Report 4/2024, Centre for East European and International Studies 2024) 3.

Table 1. Estimates of post-February 2022 Russian migrant numbers and their distribution among several countries of destination

	The Bell (2022)	Esli byt' tochnym (2023)	Re:Russia (2023)	The Bell (2024)
Armenia	40,000	110,000	110,000	110,000
Georgia	112,000	60,000	62,000	73,562
EU	36,282	36,282	55,000	82,509 ¹⁷³
Kazakhstan	100,000	146,000	150,000	80,000
Serbia	50,000	17,000	150,000	30,000
Türkiye	78,074	78,998	90,000	28,308
Total (min) *	500,000	500,000	817,000	649,229

* 'Total (min)' implies that if the cited sources provided lower and upper estimates of the total number of post-February 2022 Russian migrants, the lower one was taken into consideration.
Source: The table content is compiled by the author.¹⁷⁴

¹⁷³ This is summarised as minimal since the source does not provide the total number of Russians in the EU but instead gives their distribution across several countries. Specifically, changes in the number of Russians were counted for Germany, Spain, Finland, Austria and Lithuania (in descending order). For the Netherlands, residence permits and refugee applications/approvals were counted; similarly, for Slovakia, residence permits and refugee claims were counted. In Bulgaria, the 'number of new Russian immigrants' was counted. Also note that Igor Gretskey provides more accurate numbers for the 'invasion-induced migration of Russian nationals to the EU', amounting to 73,978 people in total: Igor Gretskey, *New Russian Immigration to the EU: The Case of the Baltic States, Finland, Germany, and Poland* (International Centre for Defence and Security 2024) 8.

¹⁷⁴ Denis Kasianchuk, 'Skol'ko rossiian v 2022 godu uekhalo iz strany i ne vernulos' (*The Bell*, 30 December 2022) <<https://thebell.io/skolko-rossiyan-v-2022-godu-uekhalo-iz-strany-i-ne-vernulos>> accessed 19 April 2025 (in Russian); Irina Umanskaia, '800 tysiax rossiian mogli pokinut' stranu v 2022 godu' (*Esli byt' tochnym*, 27 February 2023) <<https://tochno.st/materials/rossiyan-mogli-pokinut-stranu-v-2022-godu>> accessed 19 December 2025 (in Russian); Re:Russia, 'Escape from War: New Data Puts the Number of Russians Who Have Left at More Than 800,000 People' (*Re:Russia*, 28 July 2023) <<https://re-russia.net/en/review/347>> accessed 12 May 2025; Mironenko (n 170).

First, estimates of the number of Russians who left and those who remained abroad after 24 February 2022 are highly debated, as they vary widely, and researchers still disagree. Additionally, in 2022, the world was still recovering from the COVID-19 pandemic restrictions on international migration,¹⁷⁵ thereby affecting migration statistics worldwide.¹⁷⁶ Table 1 presents estimates widely cited in both media and scholarly research, based on various types of aggregated immigration data. It is important to note that some numbers may differ significantly, often due to the different types of data sources available at the time of publication (eg national migration statistics versus public authorities' statements); information on each calculating process could be found in the respective sources cited.

It is evident that the overall number of people who left ranged from 0.5 to 1 million, whereas Armenia, Georgia, Kazakhstan and Türkiye were among the most popular destinations in 2022. This does not mean, though, that the distribution of incoming Russians between 'February wave' and 'September wave' was equal – for instance, Kazakhstan, holding a long border shared with Russia,¹⁷⁷ appeared to be a mass destination only after the announcement of 'partial mobilisation' in September 2022.¹⁷⁸

One year after the simultaneous onset of the invasion and the exodus, Olga Gulina observed that 'Russia's emigration potential [was] nearly depleted', predicting that '[n]either new mobilisation nor increased combat will result in a new exodus of Russians from the country in the coming years'.¹⁷⁹ This prediction appears to have held accurate to date. According to recent estimates, some

¹⁷⁵ Lorenzo Piccoli, Jelena Dzankic and Didier Ruedin, 'Citizenship, Migration and Mobility in a Pandemic (CMMP): A Global Dataset of COVID-19 Restrictions on Human Movement' (2021) 16(3) PLoS ONE e0248066; Peter Haslag and Daniel Weagley, 'From LA to Boise: How Migration Has Changed During the COVID-19 Pandemic' (2024) 59(5) Journal of Financial and Quantitative Analysis 2068.

¹⁷⁶ Miguel González-Leonardo and others, 'Quantifying the Impact of COVID-19 on Immigration in Receiving High-Income Countries' (2023) 18(1) PLoS ONE e0280324.

¹⁷⁷ Due to its enormous length, the border between Kazakhstan and Russia has long been among the top international country-to-country migration corridors. See eg Marie McAuliffe and Anna Triandafyllidou (eds), *World Migration Report 2022* (International Organization for Migration 2021) 27; McAuliffe and Oucho, *World Migration Report 2024* (n 166) 23.

¹⁷⁸ Laura Teivaanmäki, 'Thematic Analysis of the Media Coverage of the Russian Influx to Kazakhstan During the Russian Full-Scale Invasion of Ukraine in 2022' (Master's thesis, Uppsala University 2023).

¹⁷⁹ Olga Gulina, 'Emigration from Russia After 24 February 2022: Main Patterns and Developments' (Prague Process Policy Brief, June 2023, Prague Process Secretariat 2023) 1.

of the most popular receiving countries are steadily losing or have already lost their leading positions, raising questions about the reasons behind these trends. There is also the opinion that, at the current stage, three years after 24 February 2022, new Russian migrants are beginning to shift from temporary to long-term, ie lasting one year or longer. Later, this could result in permanent migrant status, meaning emigration ‘with no intention to return to the [country of origin] for permanent stay’.¹⁸⁰ At the same time, there is a growing number of those recent *émigrés* who returned to Russia due to the ‘absence of further dedicated humanitarian admission mechanisms, and in view of the continued visa tightening by EU member states and ambiguity in granting asylum to Russian citizens’.¹⁸¹

Second, many initial inquiries descended into the socio-demographic features of post-February 2022 Russian migrants and their primary motivations for migrating from Russia and for choosing specific host countries. Thanks to them, we know that the ‘February wave’ primarily comprised wealthy individuals from the middle and creative classes, including young, educated people working in modern economic sectors, as well as politically active Russians such as journalists and activists.¹⁸² Borusyak addressed them as predominantly ‘residents of Moscow and other major cities who have a high level of education’,¹⁸³ thereby continuing the aforementioned trend of high-skilled outflow since the early

¹⁸⁰ Aygul Abbaszade, ‘Typologies of Migration and Migrants’ in Violeta Wagner and others (eds), *Migration Textbook* (ICMPD 2024) 39, 46.

¹⁸¹ Gulina, ‘Emigration from Russia After 24 February 2022’ (n 179) 3. Ksenia Babich, ‘“I Have No Fear and No Hope”: Why Russians are Returning to Russia’ (*openDemocracy*, 5 July 2023) <<https://www.opendemocracy.net/en/odr/russia-relocation-emigration-return-reasons>> accessed 12 May 2025; Friedrich Schmidt, ‘Du willst weg vom Krieg, aber er holt dich überall ein’ (*Frankfurter Allgemeine*, 11 December 2023) <<https://www.faz.net/aktuell/politik/ukraine/ukrainekrieg-wie-russen-ihre-rueckkehr-aus-dem-exil-wahrnehmen-19374672.html>> accessed 12 May 2025 (in German); Luxembourg Times, ‘Russians Who Fled War Return in Boost for Putin’s War Economy’ (*Luxembourg Times*, 2 May 2024) <<https://www.luxtimes.lu/world/russians-who-fled-war-return-in-boost-for-putin-s-war-economy/12431159.html>> accessed 12 May 2025.

¹⁸² Emil Kamalov and others, ‘Russia’s 2022 Anti-War Exodus: The Attitudes and Expectations of Russian Migrants’ (PONARS Eurasia Policy Memo No 790, PONARS Eurasia 2022); Exodus-22, ‘Mass Exodus of Russians from the Country in the Context of War and Mobilization: Overview Analytics of Two Waves of Military Emigration’ (*Exodus-22*, 7 March 2023) <<https://exodus22team.wordpress.com/2023/03/07/pressrelease-eng/>> accessed 18 April 2025.

¹⁸³ Lyubov Borusyak, ‘Novaia volna vysokooobrazovannoi emigratsii: Pochemu oni uezzhaiut iz Rossii?’ (2022) 3(2) *Palladium* 98, 100 (in Russian).

2010s. Margaret Hanson and Gaukhar Baltabayeva found that the ‘desire for economic stability and a comfortable living were ... closely intertwined with this reliance on remote work’ among the February wave *émigrés*.¹⁸⁴

In contrast, the second wave was characterised as more diverse and ‘more professional rather than politically active’.¹⁸⁵ Some materials also considered the first wave as more ideological while the second as driven mainly by existential concerns.¹⁸⁶ However, the OutRush Project’s panel surveys postulate ‘no significant differences among Russian migrants currently residing abroad, regardless of whether they relocated before or after the mobilisation announcement’.¹⁸⁷ The quantitative differences the OutRush researchers found between the waves primarily address the lower affluence and urbanisation of post-mobilisation migrants,¹⁸⁸ and their relatively lesser – but not dramatically lesser – engagement in political activities.¹⁸⁹ Similar results were obtained by the Exodus-22 (ex After24) research project for the cases of Armenia and Georgia.¹⁹⁰

¹⁸⁴ Margaret Hanson and Gaukhar Baltabayeva, ‘Exit as Voice, for the Economically Mobile: Russian Migration to Central Asia & the Caucasus’ (2025) 51(9) *Journal of Ethnic and Migration Studies* 2393, 2408.

¹⁸⁵ Emil Kamalov and others, ‘New Russian Migrants Against the War: Political Action in Russia and Abroad’ (Series ‘The Russian Crisis,’ Paper #5, Friedrich Ebert Foundation 2023) 5.

¹⁸⁶ See eg Maksim Dementyev, “Dovoiniata, fevraliata, sentiabriata.” Chto otlichaet novuiu volnu russkikh immigrantov v Gruzii ot tekh, kto uekhal eshche do vvedeniia mobilizatsii’ (*Spektr*, 17 October 2022) <<https://spektr.press/dovoinyata-fevralyata-sentyabriyata-chto-otlichaet-novuyu-volnu-russkikh-immigrantov-v-gruzii-ot-teh-kto-uechal-eschyo-do-vvedeniya-mobilizatsii>> accessed 10 May 2025 (in Russian); Ilya Lomakin, ‘From Migrants to Minorities. Are Russian ‘Relocants’ a New Minority?’ (Diversity Governance Papers – Constitutional, Territorial and Societal Pluralism, No 02/2024, Eurac Research 2024) 6.

¹⁸⁷ Ivetta Sergeeva and Emil Kamalov, ‘A Year and a Half in Exile: Progress and Obstacles in the Integration of Russian Migrants’ (SocArXiv 2024) 5.

¹⁸⁸ Relatively the same was found using the Yandex search queries: Athina Anastasiadou, Artem Volgin and Douglas R Leasure, ‘War and Mobility: Using Yandex Web Searches to Characterize Intentions to Leave Russia After Its Invasion of Ukraine’ (2024) 50 *Demographic Research* 205.

¹⁸⁹ Sergeeva and Kamalov (n 187) 5.

¹⁹⁰ They also challenged the admissibility of the notion of ‘wave’ in the context of exodus from Russia following the 2022 Russian invasion of Ukraine and suggested that mass exodus ‘will continue indefinitely, though with potential peaks influenced by political events’: Exodus-22, ‘Mass Exodus of Russians from the Country in the Context of War and Mobilization: Overview Analytics of Two Waves of Military Emigration’ (*Exodus-22*, 7 March 2023) <<https://exodus22team.wordpress.com/2023/03/07/pressrelease-eng>> accessed 18 April 2025.

Moreover, various studies on post-February 2022 Russian migrants emphasise that the political motivations for leaving Russia, previously identified in research on *émigrés* from the 2010s, were strengthened after February 2022. The Exodus-22 project found that political reasons to leave – such as ‘[d]on’t want to live in a country at war’, ‘[c]ensorship and inability to express my opinion in Russia’, ‘[t]he threat of persecution for a political motive’, and so on – were among the most mentioned in their surveys both in spring and autumn of 2022.¹⁹¹ The same was true with narratives within Borusyak’s qualitative study conducted in April 2022, although just 2 of 60 interviewees ‘said they were forced to leave for fear of the *real* political repression that threatened them’.¹⁹² Research on the first wave of *émigrés* in the South Caucasus and Central Asia also found that they were ‘seeking to distance themselves from what they perceived as a society that broadly supported the war against Ukraine’.¹⁹³

Third, the exodus consisted not just of those *émigrés* who were politically active in opposition or anti-war resistance, or who worked for various non-governmental organisations (NGOs), but also of many so-called ‘economic migrants’. For instance, Borusyak noted the privileged position of some IT specialists whose companies relocated them into rapidly opened offices beyond Russia.¹⁹⁴ As a result, there is now an emerging trend of studying separate groups of Russian post-February 2022 *émigrés*. There were attempts to approach entrepreneurs, or simply economically active people,¹⁹⁵ those who are economically struggling;¹⁹⁶ IT

¹⁹¹ Exodus-22 (n 190); After24, “‘My do obeda uzhe znali, chto uedem.’ Portret rossiiskoi emigratsii-2022 na primere okazavshikhsia v Armenii i Gruzii’ (*Republic*, 17 August 2022) <<https://republicmag.io/posts/104819>> accessed 29 May 2026 (in Russian).

¹⁹² Borusyak, ‘Novaia volna vysokoobrazovannoi emigratsii’ (n 183) 101 (emphasis added).

¹⁹³ Hanson and Baltabayeva (n 184) 2408.

¹⁹⁴ Borusyak, ‘Novaia volna vysokoobrazovannoi emigratsii’ (n 183) 104–105.

¹⁹⁵ Maria Volkova, Anna Kuleshova and Alexei Voronkov, ‘New Russian Diasporas Outside the European Union: Policy Challenges for Czechia and Other Member-States’ (IfR Working Paper, Boris Nemtsov Foundation for Freedom 2023); Maria Volkova and others, ‘Not Quite “Russian Diaspora”: Plural Solidarities and Stratified Economies of New Russian Migrants’ (2026) 18(2) *Laboratorium: Russian Review of Social Research* (forthcoming).

¹⁹⁶ Yakov Lurie, Vlada Baranova and Ekaterina Chigaleichik, “Invisible” Emigrants: The Lives of Economically Struggling Russians Abroad’ (*Russia.Post*, 20 August 2024) <https://russiapost.info/society/invisible_emigrants> accessed 18 April 2025.

specialists;¹⁹⁷ academic staff;¹⁹⁸ artists and cultural workers;¹⁹⁹ queer people;²⁰⁰ ethnic minorities;²⁰¹ and so on. Sure, the distribution of these and many other subgroups across host countries varies considerably, whereas their quantitative shares within the general population and within separate countries' diasporas are unclear. Moreover, almost every paper, especially those employing a qualitative research design, to some extent, addressed migrants' attempts to self-define, understand and/or reconstruct their identities;²⁰² a few were even dedicated solely to these issues.²⁰³

¹⁹⁷ Johannes Wachs, 'Digital Traces of Brain Drain: Developers during the Russian Invasion of Ukraine' (2023) 12(1) EPJ Data Science 14; Abubakr Kh Rakhmonov, 'Vynuzhdennaia emigratsiia iz Rossii 2022: Potentsial rossiiskikh IT-spetsialistov dlia tsentral'noaziatskikh stran-uchastnits SNG' (2023) 7 Vestnik universiteta 162 (in Russian); Evgeniia Balabanova and Alena Lazenkova, 'Vneshniaia migratsiia rossiiskikh IT-spetsialistov: Motivy, praktiki, posledstviia' (2026) 35(2) Mir Rossii 68 (in Russian).

¹⁹⁸ Iuliia Iashchenko, 'Transformation of Academia and Education System upon the Russo-Ukrainian War: Russian and Ukrainian Experience' (2023) 5(2) Nuovi Autoritarismi e Democrazie: Diritto, Istituzioni, Società 1185; Alexander Kalgin, 'Emigration von Wissenschaftler:Innen Aus Russland: Kollektive Und Individuelle Strategien' (2023) 436 Russland-Analysen 9 (in German); Maia Chankseliani and Elizaveta Belkina, 'Academic Exodus from Russia: Unravelling the Crisis' (2024) 16(3) Journal of Comparative & International Higher Education 97; Alexander Kalgin and Sergei Mashukov, *Displaced Russian Academics Networks, Markets, and Survival Strategies* (SCRIPTS Working Paper No 56, Cluster of Excellence 2055 'Contestations of the Liberal Script' 2025).

¹⁹⁹ Karolina Nugumanova, 'Mapping and Gathering Russian Artists and Cultural Workers in Exile' (EU Public Diplomacy Toward Russia 2024) <https://outrush.io/report_artists_2024> accessed 12 May 2025; Anna Kuleshova, 'How Artists in Exile are Becoming a Focal Point for the Russian Diaspora' (*Russia.Post*, 22 October 2024) <https://russiapost.info/articles/artists- n_exile> accessed 12 May 2025.

²⁰⁰ Mariya Levitanus and Polina Kisliitsyna, '"I Love My Country Even If It Does Not Love Me Back" Queer (Inner) Emigration Narratives in Kazakhstan and Russia' (2024) 29(2–3) Lambda Nordica 40.

²⁰¹ Vlada Baranova, 'Debate on Decoloniality and Sense of Belonging Among Young Kalmyks and Buryats Who Fled to Mongolia After 2022' (2024) 45 Ethnologia Polona 149.

²⁰² See eg Mikhail Nemtsev, 'O poniatii "emigratsiia" – seichas (zametka)' (2023) (1) Historical Expertise 23 (in Russian); Vlada Baranova and Verena Podolsky, 'Life in Motion: Mobility and Identity Among Russian Migrants in the South Caucasus' (2023) 15(3) Laboratorium: Russian Review of Social Research 16, 19–22; Eva Rapoport, 'Shock Wave of Russian Emigration and Self-Reflection of Its Representatives' (2023) 15(3) Laboratorium: Russian Review of Social Research 33, 41–43.

²⁰³ Cesare Figari Barberis and Leonardo Zanatta, 'Distinguishing Ontological Security from Security of Identity: The Case of Russian "Relokanty" in Tbilisi in the Aftermath of the 2022 Russian Invasion of Ukraine' (2023) 1 ASIAC – Studies on Central Asia and the Caucasus 161; Ekaterina Purgina and Andrey Menshikov, 'Digital Narratives of the New Russian Emigrants: Identity Negotiations Across Borders and Borderlines' (2023) 104 Matica Srpska Journal of Slavic Studies 35; Vlada Baranova, 'Debate on Decoloniality and Sense of Belonging Among Young Kalmyks and Buryats Who Fled to Mongolia After 2022' (2024) 45 Ethnologia Polona 149; Magdalena Kozhevnikova and Magdalena Lejman, 'Between the Individual and the Collective: Identity Dilemmas of Russian Migrants After the Russian Invasion of Ukraine' (2025) 22 Adeptus 1.

Nevertheless, ‘a relatively small but active group of civic activists, politicians, journalists and researchers’ in exile – approximately 10,000–15,000 people, including their families²⁰⁴ – and their activities abroad remain among the most widely researched sub-groups.²⁰⁵ For instance, previous studies have explored how activists navigate constraints and opportunities across borders, finding new platforms for activism;²⁰⁶ or how emotions like guilt, shame and anger, compounded by repression, drive *émigrés* toward activism that would be criminalised in Russia, thereby linking emotional states to proactive political behaviour in exile.²⁰⁷ Emil Kamalov and co-authors found that their backgrounds and host country dynamics shape the political engagement of post-February 2022 migrants.²⁰⁸ Some experts approach the subgroup as potential catalysts for democratic change and claim their support from EU member states to reintroduce competitive politics, freedom of expression and pluralism into Russia’s political system.²⁰⁹

²⁰⁴ Maria Domańska and Stefan Ingvarsson, *Russia in Exile: Support for Russian Political Migrants as an Instrument to Increase European Security* (SCEEUS Report No 16, Stockholm Centre for Eastern European Studies 2023) 2–3.

²⁰⁵ Tsypylma Darieva, Tatiana Golova and Daria Skibo, *Russian Migrants in Georgia and Germany: Activism in the Context of Russia’s War Against Ukraine* (ZOIS Report 3/2023, Centre for East European and International Studies 2023); Kirill Shamiev and Ksenia Luchenko, ‘Life in Exile: A New Approach to Russian Democrats in Europe’ (ECFR/528 Policy Brief, European Council on Foreign Relations 2024).

²⁰⁶ Laura A Henry, Valerie Sperling and Lisa McIntosh Sundstrom, ‘Movement of Movements: Russian Activism in Exile and the Porous Political Opportunity Structure’ (2024) 29(3) *Mobilization: An International Quarterly* 375.

²⁰⁷ Varvara Mukhina, ‘Exit to Feel, Voice, and Act: Emotions and Actions of Russian Migrants Opposing the Invasion of Ukraine’ (2026) 24(1) *Journal of Immigrant & Refugee Studies* 174.

²⁰⁸ Kamalov and others, ‘New Russian Migrants Against the War’ (n 185).

²⁰⁹ Domańska and Ingvarsson (n 204); Nicolas Bouchet and Anastasia Burakova, ‘Russia’s Recent Emigrants: Mobility and Engagement’ (Policy Brief, German Marshall Fund of the United States February 2025).

Fourth, the post-February 2022 influxes of Russian nationals affected the everyday lives of countries that had to host larger numbers of them.²¹⁰ According to the Centre for Macroeconomic Analysis and Short-term Forecasting, \$243 billion left Russia in 2022, four times as much as in 2021. In addition, Russians transferred about \$47 billion to their foreign accounts and bought another \$14 billion in foreign currency.²¹¹

The list of everyday life issues that influxes of Russians provoked in host countries is mostly the same as those typically associated with intense migrant flows, ie jobs, housing, education, public health, social cohesion, public safety, and so on.²¹² On the one hand, some host countries' economies started to grow fast. For example, before the influx of Russian immigrants, the real GDP growth in Armenia for 2022 was forecasted to be 4.8%;²¹³ eventually, an annual GDP growth rate of 12.6% was estimated, followed by 8.3% and 5.9% growth in 2023 and 2024, respectively,²¹⁴ after the relocation of an enormous number of IT companies and their employees. A similar situation occurred in Georgia, with estimated growth of 11.0%, 7.8% and 9.7% in 2022, 2023 and 2024, respectively.²¹⁵ In some countries, influxes of Russians also helped contain economic decline. For instance, the 2022 Russian immigration significantly increased employment growth in Kazakhstan, particularly among small firms, young foreign-owned firms, older domestic firms and ICT firms.²¹⁶ On the other hand, mass influxes of Russian nationals triggered skyrocketing inflation rates in the affected states. Rent prices, services, foods and other daily needs rapidly became more expensive, consequently even irritating host

²¹⁰ Timur Khayrutdinov, 'The Price of Russian Migration' (*Novaya Gazeta Europe*, 21 July 2023) <<https://novayagazeta.eu/articles/2023/07/21/the-price-of-russian-migration-en>> accessed 12 May 2025; Rina Nikolaeva, 'Russkieilliardy. Chto oni prinesli sosednim stranam' (*Important Stories*, 12 January 2023) <<https://istories.media/opinions/2023/01/12/russkie-illiardi-cto-oni-prinesli-sosednim-stranam>> accessed 12 May 2025 (in Russian).

²¹¹ Emil' Ablaev and Oleg Solntsev, 'Tezis 9. Ob ottoke kapitala' (2023) Centre for Macroeconomic Analysis and Short-term Forecasting 1, 1–2 (in Russian).

²¹² Jan Rath, 'Interdisciplinarity in Migration Research' in Ricard Zapata-Barrero and Daniela Vintila (eds), *How to Do Migration Research* (Edward Elgar Publishing 2024) 17.

²¹³ World Bank, *Global Economic Prospects, January 2022* (2022) 79.

²¹⁴ World Bank, 'GDP Growth (Annual %) – Armenia, Georgia' <<https://data.worldbank.org/indicator/NY.GDP.MKTP.KD.ZG?end=2024&locations=AM-GE&start=2021>> accessed 12 May 2025.

²¹⁵ *ibid.*

²¹⁶ David R DeRemer, Yelzhas Kadyr and Aigerim Yergabulova, 'Firm Employment Dynamics in Kazakhstan After Sudden Russian Immigration' (VIVES Discussion Paper No 97, KU Leuven 2023).

societies. For instance, though Türkiye has been experiencing an economic crisis even before February 2022, since autumn 2021, residents in Antalya have signed a petition expressing concern about rising prices due to the influx of migrants.²¹⁷

Therefore, most of the ideas we currently hold about post-February 2022 emigration from Russia are grounded in the social sciences. These are the common features that are, at least partially, shared by a vast number of receiving states. Given the transit status of many of them,²¹⁸ there is a reasonable understanding and concern that ‘people and money can leave as suddenly as they came’.²¹⁹ As a result, host states had to decide whether to integrate these newcomers into their economies more permanently by introducing appropriate policies and legal innovations.

3.3 Immigrant status, migration policies and uncertainty

Uncertainty is one of the main features of the post-February 2022 emigration from Russia. For instance, research on new Russian immigrants to Armenia and Georgia described them facing significant tension about their futures, compounded by the challenges of integrating into local economies; they often rely on ‘enclave economies’ as a coping strategy for immediate livelihood concerns. The research found the ‘gap between the necessity to plan the future and experiencing the impossibility of doing this planning in the current realities’.²²⁰

²¹⁷ Kaan Soyuturk, Ceyda Caglayan and Ezgi Erkoyun, ‘Influx of Russians Drives Up Home Prices in Turkish Resort, Prompts Call for Ban’ (*Reuters*, 14 December 2022) <<https://www.reuters.com/world/middle-east/influx-russians-drives-up-home-prices-turkish-resort-prompts-call-ban-2022-12-14>> accessed 12 May 2025.

²¹⁸ Gulina, ‘Emigration from Russia After 24 February 2022’ (n 179).

²¹⁹ Nikolaeva (n 210).

²²⁰ Anna Kuleshova and others, ‘Russian Migration to Armenia and Georgia in 2022: Enclave Economy and Local Employment’ (*Caucasus Edition: Journal of Conflict Transformation*, 29 May 2023) <<https://caucasusedition.net/russian-migration-to-armenia-and-georgia-in-2022-enclave-economy-and-local-employment>> accessed 12 May 2025. Nikita Mishakov, Kares Shenk and Alexander Motin, ‘Practices of Hope for Russians in Emigration’ (Paper presented at the International Conference ‘The Anthropology of Uncertainty: Living in Pivotal Times’, Yerevan, Armenia, 24 October 2024); Maria McCready and others, ‘Russians Fleeing Putin’s Country: Trauma, Daily Stressors, Anxiety, Depression, Post Traumatic Stress Disorder’ (Poster presented at the 9th Brain & Behavioral Health Research Day, University of New Mexico, Albuquerque, USA, 22 March 2024).

Yevgeniy Lapin brought this uncertainty into the legal field. Emphasising the precarious legal and social status of Russian *émigrés* in Georgia, he noted their reliance on Georgia's liberal visa policy for extended stays while avoiding asylum procedures. While granting flexibility, this approach leaves many vulnerable without long-term legal protections, reflecting the mixed reception of Russian arrivals in Georgia.²²¹ Anna Prashizky, who studied digital narratives of recent Russian *émigrés*, describes their lives through 'an uncertainty ... exacerbated by collective guilt for war crimes committed by Russian soldiers in Ukraine'.²²² She confirmed Lapin's ideas for a larger number of host countries and broadened the list of uncertainties the *émigrés* share. These are related to their (1) official status, (2) personal lives and (3) future place of residence or time of returning home. In addition, the International Centre for Migration Policy Development recognised the 'precarity of the situation for Russian *émigrés* in non-EU host states and their attempts to reach the EU'.²²³

Therefore, the uncertainty embracing the post-February 2022 Russian migration (in)directly addresses these migrants' immigration statuses, both today and in their similarly uncertain future. In this regard, it appears curious that nearly all the research papers cited in the previous section uncritically treat this information as contextual when reviewing national migration legislation. Furthermore, in sociological research on post-February 2022 Russian *émigrés*, legal considerations often arise when discussing their choice of host countries or their rejection of others.

For example, the liberal migration policies of Armenia and Georgia, which allow one to reside in the country on a tourist status without needing to obtain a visa for 180 and 365 days, respectively, and renew them with short border runs, are discussed as defining their popularity among Russian immigrants; Türkiye was considered a pushing-out context.²²⁴ In turn, the way host coun-

²²¹ Yevgeniy Lapin, 'Russian Political "Tourists" in Georgia' (Master's thesis, Yerevan State University, 2022).

²²² Prashizky (n 161).

²²³ ICMPD, 'ICMPD Migration Outlook: Eastern Europe and Central Asia 2024' (ICMPD 2024) 2.

²²⁴ See eg BNFF, 'Entrepreneurship Attitudes of New Russian Diasporas' (Boris Nemtsov Foundation for Freedom, 18 October 2023) <<https://nemtsovfund.org/en/entrepreneurship-attitudes-of-new-russian-diasporas>> accessed 12 May 2025; Anton Lysenkov and Valerii Paniushkin, 'Priznak obshchei sud'by' (*Spektr*, 6 March 2024) <<https://spektr.press/priznak-obshchej-sudby>> accessed 12 May 2025 (in Russian); Lomakin (n 186).

tries treated the arriving Russians affected their adaptation to new environments.²²⁵ Also, Russian asylum seekers face significant barriers to reaching EU countries, not only because flights between Russia and Europe were suspended following the start of the invasion but also due to a lack of legal status in their current countries of residence, which renders them ineligible to apply for Schengen visas there.²²⁶

Given the uncertain status of new Russian migrants, except for Lapin and Prashizky, tentative attempts to address the exodus have approached it from a legal perspective. However, these were primarily applied rather than academic. Among other things, Anna Khan identified the influx of Russians to Serbia as a ‘multifaceted challenge’ due to various factors, including poor mechanisms for monitoring the actual number of foreigners permanently residing in the country.²²⁷ Moreover, she claimed the ‘formulation of a comprehensive legal framework for implementing a digital nomad visa program in Serbia’.²²⁸

Several analytical papers discussed the EU, and especially the Schengen Area contexts. Costica Dumbrava, in his overview of visa and individual restrictions concerning the 2022 Russian invasion of Ukraine,²²⁹ highlighted the EU’s efforts to balance security concerns with legal principles like individual assessments and human rights. However, Dumbrava acknowledged the inconsistencies among the member states, which pose challenges to a unified approach.²³⁰ Experts from the Polish Institute of International

²²⁵ Liubov Chernysheva, ‘Migranty, turisty, relokanty ili okkupanty? Esse o rossiianakh v Tbilisi, polomannom gostepriimstve i prave na gorod’ (2023) 15(3) *Laboratorium: Russian Review of Social Research* 46 (in Russian); Volkova, Kuleshova and Voronkov (n 195); Lyubov Borusyak, ‘Russian Emigrants: Settling Down But Not Integrating’ (*Russia.Post*, 28 November 2024) <https://russiapost.info/society/emigrants_integrating> accessed 12 May 2025; Olga Veselovskaya and others, ‘Homegrown Educational Leadership in Forced Russian-Origin Migrant Society: The Case of Georgia’ in Mary Guntman (ed), *Challenges Facing Education Leadership in the Shadow of War: International and Multicultural Perspectives from Zones of Conflict* (Routledge 2025); Kira Legut, ‘Adaptation Practices of Forced Migrants: A Comparative Study of Russian Emigrants in Georgia and Germany in 2022–2023’ (2026) 29(1) *The Journal of Sociology and Social Anthropology* 118; Volkova and others (n 195).

²²⁶ Prashizky (n 161); Costica Dumbrava, ‘EU Entry Restrictions in Relation to Russia’s War on Ukraine’ (Briefing PE 733.644, European Parliamentary Research Service 2022).

²²⁷ Anna Khan, ‘Russian Migration Surge in Serbia Balancing Economic Opportunities and EU Concerns’ (CEP Belgrade Policy Brief, European Policy Centre – Belgrade 2023) 5–6.

²²⁸ *ibid* 6.

²²⁹ Including the strictest ones imposed by Baltic states, Finland, Poland and Czechia, as well as individuals targeted by the EU sanctions: Dumbrava (n 226) 6–7.

²³⁰ Dumbrava (n 226) 2.

Affairs proposed relatively the same. While they found such a consensus impossible but needed ‘to counteract the penetration of Russian services or provocateurs’, they recognised the complete closure of borders to Russians, especially for those fleeing repression, to be ‘not in the interest of the Member States’.²³¹ However, the latter was justified not by the discriminatory character of such actions but by their potential to ‘undermine the credibility of the EU’s leadership in the protection of human rights’.²³²

Additionally, a recent agenda-setting working paper approached migrants from Russia after 24 February 2022 as:

new minorities in the making, mostly lacking legal recognition, not enjoying consequent protection measures, and experiencing discrimination(s) in some contexts, despite being non-dominant and numerically inferior to the rest of the population, widely recognised in public discourse, and sharing distinct identities.²³³

This author considers post-February 2022 Russian immigrants as ‘drivers of host countries’ migration policies changes’, though not always inclusive, resulting in still relatively timid attempts to defend their rights.²³⁴

In conclusion, while legal contexts of post-February 2022 Russian migration have been explored to some extent, further in-depth research is required. The growing request of host states to define their policies and attitudes vis-à-vis these immigrants – whether through proactive integration measures or restrictive

²³¹ Stefania Kolarz and Aleksandra Koziol, ‘EU Member States Take a Position on the Emigration of Russians’ (*Polish Institute of International Affairs*, 11 January 2023) <<https://pism.pl/publications/eu-member-states-take-a-position-on-the-emigration-of-russians>> accessed 12 May 2025.

²³² *ibid.* However, cases of alleged discrimination based on Russian citizenship have appeared in the media. For instance, some European airlines reportedly denied boarding to Russian nationals, even those holding EU residence permits: eg Polskie Radio, ‘Polish Airline Denies Boarding to Russian Tennis Player’ (*Polskie Radio dla Zagranicy*, 25 April 2023) <<https://www.polskieradio.pl/395/9766/artykul/3156923,polish-airline-denies-boarding-to-russian-tennis-player>> accessed 12 May 2025; Meduza, ‘“No New Restrictions Have Been Introduced”: Why Did Ryanair Stop Letting Russian Citizens Board Certain Flights to Estonia?’ (*Meduza*, 21 February 2025) <<https://meduza.io/en/feature/2025/02/21/no-new-restrictions-have-been-introduced>> accessed 15 April 2025.

²³³ Lomakin (n 186) 13. Roberta Medda-Windischer, ‘Old and New Minorities: Diversity Governance and Social Cohesion from the Perspective of Minority Rights’ (2017) 11(1) *Acta Universitatis Sapientiae, European and Regional Studies* 25; Francesco Capotorti, ‘Study on the Rights of Persons Belonging to Ethnic, Religious and Linguistic Minorities’ (1979) UN Doc E/CN.4/Sub.2/384/Rev.1.

²³⁴ Lomakin (n 186) 13.

frameworks – underscores the importance of a focused legal research approach. Such an approach can provide insights for host countries navigating the challenges posed by this influx and/or aiming to regularise the new Russian migrants. It also aligns with the essential role of law and legislation in shaping migration processes as well as with the understanding that migration itself is ‘undeniably, a structured and structuring process’.²³⁵ Furthermore, the relatively extensive sociological research on this exodus offers a robust foundation for contextualising the legal dimension of these migratory movements. This can foster a deeper understanding of how different legal frameworks influence new Russian immigrants’ legal status(es) and rights across diverse jurisdictions and geopolitical contexts.

²³⁵ Karen O'Reilly, 'Migration Theories: A Critical Overview' in Anna Triandafyllidou (ed), *Routledge Handbook of Immigration and Refugee Studies* (Routledge 2022) 10.

4. Framing migrant status: Law and policy

4.1 Legal pluralism and migration

Legal pluralism refers to the idea that ‘in any one geographical space defined by the conventional boundaries of a nation state, there is more than one “law” or legal system’.²³⁶ Therefore, recognising pluralistic legal systems undermines state-centred legal theories and positivist assumptions of a singular legal order that usually highlight the distinction between state law and other normative frameworks in concept and practice.²³⁷

Although legal pluralism initially referred to customary, indigenous and/or religious laws in (post-)colonial societies, recent discussions have become increasingly attentive to the interplay between local law and normative ordering arising from globalisation processes.²³⁸ The state is no longer the only but just one of the sources of law.²³⁹ As Margaret Davies puts it, ‘[t]he relationship between international and domestic law immediately creates (at least) a duality of law across the entire globe, while human rights is a global normative discourse which enters into local normative patterns in many distinct ways’.²⁴⁰

²³⁶ Margaret Davies, ‘Legal Pluralism’ in Peter Cane and Herbert M Kritzer (eds), *The Oxford Handbook of Empirical Legal Research* (OUP 2010) 805.

²³⁷ Some authors also address them as ‘multilevel legal systems’: Joseph Marko, ‘The Interdisciplinary Approach: Law, Sociology and Political Sciences’ in Joseph Marko and Sergiu Constantin (eds), *Human and Minority Rights Protection by Multiple Diversity Governance: History, Law, Ideology and Politics in European Perspective* (Routledge 2019) 12.

²³⁸ Davies (n 236) 806, 814–15.

²³⁹ Keebet von Benda-Beckmann and Bertram Turner, ‘Legal Pluralism, Social Theory, and the State’ (2018) 50(3) *The Journal of Legal Pluralism and Unofficial Law* 255, 268.

²⁴⁰ Davies (n 236) 815.

Hence, growing significance of international law and human rights – as well as trade regimes, transnational companies, NGOs, etc – brings legal pluralism to the global scene, without diminishing the role of domestic law.²⁴¹ All the mentioned transnational normative orders, and many more, interpenetrate not just state law but also the sub-state and informal normative systems within a state. They constitute a ‘highly dynamic normative terrain, with many forms of legality and many forms of ... law intersecting in particular contexts’.²⁴² To make things even more complicated, the ‘subjects of plural global law are themselves also increasingly “mobile”’.²⁴³

With this, legal pluralism offers an important dimension for analysing the interaction of multiple legal systems in contexts such as migration, global governance and multicultural societies. Addressing the status and rights of post-February 2022 Russian immigrants to a vast number of host countries, they appear to be affected by the overlapping national, international and, in some cases, regional legal systems. Given the list of popular destinations, such as Armenia, Kazakhstan, Türkiye, Germany, etc,²⁴⁴ the frameworks relevant to the comparative model may include not only national laws and policies on migration but also UN human rights treaties and agreements under the EAEU, EU, Commonwealth of Independent States (CIS) or the Council of Europe.

4.2 Rights of migrants and non-discrimination

Migration involves a trilateral relationship among a migrant, a country of origin and a country of destination.²⁴⁵ On the one hand, the right to leave the country of origin should be guaranteed. The latter is recognised, protected and regulated under

²⁴¹ Von Benda-Beckmann and Turner (n 239) 267.

²⁴² Davies (n 236) 815.

²⁴³ *ibid.*

²⁴⁴ Peter Mironenko, ‘Russia’s 650,000 Wartime Emigres’ (*The Bell*, 19 July 2024) <<https://en.thebell.io/russias-650-000-wartime-emigres>> accessed 5 May 2025.

²⁴⁵ Vincent Chetail, ‘The Human Rights of Migrants in General International Law: From Minimum Standards to Fundamental Rights’ (2013) 28(1) *Georgetown Immigration Law Journal* 225, 225.

international migration law and customary law;²⁴⁶ usually, it implies the ‘right to be issued a passport or other necessary travel documents, which is the duty of a sovereign state’.²⁴⁷ Although restrictions on this right could be justified under the international treaty bodies, they must be legally grounded to protect national security, public order, public health and others’ rights and freedoms. Moreover, the UN Human Rights Committee (HRC) and the European Court of Human Rights ‘unconditionally stipulate that the requirement of exit visas for certain categories of people ... also violates international law’.²⁴⁸

Addressing the side of the country of destination, the right to migrate has been discussed since classical antiquity.²⁴⁹ Some contemporary scholars propose treating it as a combination of two elements – the right to move freely and the aforementioned right to leave. For instance, Olga Gulina believes that the ‘right to migrate could mean the right to legally leave one country and enter another for a short or longer period (the right to travel)’.²⁵⁰ Nevertheless, the right to migrate is still not guaranteed and remains largely theoretical, as no internationally protected, legally binding right grants individuals entry into another country. Within the geolegal space discussed in this thesis, possibly one of the few documents that ensures the right to travel and the right to cross borders is

²⁴⁶ For instance, under the Universal Declaration of Human Rights (adopted 10 December 1948) UNGA Res 217 A(III), art 13.2; the International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171 (ICCPR), art 12.2; the International Convention on the Elimination of All Forms of Racial Discrimination (adopted 7 March 1966, entered into force 4 January 1969) 660 UNTS 195, art 5; the Convention on the Rights of the Child (adopted 20 November 1989, entered into force 2 September 1990) 1577 UNTS 3, art 10.2; the Convention on the Protection of the Rights of All Migrant Workers (adopted 18 December 1990, entered into force 1 July 2003) 2220 UNTS 3 (ICRMW), art 8, and so on. Council of Europe, ‘The Right to Leave a Country’ (Council of Europe 2013) 13–16.

²⁴⁷ Olga Gulina, ‘Legal Aspects of Migration’ in Violeta Wagner and others (eds), *Migration Textbook* (ICMPD 2024) 149.

²⁴⁸ *ibid* 149–50.

²⁴⁹ *Eg ibid* 144–46; Vincent Chetail, ‘Sovereignty and Migration in the Doctrine of the Law of Nations: An Intellectual History of Hospitality from Vitoria to Vattel’ (2016) 27(4) *European Journal of International Law* 901.

²⁵⁰ Gulina, ‘Legal Aspects of Migration’ (n 247) 146. Olga Gulina, ‘Rechtsvergleichende Analyse des nationalen Freizügigkeitsrechts der Russischen Föderation und der Bundesrepublik Deutschland’ in Carola Schulze (ed), *Aktuelle Probleme des Öffentlichen Rechts in Deutschland und Russland* (Peter Lang 2011) (in German).

the 1991 Agreements on Establishing the Commonwealth of Independent States, which guarantees the ‘openness of borders, freedom of travel of citizens and information transfer within the Commonwealth’.²⁵¹

Historically, migrants’ rights are grounded in customary international law and reflect the overall evolution of international law.²⁵² Preceded by the international minimum standard doctrine, under which aliens should not have been ill-treated regardless of how a state treats its citizens,²⁵³ it was later widened with a core set of internationally guaranteed human rights, protecting foreigners from deprivation of life, torture, arbitrary detention, injustice, etc.²⁵⁴ However, different categories of migrants are unevenly protected under international agreements on migration.²⁵⁵ The latter mostly focus on refugees, asylum seekers, victims of trafficking and migrant workers, but often ‘tend to be non-binding or with few signatories, weakening their influence’.²⁵⁶ For instance, the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW), adopted after decades of discussions, remains poorly ratified compared to other UN human rights treaties, lacking almost any actions from the side of major immigrant-receiving Western states.²⁵⁷ The same is the case for the relevant ILO

²⁵¹ Agreement on the Establishment of the Commonwealth of Independent States (signed Minsk, 8 December 1991), art 5.

²⁵² Chetail, ‘The Human Rights of Migrants in General International Law’ (n 245) 226.

²⁵³ *ibid* 227–32.

²⁵⁴ United Nations Human Rights Committee, ‘General Comment No 15: The Position of Aliens Under the Covenant’ (11 April 1986) UN Doc HRI/GEN/1/Rev.9, para 7.

²⁵⁵ The Office of the United Nations High Commissioner for Human Rights highlights that human rights violations against migrants may include but are not limited to ‘denial of civil and political rights such as arbitrary detention, torture, or a lack of due process, as well as economic, social and cultural rights such as the rights to health, housing or education’: Office of the High Commissioner for Human Rights (OHCHR), ‘About Migration and Human Rights’ <<https://www.ohchr.org/en/migration/about-migration-and-human-rights>> accessed 19 April 2025.

²⁵⁶ Thomas G Weiss and Rorden Wilkinson (eds), *International Organization and Global Governance* (Routledge 2023) 768.

²⁵⁷ ICRMW (n 246). Office of the High Commissioner for Human Rights, ‘Status of Ratification Interactive Dashboard’ (*OHCHR Dashboard*) <<https://indicators.ohchr.org>> accessed 15 April 2025.

treaties – the 1949 Convention Concerning Migration for Employment (No 97)²⁵⁸ and the 1975 Convention Concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (No 143).²⁵⁹

However, addressing the post-Soviet space, neither the EAEU nor the CIS has developed a robust human rights regime compatible with the above-mentioned ones. First, the EAEU is primarily an economic integration body, lacking a specific regime and bodies to enforce human rights-related issues within the Union. Second, the 1995 CIS Convention on Human Rights and Fundamental Freedoms, outlining basic human rights principles in the CIS, lacks ratification²⁶⁰ and enforcement. While the CIS Human Rights Commission was established in 1993, it has no binding powers and is largely consultative. Although the CIS ‘has never become a powerful tool of regional integration’, the activities of its Interparliamentary Assembly in issuing model laws had a significant impact on the harmonisation of the member states’ civil codes.²⁶¹

Notwithstanding, there has overall been a fundamental shift from the ‘classical system of diplomatic protection by the alien’s State of nationality’ to the ‘direct protection of the individual alien’s rights through his use of national and international procedures to enforce a set of reformulated international norms’,²⁶² though the former system still works and complements the latter. Soft law also contributes to this; for example, while the 2030 UN Agenda and Sustainable Development Goals’ (SDGs) target 10.7 refer to migration with a call ‘to facilitate orderly, safe, regular and responsible migration and mobility of people, including through

²⁵⁸ ILO Convention Concerning Migration for Employment (No 97) (adopted 1 July 1949, entered into force 22 January 1952).

²⁵⁹ ILO Convention Concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (No 143) (adopted 24 June 1975, entered into force 9 December 1978); International Labour Organization, ‘Ratification by Conventions’ (ILO) <https://normlex.ilo.org/dyn/nrmlx_en/?p=1000:12001> accessed 8 May 2025.

²⁶⁰ The Convention was signed by seven CIS member states and later ratified by just four of them – Belarus, Kyrgyzstan, Russia and Tajikistan. For more information, see Mark Entin and Dmitriy Galushko, ‘International Human Rights Protection and Regional Integration: European and Eurasian Integration Processes Compared’ (2020) 7(1) *InterEULawEast* 21, 34–35.

²⁶¹ Andrey Shirvindt, ‘Former Soviet States of Eastern Europe, Caucasus and Central Asia’ in Mathias Siems and Po Jen Yap (eds), *The Cambridge Handbook of Comparative Law* (CUP 2024) 280.

²⁶² Richard B Lillich, *The Human Rights of Aliens in Contemporary International Law* (Manchester UP 1985) 3.

the implementation of planned and well-managed migration policies',²⁶³ migrants' multifaceted contributions are relevant to all SDGs. Furthermore, the 2018 Global Compact for Safe, Orderly and Regular Migration aims to enhance international cooperation on migration governance while respecting states' sovereign rights to determine their migration policies. As a non-legally binding co-operative framework, it provides a set of best practices and policy recommendations that states may voluntarily adopt to improve management across the entire migration cycle.

Non-discrimination is considered an 'ultimate benchmark of migrant rights'.²⁶⁴ It is the only specific human rights principle mentioned in the UN Charter that claims 'promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion'.²⁶⁵ Furthermore, this principle is enshrined in major human rights treaties, including article 2(1) of the widely ratified ICCPR. The latter requires states:

to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognised in the [ICCPR], without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.²⁶⁶

The HRC General Comment No 15 has emphasised that the rights set forth by the ICCPR 'apply to everyone, irrespective of reciprocity, and irrespective of his or her nationality or statelessness', also specifying that 'each one of the rights of the Covenant must be guaranteed without discrimination between citizens and aliens'.²⁶⁷

While article 12(1) of the ICCPR grants the 'right to liberty of movement and freedom to choose [one's] residence', it clearly states that they could be enjoyed only by those who are 'lawfully within the territory of a State',²⁶⁸ thereby, apparently allow-

²⁶³ United Nations, 'International Migration and Development' in United Nations, *World Population Policies 2019* (UN Doc ST/ESA/SER.A/442, United Nations 2020) 29.

²⁶⁴ Chetail, 'The Human Rights of Migrants in General International Law' (n 245) 243.

²⁶⁵ Charter of the United Nations (signed 26 June 1945, entered into force 24 October 1945) 1 UNTS XVI, art 1(3).

²⁶⁶ ICCPR (n 246) art 2(1).

²⁶⁷ HRC, 'General Comment No 15' (n 254) paras 1–2.

²⁶⁸ ICCPR (n 246) art 12(1).

ing restrictions on irregular migrants. Also, even when lawfully in a territory, migrants can still be deported under article 13 of the ICCPR if basic conditions and procedural guarantees are met.²⁶⁹ Therefore, ‘whether an alien is “lawfully” within the territory of a State is a matter governed by domestic law’.²⁷⁰ This, however, does not mean that states’ margin of appreciation is ‘purely discretionary power for deciding upon admission of non-citizens’ – that competence must be exercised in accordance with international law norms.²⁷¹ Furthermore, while also reserving citizens the right to vote and to be elected, General Comment No 15 specifies the rights of non-nationals under the ICCPR. These are freedom from arbitrary killing; freedom from arbitrary detention; freedom from torture or cruel, inhuman or degrading treatment or punishment; equality before courts and tribunals; and freedom of thought, conscience and religion. Moreover, non-nationals should have the right to marry; to receive protection as minors; and the right to peaceful association and assembly.²⁷²

However, when it comes to economic, social and cultural rights, the position of migrants appears to be more precarious and vulnerable.²⁷³ This is due to the progressive realisation principle under article 2(1) of the International Covenant on Economic, Social and Cultural Rights (ICESCR), referring to the scarce resources are common among developing countries.²⁷⁴ Additionally, article 2(3) allows ‘with due regard to human rights and their national economy’ to ‘determine to what extent they would guarantee the economic rights recognised in the [ICESCR] to non-nationals’,²⁷⁵ limiting non-discrimination principle. However, this exception is not mandatory but permissible and exclusively limits economic rights, not social and cultural rights. Moreover, the limitation applies to economic rights ‘as long as they do not impair the enjoyment of other human rights’.²⁷⁶ The inconsistencies of the ICESCR’s article 2(3) are neutralised under article 5(2),²⁷⁷ which more

²⁶⁹ ICCPR (n 246) art 13.

²⁷⁰ United Nations Human Rights Committee, ‘General Comment No 27: Freedom of Movement (Article 12)’ (2 November 1999) UN Doc CCPR/C/21/Rev.1/Add.9, para 4.

²⁷¹ Chetail, ‘The Human Rights of Migrants in General International Law’ (n 245) 246.

²⁷² HRC, ‘General Comment No 15’ (n 254) para 7.

²⁷³ Chetail, ‘The Human Rights of Migrants in General International Law’ (n 245) n 95.

²⁷⁴ International Covenant on Economic, Social and Cultural Rights (adopted 16 December 1966, entered into force 3 January 1976) 993 UNTS 3 (ICESCR), art 2(1).

²⁷⁵ *ibid* art 2(3).

²⁷⁶ Chetail, ‘The Human Rights of Migrants in General International Law’ (n 245) 249.

²⁷⁷ ICESCR (n 274) art 5(2).

favourable treatments granted any national legislation or regional human rights frameworks.²⁷⁸ Hereby, article 2(3) persists as a limited and balanced exception to the principle of non-discrimination, while the latter constitutes an ‘immediate and cross-cutting obligation’ that binds all state parties.²⁷⁹

Nevertheless, differential treatment is still permissible as the principle of non-discrimination does not prohibit all the variety of treatment, though a legitimate aim must be provided and the criteria for differentiation should be ‘reasonable and objective’.²⁸⁰ Therefore, ‘[t]he differentiation between citizens and non-citizens must thus be proportionate to the aims pursued by states’.²⁸¹

4.3 Migration policies and (il)legal status of migrants

Migration could not be understood without considering its drivers, ie ‘structural elements that enable and constrain the exercise of agency by social actors’ and make ‘certain decisions, routes or destinations more likely’.²⁸² Historically, migration policies were economically based,²⁸³ and this dimension still outweighs others.²⁸⁴ However, nowadays, the complex interplay involving ‘multiple economic, political, social, and other gradual developments and sudden events’ could change migration opportunities for various social groups.²⁸⁵ For instance, discrimination and the absence of civil and political rights in countries of origin drive more individuals to seek asylum in developed countries.²⁸⁶ When addressing the post-February 2022 Russian exodus, the conflict in Ukraine and subsequent repression of dissenters in

²⁷⁸ Chetail, ‘The Human Rights of Migrants in General International Law’ (n 245) 250.

²⁷⁹ United Nations Committee on Economic, Social and Cultural Rights, ‘General Comment No 20: Non-Discrimination in Economic, Social and Cultural Rights’ (2 July 2009) UN Doc E/C.12/GC/20, para 7.

²⁸⁰ *ibid* para 13.

²⁸¹ Chetail, ‘The Human Rights of Migrants in General International Law’ (n 245) 250–51.

²⁸² Nicholas Van Hear, Oliver Bakewell and Katy Long, ‘Push-Pull Plus: Reconsidering the Drivers of Migration’ (2018) 44(6) *Journal of Ethnic and Migration Studies* 927, 928.

²⁸³ Thomas Schindlmayr, ‘Sovereignty, Legal Regimes, and International Migration’ (2003) 41(2) *International Migration* 109.

²⁸⁴ Mathias Czaika and Constantin Reinprecht, ‘Migration Drivers: Why Do People Migrate?’ in Peter Scholten (ed), *Introduction to Migration Studies: An Interactive Guide to the Literatures on Migration and Diversity* (Springer 2022) 57.

²⁸⁵ *ibid* 50.

²⁸⁶ Marta Bivand Erdal and Ceri Oeppen, ‘Forced to Leave? The Discursive and Analytical Significance of Describing Migration as Forced and Voluntary’ (2018) 44(6) *Journal of Ethnic and Migration Studies* 981.

Russia²⁸⁷ appear as primary migration drivers. However, the choice of exact destinations was not based solely on push factors; potential immigrants also considered the migration policies of the receiving states.²⁸⁸

Mathias Czaika and Constantin Reinprecht distinguish migration policies within the politico-institutional driver dimension.²⁸⁹ They state that ‘specific events and sudden developments, including some rapid policy changes, may both predispose and ultimately trigger migration’.²⁹⁰ Generally, migration policies have an important effect on immigration flows.²⁹¹ Restrictive policies are linked to fewer asylum applications²⁹² and lower numbers of international migrants.²⁹³ Such policies may redirect migrants to other destinations or even alter their migration routes.²⁹⁴ Additionally, while many countries have adopted policies to deter unwanted immigration of specific groups (eg students, unskilled

²⁸⁷ Mariana Katzarova, ‘Situation of Human Rights in the Russian Federation’ (13 September 2024) UN Doc A/HRC/57/59; Dan Storyev, ‘Russia’s Repressive Home Front’ (*Riddle.io*, 17 December 2024) <<https://ridl.io/russia-s-repressive-home-front>> accessed 12 May 2025; Elena Lukyanova, ‘War in Europe and Human Rights. The Time of Rethinking’ in Anna Ayvazyan and Sebastjan Pikl (eds), *The Contemporary Human Rights Situation in Central and Eastern Europe* (Novum 2023).

²⁸⁸ See eg After24, ‘“My do obeda uzhe znali, chto uedem.” Portret rossiiskoi emigratsii-2022 na primere okazavshikhsia v Armenii i Gruzii’ (*Republic*, 17 August 2022) <<https://republicmag.io/posts/104819>> accessed 29 May 2026 (in Russian); Exodus-22, ‘Mass Exodus of Russians from the Country in the Context of War and Mobilization: Overview Analytics of Two Waves of Military Emigration’ (*Exodus-22*, 7 March 2023) <<https://exodus22team.wordpress.com/2023/03/07/pressrelease-eng>> accessed 18 April 2025; Olga Gulina, ‘Emigration from Russia After 24 February 2022: Main Patterns and Developments’ (Prague Process Policy Brief, June 2023, Prague Process Secretariat 2023); Anna Khan, ‘Russian Migration Surge in Serbia Balancing Economic Opportunities and EU Concerns’ (CEP Belgrade Policy Brief, European Policy Centre – Belgrade 2023); Ilya Lomakin, ‘From Migrants to Minorities. Are Russian ‘Relocants’ a New Minority?’ (Diversity Governance Papers – Constitutional, Territorial and Societal Pluralism, No 02/2024, Eurac Research 2024).

²⁸⁹ Czaika and Reinprecht (n 284) 66–67.

²⁹⁰ *ibid* 50.

²⁹¹ Marc Helbling and David Leblang, ‘Controlling Immigration? How Regulations Affect Migration Flows’ (2019) 58(1) *European Journal of Political Research* 248.

²⁹² Tim Hatton and Joseph Moloney, ‘Applications for Asylum in the Developed World: Modelling Asylum Claims by Origin and Destination’ in Marie McAuliffe and Khalid Koser (eds), *A Long Way to Go: Irregular Migration Patterns, Processes, Drivers and Decision-Making* (ANU Press 2017).

²⁹³ Jennifer Fitzgerald, David Leblang and Jessica C Teets, ‘Defying the Law of Gravity: The Political Economy of International Migration’ (2014) 66(3) *World Politics* 406.

²⁹⁴ Heaven Crawley and Jessica Hagen-Zanker, ‘Deciding Where to Go: Policies, People and Perceptions Shaping Destination Preferences’ (2019) 57(1) *International Migration* 20; Alan Gilbert and Khalid Koser, ‘Coming to the UK: What Do Asylum-Seekers Know About the UK Before Arrival?’ (2006) 32(7) *Journal of Ethnic and Migration Studies* 1209.

workers), the effectiveness of these policies remains debated.²⁹⁵ Sure, the deterrent effect of migration policies varies depending on the measures implemented. For example, while visa restrictions may reduce regular entries, they can also increase irregular attempts to enter.²⁹⁶ In turn, lenient migration policies and welcoming treatment attract more migrants.²⁹⁷ Moreover, free movement areas or opportunities for (dual) citizenship can also encourage migration,²⁹⁸ although such policies often benefit low-skilled migrants less.²⁹⁹

Given the universality principle of the international human rights law, human rights of all migrants must be respected, protected and fulfilled, regardless of their legal status or specific circumstances, whereas host states are responsible for ensuring the protection of human rights for everyone within their jurisdiction.³⁰⁰ Moreover, current sovereignty has shifted to a framework in which state actions impacting human rights may be scrutinised by the international community.³⁰¹ However, the human rights of migrants remain at the crossroads of state sovereignty and individual rights, as states remain the primary sources of protection for those on the move, holding the authority to determine the conditions under which migrants are allowed to enter and remain within their national borders. Thereafter, it is not surprising that human migration increasingly gets framed in terms of security and national threats. Migrants' legal statuses could change dramatically from one country to another, from more inclusionary to exclusionary migration regimes, whereas proclaimed standards may

²⁹⁵ Jagdish Bhagwati and Gordon Hanson (eds), *Skilled Immigration Today: Prospects, Problems, and Policies* (OUP 2009).

²⁹⁶ Mathias Czaika and Mogens Hobolth, 'Do Restrictive Asylum and Visa Policies Increase Irregular Migration into Europe?' (2016) 17(3) *European Union Politics* 345.

²⁹⁷ Marie McAuliffe and Dinuk Jayasuriya, 'Do Asylum Seekers and Refugees Choose Destination Countries? Evidence from Large-Scale Surveys in Australia, Afghanistan, Bangladesh, Pakistan and Sri Lanka' (2016) 54(4) *International Migration* 44.

²⁹⁸ Michel Beine, Pauline Bourgeon and Jean-Charles Bricongne, 'Aggregate Fluctuations and International Migration' (2019) 121(1) *The Scandinavian Journal of Economics* 117; Fitzgerald, Leblang and Teets (n 293).

²⁹⁹ Dominique M Gross and Nicolas Schmitt, 'Low- and High-Skill Migration Flows: Free Mobility versus Other Determinants' (2012) 44(1) *Applied Economics* 1.

³⁰⁰ Red Cross, 'The Legal Framework for Migrants and Refugees: An Introduction for Red Cross and Red Crescent Staff and Volunteers' (International Federation of Red Cross and Red Crescent Societies 2017) 6; OHCHR (n 257).

³⁰¹ Johan D van der Vyver, 'Sovereignty' in Dinah Shelton (ed), *The Oxford Handbook of International Human Rights Law* (OUP 2013).

differ greatly from their real application. As Vincent Chetail states, migrants are still ‘structurally vulnerable to abuses as non-citizens’, and additional factors – economic crises, armed conflicts, etc – aggravate the violations of their human rights.³⁰²

In this regard, there is an initial distinction between legal and unauthorised immigrants, where legal immigrants are ‘those who have been granted permission by the nation-state to stay in the country’, whereas unauthorised immigrants are ‘non-citizens who have not been granted this permission by the nation-state’.³⁰³ This distinction underscores an immigration system in which policies and practices are shaped by the differentiation between the ‘right’ kind of immigrant and the ‘deviant’ other.³⁰⁴ Such an understanding of legal frameworks also correlates with the securitisation perspective on post-February 2022 Russian immigrants,³⁰⁵ when the influxes ‘provoked the authorities of receiving countries to add changes into their migration policies depending on their attitudes towards these new immigrants’.³⁰⁶

A number of studies found the aforementioned dichotomies increasingly overlook significant segments of migrant populations. Martin Ruhs and Bridget Anderson referred to ‘semi-compliance’ of migrants to the UK, which they defined as the ‘employment of migrants who are legally resident but working in breach of the employment restrictions attached to their immigration status’.³⁰⁷ When studying several cases of emergencies in Libya, Thailand and Japan, William Gois and Karen Campbell found migrants from these countries challenging the significant shortcomings in the existing labour migration regimes, therefore addressing them as ‘stranded migrants’,³⁰⁸ ie those ‘who are not authorised to stay in the state they are in, while they are unable to return to their state of nationality or previous residence, with no

³⁰² Chetail, ‘The Human Rights of Migrants in General International Law’ (n 245) 254.

³⁰³ Carla Angulo-Pasel, ‘Immigration’ in Clyde W Barrow (ed), *Encyclopedia of Critical Political Science* (Edward Elgar Publishing 2024) 421.

³⁰⁴ *ibid* 422.

³⁰⁵ Margarita Zavadskaia, ‘The War-Induced Exodus from Russia: A Security Problem or a Convenient Political Bogey?’ (FIIA Briefing Paper No 358, Finnish Institute of International Affairs 2023).

³⁰⁶ Lomakin (n 288) 11.

³⁰⁷ Martin Ruhs and Bridget Anderson, ‘The Origins and Functions of Illegality in Migrant Labour Markets: An Analysis of Migrants, Employers and the State in the UK’ (Centre on Migration, Policy and Society Working Paper No 30a, University of Oxford 2008) 2.

³⁰⁸ William Gois and Karen Campbell, ‘Stranded Migrants: A Call to Rethink the Current Labour Migration Paradigm’ (2013) 2(2) *Migration and Development* 157, 158.

other states accepting to grant them entry'.³⁰⁹ One more paper on Filipinos in Thailand defined the internal labour migration policies as 'flexible, changing and indefinite' towards foreign workers from outside the Greater Mekong Subregion, thereby creating 'visa runners' (or 'border runners') as a label for those who lack a legal employment status.³¹⁰

In situations like those listed above, the lack of a better term often leads legal scholars to use the classic binary categories and to broaden the concept of illegality. Hence, while international organisations and governments strive to categorise migrants as migrant workers, tourists, refugees and displaced persons, the complexity of migration flows and the conceptual stretching³¹¹ of traditional concepts in migration research has made the distinction between migrants and non-migrants – and, more broadly, the nature and determinants of legality – increasingly blurred. However, as Agnieszka Kubal states, 'the question of legality/illegality is never black and white but woven with different shades of grey'.³¹² She addresses such situations as semi-legal and considers this concept a 'heuristic device – a multidimensional space where migrants' formal immigration status interacts with various forms of their agency toward the law'.³¹³

Therefore, the actual practice is more complicated and less idealistic than the texts of treaties, ensuring a human rights-based approach to migration and dignity and fair treatment for all migrants, regardless of their status.³¹⁴ Many countries continue to regulate migration through domestic laws, despite multilateral and bilateral treaties³¹⁵ as well as regional and global frame-

³⁰⁹ Global Migration Group, *Mainstreaming Migration into Development Planning: A Handbook for Policy-Makers and Practitioners* (International Organization for Migration 2010) 115.

³¹⁰ Mary Rose Geraldine A Sarausad, 'Bordering and the Gray Area in the Binary Classifications of Migrants Within Migration Regimes' (2019) 8(1) *Migration and Development* 25, 30.

³¹¹ Giovanni Sartori, 'Concept Misformation in Comparative Politics' (1970) 64(4) *American Political Science Review* 1033.

³¹² Agnieszka Kubal, 'Conceptualizing Semi-Legality in Migration Research' (2013) 47(3) *Law & Society Review* 555, 556–57.

³¹³ *ibid* 582.

³¹⁴ OHCHR (n 257).

³¹⁵ Schindlmayr (n 283).

works established. Hence, ‘the policy variation and the many conflicts surrounding immigration can be made intelligible when we see that they are based on conflicting perspectives or policy paradigms’.³¹⁶

The theoretical complexities of migration (il)legality and status categories resonate deeply with the dynamics of the post-February 2022 exodus of Russian nationals and the rights of those affected. This wave of mass migration illustrates the challenges of neatly classifying migrants within existing legal frameworks, as many Russians find themselves in ambiguous legal positions (see section 3.3). While some have secured formal statuses such as temporary resident, digital nomad or asylum seeker, many others rely on border runs or temporary tourist statuses to prolong their stays, operating within the ‘grey zones’ of migration legality.³¹⁷ These realities highlight the blurred boundaries between legality and illegality, as well as the precariousness faced by those navigating restrictive or evolving immigration regimes. Furthermore, the securitisation of the post-February 2022 Russian migration in some receiving countries has added a layer of complexity,³¹⁸ as policies have been adjusted not only to manage inflows but also to reflect political and societal attitudes toward Russian migrants.

³¹⁶ John D Skrentny, ‘How to Understand Immigration Policy’ (2013) 20(1) *Brown Journal of World Affairs* 139, 139.

³¹⁷ Yevgeniy Lapin, ‘Russian Political “Tourists” in Georgia’ (Master’s thesis, Yerevan State University, 2022); Anna Prashizky, ‘“Living in Limbo”: Digital Narratives of Migrants Fleeing Russia After the Russian Invasion of Ukraine’ (2023) 28(6) *First Monday*; Lomakin (n 288).

³¹⁸ Zavadskaya (n 305); Andrey Makarychev, Katarzyna Stoklosa and Gleb Yarovoy, ‘Introduction. Europe-Russia Borderlands During the War in Ukraine: New Practices and Conceptualizations’ (2024) 29(SI) *European Foreign Affairs Review* 1.

5. Country cases' dynamics: status quo, influx and migration policy modifications

This chapter presents three country cases – Germany, Kazakhstan and Türkiye – describing the legal frameworks regulating migrants' rights in each country, the status quo and modifications of migration policies, and focuses on the sequences of events and factors that brought about these changes. Each country case covers available immigration statuses as of 24 February 2022, in light of post-February 2022 Russian immigration, and addresses the country-level social, political or legal problematisation of the influxes and the migration policy modifications evolved until 30 November 2024.

5.1 Immigration statuses and influxes

5.1.1 Germany

Germany has the strictest and, within this study's scope, probably the most consistent visa regime. Although a sovereign EU member state, its migration policies are obligated under international and EU law, the 1985 Schengen Agreement and the Convention on its implementation.³¹⁹ In this regard, it is unsurprising that, before reaching Germany, many migrants passed through third countries such as Türkiye, Armenia or Kazakhstan – Olga Gulina reports that every other respondent in her research did so.³²⁰

³¹⁹ Convention Implementing the Schengen Agreement of 14 June 1985 (signed 19 June 1990). Hereinafter, the lists of legal statuses might be incomplete. For instance, according to the focus of this study, the statuses of refugees and asylum seekers are not considered when addressing national migration regimes.

³²⁰ Olga Gulina, 'Exodus of Russians to Germany: 1917–1924 vs 2022' (FES Russia Programme, October 2023, Friedrich Ebert Foundation 2023) 6.

First of all, the Schengen Area regime does not allow short-term visitors the opportunity for semi-legal residence, as is the case in some other destinations for post-February 2022 Russian migration (eg Armenia, Georgia, Serbia), making it impossible to come to Germany and seek work authorisation. Such visits are limited to 90 days within any 180-day period and may be used for tourism, short-course studies, business meetings, etc. Moreover, it is much more difficult to obtain a Schengen visa in jurisdictions where the applicant is residing semi-legally.³²¹ The latter is the case for a large number of post-February 2022 Russian migrants who are often not (enough) legally settled in their states of residence, eg resorting to border runs, buying registration cards, etc.

Furthermore, the immigration regime in Germany leaves almost no place for unskilled or low-skilled migrants, except for going through the asylum-seeking procedure in some cases, thereby predefining the quality of immigration. Indeed, Germany could be called a ‘foothold’ country, with some institutional support for at-risk groups.³²² For instance, there is a common practice of issuing ‘humanitarian visas’ by German authorities,³²³ who de facto check the applicants against the following criteria: long-term cooperation/interaction with German organisations; registration as an asylum/protection seeker; verified persecution by Russian authorities; engagement in political, journalistic or socially

³²¹ Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code) [2009] OJ L243/1.

³²² German migration policies vis-à-vis Russian citizens are generally less restrictive than in many other European countries: Fragomen, ‘Worldwide/Russia: Update on Visa Suspensions for Russian Citizens’ (Fragomen, 17 July 2024) <<https://www.fragomen.com/insights/worldwiderussia-update-on-visa-suspensions-for-russian-citizens.html>> accessed 15 April 2025. This fact has influenced the scale and nature of Russian migration to Germany after February 2022, enabling Russian migrant networks to advocate for humanitarian solutions prioritising those facing repression. Appreciating favourable conditions for political activism, Russian migrant initiatives in Germany actively engage with their audiences and collaborate with local civil society and political actors: Tsypylma Darieva, Tatiana Golova and Daria Skibo, *Russian Migrants in Georgia and Germany: Activism in the Context of Russia's War Against Ukraine* (ZOIS Report 3/2023, Centre for East European and International Studies 2023) 3–4.

³²³ Table 2 addresses the dynamics of the ‘Other’ category, which mainly stands for international protection and humanitarian grounds. Teresa Fachinger, Paula Hoffmeyer-Zlotnik and Marlene Stiller, ‘Statistics: Germany’ (*Asylum Information Database*, 10 July 2024, archived 26 February 2025) <<https://web.archive.org/web/20250226072235/https://asylumineurope.org/reports/country/germany/statistics>> accessed 22 June 2025.

beneficial activities.³²⁴ Such a practice brings to Germany not just politicians, journalists or NGO workers but also LGBTQ+ individuals, academics, and so on.³²⁵ For such groups, a key factor for going to the EU was its ‘perception ... as a safe space built on unique socio-cultural standards’.³²⁶ For instance, although Germany suspended academic collaboration with Russia, it was one of the key destinations for prominent Russian academics.³²⁷

Furthermore, a rise in the number of ethnic German late resettlers (*Spätaussiedler*) from Russia was reported. According to Olga Gulina, ‘[t]he number of appeals for the return ... reached 3,300 in 2022, exceeding previous years’ records’.³²⁸ Repatriates to Germany are primarily treated under the 1953 Federal Expellees Act; however, since 2012, they could also be considered under the Professional Qualifications Assessment Act.³²⁹ Although numerical information on the recent advancements in this regard seems lacking, Gulina hoped for the continuation of this trend, especially after the German Commissioner for Minorities and Late Immigrants urged immigration services to treat post-February 2022 cases as ‘special’ ones and exempt them from repatriation consent in Russia.³³⁰

³²⁴ Olga Gulina, ‘Emigration from Russia After 24 February 2022: Main Patterns and Developments’ (Prague Process Policy Brief, June 2023, Prague Process Secretariat 2023) 6.

³²⁵ *ibid* 4.

³²⁶ Igor Gretskey, *New Russian Immigration to the EU: The Case of the Baltic States, Finland, Germany, and Poland* (International Centre for Defence and Security 2024) 10.

³²⁷ Maia Chankseliani and Elizaveta Belkina, ‘Academic Exodus from Russia: Unravelling the Crisis’ (2024) 16(3) *Journal of Comparative & International Higher Education* 97, 100–101.

³²⁸ Gulina, ‘Emigration from Russia After 24 February 2022’ (n 324) 4.

³²⁹ *Anerkennung in Deutschland*, ‘Legal Basis’ <<https://www.anerkennung-in-deutschland.de/html/en/law.php>> accessed 9 March 2025.

³³⁰ Gulina, ‘Emigration from Russia After 24 February 2022’ (n 324) 4.

Table 2. First permits issued for Russian citizens to Germany divided by various reasons

Reasons	2019	2020	2021	2022	2023
Employment	2,163	1,566	2,205	4,851	6,459
Family	6,120	4,807	6,331	8,780	10,866
Education	1,728	1,492	1,990	2,430	1,976
Other	2,488	2,540	2,828	3,698	4,571
Total	12,499	10,405	13,354	19,759	23,872
Total (EU)	75,665	62,460	89,340	115,398	117,641

Source: 'First Permits by Reason, Length of Validity and Citizenship' (Eurostat Data Browser, 23 October 2024).

Nevertheless, labour migration appears to be the most common way for post-February 2022 Russian immigrants to regularise their status in Germany. As seen in Table 2, the number of Russian citizens residing in Germany for employment increased by 2.2–3.0 times compared to 2019, the pre-pandemic year. Additionally, in 2022 and 2023, Russians were granted 4,695 and 6,904 EU Blue Cards,³³¹ respectively; in pre-pandemic 2019, ~2,700 of them were granted to Russians.³³² Despite the work authorisation, both temporary residence permits and EU Blue Cards also lead to permanent residence³³³ and family reunification. In 2022–2023, the latter saw an increase among Russian nationals in Germany, informing about the relocation of new Russian immigrants' spouses, minor children, etc. Holding a residence permit, spouses of skilled workers receive immediate and unrestricted work

³³¹ EU Blue Cards are a special form of residence permit for qualified professionals seeking to work in EU member states. Directive (EU) 2021/1883 of the European Parliament and of the Council of 20 October 2021 on the Conditions of Entry and Residence of Third-Country Nationals for the Purpose of Highly Qualified Employment, and Repealing Council Directive 2009/50/EC [2021] OJ L382/1.

³³² The numbers presented include first issued and renewed EU Blue Cards, as well as changes of status. Eurostat, 'Persons Subject to EU Blue Card Decisions by Length of Validity, Age, Sex, Citizenship and Occupation' (Eurostat Data Browser, 22 August 2025). Dataset code: migr_resbc11; filters applied: Geopolitical Entity (reporting) = Germany; Country of Citizenship = Russia.

³³³ Allowed in Germany after five years of legal residence if meeting integration and language requirements. Since 2024, in some cases, it could be shortened to three years.

authorisation, while other family members may eventually obtain work authorisation. Another study also found that new Russian immigrants holding residence permits under § 21 of the Law on Emigration were entrepreneurs and/or self-employed persons.³³⁴

Overall, in 2022 and 2023, new residence permits issued by Germany to Russians accounted for almost one-fifth of their total number within the EU (17% and 20%, respectively; see Table 2), making Germany the first EU member state to grant such permits to Russians since 2019.³³⁵ In 2020–2021, Poland was the leader.³³⁶ Additionally, in 2022, Russians saw a sharp increase in the issuance of long-term visas, which are usually used not only to remain in the country for more than three months but also to enter the country as potential applicants for residence permits. Namely, there was a 30% and 32% rise in the number of D-visas issued in 2022 compared to 2019 and 2021, respectively.³³⁷

5.1.2 Kazakhstan

Kazakhstan is the only sovereign state in the sample of this study that emerged on the territory of the former Soviet republic upon the dissolution of the Soviet Union. Together with Russia, it is a party to the Agreements on Establishing the Commonwealth of Independent States, allowing the right to travel and cross each other's borders to citizens of both countries.³³⁸ Additionally, Kazakhstan's Civil Code was significantly influenced by the Model Civil Code for the CIS member states.³³⁹

During the 'February wave' of the new Russian migration, Kazakhstan was not as widely discussed as Armenia, Georgia or Türkiye. At least two reasons could explain this. First, the geographical fact that the spring 'wave' consisted mainly of migrants from Moscow, Saint Petersburg, and other large cities with more than 1

³³⁴ Gulina, 'Exodus of Russians to Germany' (n 320) 8.

³³⁵ However, in relative terms, Portugal and Cyprus experienced unprecedented double growth in the number of valid long-term permits for Russians: Gretskey (n 326) 5–6.

³³⁶ Eurostat, 'First Permits by Reason, Length of Validity and Citizenship' (*Eurostat Data Browser*, 23 October 2024). Dataset code: migr_resfirst; filters applied: Geopolitical Entity (reporting) = Poland; Country of Citizenship = Russia.

³³⁷ Calculations made by the author: Auswärtiges Amt, 'Statistik zu erteilten Visa' (17 May 2024) <<https://www.auswaertiges-amt.de/de/service/visa-und-aufenthalt/2231558-2231558>> accessed 12 May 2025 (in German).

³³⁸ Agreement on the Establishment of the Commonwealth of Independent States (signed Minsk, 8 December 1991), art 5.

³³⁹ Andrey Shirvindt, 'Former Soviet States of Eastern Europe, Caucasus and Central Asia' in Mathias Siems and Po Jen Yap (eds), *The Cambridge Handbook of Comparative Law* (CUP 2024) 280.

million inhabitants, leaving the country by aeroplane.³⁴⁰ Second, in February 2022, the aftermath of the recent Kazakhstani unrest in January 2022, the 'Bloody January',³⁴¹ could have been a factor against choosing to go to this country. Anyway, some also moved to Kazakhstan in the spring of 2022; for example, one of the materials, published in early September 2022, talks about Russians who moved to Almaty.³⁴²

After the announcement of 'partial mobilisation' on 21 September 2022, Kazakhstan became a new destination for an enormous number of Russian men and, sometimes, their families. This immigration 'wave' included a larger – compared to the spring one – share of those from the Ural and Siberian regions of Russia crossing the 7,000-kilometre-long international border with Kazakhstan³⁴³ at its 51 checkpoints by car, train or foot.³⁴⁴ The Acting Chairman of the Committee of Migration Service of the Ministry of Internal Affairs reported that if before 21 September, 'the average daily immigration of Russians was ... about 8,000–9,000 per day, then [from 21 September to 30 September] the average daily influx of Russians reached up to 30,000 people per day. ... After October 1, the average daily number of incoming Russians has stabilised'.³⁴⁵

When studying net entries, ie the difference between cross-border entries and exits, 'a peak of more than 150,000 in September 2022' was found.³⁴⁶ Almost the same number – 146,000 Russian citizens, of whom 36,000 received temporary residence permits – was reported by the national Ministry of Internal Affairs

³⁴⁰ Emil Kamalov and others, 'Russia's 2022 Anti-War Exodus: The Attitudes and Expectations of Russian Migrants' (PONARS Eurasia Policy Memo No 790, PONARS Eurasia 2022).

³⁴¹ Jean-François Caron (ed), *A Revolt in the Steppe. Understanding Kazakhstan's January Events of 2022* (Springer Nature 2023).

³⁴² Sorin Brut, "U etoi strany voskhitel'noe umenie zhit' bez vragov." *Istorii rossiiian, pereekhavshikh v krupneishii gorod Kazakhstana – Almaty* (*Novaya Gazeta Evropa*, 3 September 2022) <<https://novyagazeta.eu/articles/2022/09/03/u-etoi-strany-voskhitel'noe-umenie-zhit-bez-vragov>> accessed 12 May 2025 (in Russian).

³⁴³ These are 12 regions, including Altai Republic, Altai Krai, Astrakhan, Volgograd, Kurgan, Novosibirsk, Orenburg, Omsk, Samara, Saratov, Tyumen and Chelyabinsk oblasts.

³⁴⁴ See eg Ivetta Sergeeva and Emil Kamalov, 'A Year and a Half in Exile: Progress and Obstacles in the Integration of Russian Migrants' (SocArXiv 2024).

³⁴⁵ Turlybek Shughyla, 'V MVD rasskazali o migratsionnoi situatsii v strane' (*Polisia.kz*, 21 December 2022) <<https://polisia.kz/ru/v-mvd-rasskazali-o-migratsionnoj-situatsii-v-strane>> accessed 12 May 2025 (in Russian).

³⁴⁶ Aleksey Oshchepkov, Kanat Tilekeyev and Christopher Gerry, 'How War in Ukraine Has Shaped Migration Flows in Central Asia' (Policy Brief #1, University of Central Asia 2024) 5.

at the end of 2022.³⁴⁷ *The Bell*, citing statements by Russian diplomats, reported that ~80,000 Russian immigrants still resided in Kazakhstan as of 12 February 2024, allegedly constituting the second-largest post-February 2022 diaspora after the one in Armenia.³⁴⁸ In Félix Krawatzek and Gwendolyn Sasse's field survey, the sample in Kazakhstan (N = 697) appeared to comprise primarily those who worked in trade or construction sectors, had lower education levels, and 'seemed to be politically in line with the mainstream of Russian society'.³⁴⁹ Only 11% of their respondents in Kazakhstan self-identified as Kazakhs.³⁵⁰

As of 2022, the visa-free regime allowed Russian tourists to enter Kazakhstan for up to 90 days and resort to border runs when the reset of the length-of-stay 'clock' was needed. Moreover, Kazakhstan permits³⁵¹ entry with a national (domestic) passport, thus allowing a relatively fast exit from Russia if the person has no international passport.³⁵² In addition to the tourist one, the following legal statuses were distinguished according to the 2011 Migration Law:³⁵³

- temporary residence permit for various grounds, including foreign workers, business, family reunification, education, medical treatment and religious activities;³⁵⁴

³⁴⁷ Shughyla (n 345).

³⁴⁸ Peter Mironenko, 'Russia's 650,000 Wartime Emigres' (*The Bell*, 19 July 2024) <<https://en.thebell.io/russias-650-000-wartime-emigres>> accessed 5 May 2025.

³⁴⁹ Lower levels of education compared to the rest of their sample, which also included Armenia, Georgia, Kyrgyzstan and Türkiye.

³⁵⁰ Félix Krawatzek and Gwendolyn Sasse, *The Political Diversity of the New Migration from Russia Since February 2022* (ZOIS Report 4/2024, Centre for East European and International Studies 2024) 14.

³⁵¹ Agreement Between the Government of the Republic of Belarus, Government of the Republic of Kazakhstan, Government of the Kyrgyz Republic, Government of the Russian Federation and Government of the Republic of Tajikistan on Mutual Visa-Free Trips of Citizens (signed Minsk, 30 November 2000).

³⁵² An international passport could be acquired in one of the Russian embassies or consulates, although due to high demand, it was not easy to set an appointment. According to the Russian Public Opinion Research Centre's poll, in mid-September 2022, only 29% of Russians reported having an international passport: Russian Public Opinion Research Centre – VCIOM, 'Rossiia bez Shengena' (VCIOM, 20 September 2022) <<https://wciom.ru/analytical-reviews/analiticheskii-obzor/rossija-bez-shengena>> accessed 19 April 2025 (in Russian).

³⁵³ Law of the Republic of Kazakhstan No 477-IV 'On Migration of Population' of 22 July 2011 (as amended to 30 December 2021) (in Russian).

³⁵⁴ *ibid* art 6(1).

- permanent residence permit (usually granted for ten years);³⁵⁵
- seasonal foreign worker;³⁵⁶ and
- kandas (ethnic Kazakh and their family).³⁵⁷

Here, it should be noted that for many Russians who came to Kazakhstan in 2022, it was a ‘transit country’;³⁵⁸ this was also acknowledged by the national authorities, who claimed that from 21 September to the end of December 2022, around 205,000 Russian citizens left Kazakhstan.³⁵⁹ Moreover, a relatively low share of self-identified Kazakhs in previous research³⁶⁰ could indicate an even lower number of ethnic Kazakhs among the post-February 2022 influx from Russia. Indeed, around 700 ethnic Kazakhs from Russia were reported to have repatriated between the beginning of 2022 and March 2023,³⁶¹ thereby rendering the ‘kandas’ status relatively irrelevant.³⁶² Additionally, seasonal foreign workers status requires entry visas issued by Kazakhstan’s embassies abroad and does not allow family reunification.

³⁵⁵ Law of the Republic of Kazakhstan No 477-IV ‘On Migration of Population’ of 22 July 2011 (as amended to 30 December 2021) (in Russian) art 7.

³⁵⁶ *ibid* art 41.

³⁵⁷ *ibid* ch 3.

³⁵⁸ Gulina, ‘Emigration from Russia After 24 February 2022’ (n 324) 5; Leila F Delovarova, ‘Migration Policy of Kazakhstan: Overview of External Vector’ (2024) 105(1) *International Relations and International Law Journal* 50, 52.

³⁵⁹ Shughyla (n 345).

³⁶⁰ Krawatzek and Sasse (n 350) 14.

³⁶¹ Gulina, ‘Emigration from Russia After 24 February 2022’ (n 324) 4.

³⁶² Adopted in 2021, the Concept of Migration Policy of the Republic of Kazakhstan for 2022–2026 is mainly aimed at stopping the brain drain and supporting ‘kandas’: Inna Chernyshevskaya, ‘What is the New Migration Policy of Kazakhstan Going to Be?’ (*CABAR.asia*, 29 March 2022) <<https://cabar.asia/en/what-is-the-new-migration-policy-of-kazakhstan-going-to-be>> accessed 12 May 2025. Despite positive changes, implementation of the new policies has slowed due to the January 2022 Kazakhstani unrest and the 2022 Russian invasion of Ukraine: Delovarova (n 358) 54.

Therefore, for those Russians who decided in 2022 to stay in Kazakhstan for a longer time, either renewing tourist status through border runs or obtaining various kinds of residence permits was an option. For instance, migration statistics informed previous research on a double increase in the number of new permanent residence permits issued to Russians in Kazakhstan in 2022.³⁶³

5.1.3 Türkiye

Türkiye has been a well-known destination for Russian tourists for decades³⁶⁴ and it is also a country of residence/citizenship for those who speak Russian³⁶⁵ and/or own property in the Republic. Thereby, it has expectedly pulled a significant share of migrants since the start of the exodus. According to some estimations, around 80,000–90,000 Russians resided in Türkiye in 2022 and early 2023.³⁶⁶

³⁶³ Oshchepkov, Tilekeyev and Gerry (n 346) 5. While permanent residence is the way to Kazakhstan citizenship, there is also a right to acquire it under the multilateral agreement via a simplified procedure. The latter applies to immigrants who were born or lived in the territory of the Kazakh Soviet Socialist Republic before 21 December 1991, or to those with a close relative permanently residing in Kazakhstan: Agreement Between the Republic of Belarus, the Republic of Kazakhstan, the Kyrgyz Republic and the Russian Federation on Simplified Procedures of Citizenship Acquisition (signed Moscow, 26 February 1999).

³⁶⁴ Eg Aslihan Dursun Cengizci, Gözdegül Başer and Sezer Karasakal, 'Exploring Push and Pull Motivations of Russian Tourists to Turkey' (2020) 24(2–3) *Tourism Review International* 127.

³⁶⁵ Liana R Sadykova, 'Rossiiskie sootchestvenniki v Turtsii: Obshchee i osobennoe, traditsii i novatsii' (2024) 3 *Vestnik Antropologii* 330, 333–37 (in Russian).

³⁶⁶ Irina Umanskaia, '800 tysyach rossiian mogli pokinut' stranu v 2022 godu' (*Esli byt' tochnym*, 27 February 2023) <<https://tochno.st/materials/rossiyan-mogli-pokinut-stranu-v-2022-godu>> accessed 19 December 2025 (in Russian); Re:Russia, 'Escape from War: New Data Puts the Number of Russians Who Have Left at More Than 800,000 People' (*Re:Russia*, 28 July 2023) <<https://re-russia.net/en/review/347>> accessed 12 May 2025.

Politically located between East and West,³⁶⁷ the country kept its borders open to Russians after 24 February 2022. The Russian invasion of Ukraine did not change the nature of the interaction between Russia and Türkiye, which remains a combination of ‘tactical alliance and strategic competition’,³⁶⁸ while President Recep Tayyip Erdoğan pretended to act as a mediator in the conflict.³⁶⁹

Basically, Türkiye is a ‘transit country’ given Istanbul’s status as a global hub and the fact that the number of flights to and from Russia has decreased after the start of the invasion due to sanctions. According to the bilateral agreement, Türkiye allows a maximum of 90 days of visa-free stay every 180 days. Such a mode is available to every Russian citizen with an international passport, allowing them to stay for up to three months as a tourist.³⁷⁰ For those wishing to stay longer, Türkiye provides several residence types under Law No 6458 on Foreigners and International Protection.³⁷¹ Short-term residence permits are granted for up to two years for a great variety of reasons – the Turkish Presidency of Migration Management (PMM) website lists 14 of them.³⁷² For instance, these are scientific research, education, business establishment, ownership of immovable property, learning the Turkish language or an extended tourist stay. The latter appeared very popular among the new Russian immigrants to Türkiye in 2022 – for instance, due to their widespread engagement in remote work.³⁷³

³⁶⁷ Dimitar Bechev, ‘Closer Ties to the West Don’t Mean Turkey Will Give Up on Russia’ (*Carnegie Politika*, 7 February 2024) <<https://carnegieendowment.org/russia- Eurasia/politika/2024/02/closer-ties-to-the-west-dont-mean-turkey-will-give-up-on-russia?lang=en>> accessed 12 May 2025; Félix Krawatzek, ‘Turkey: A New Hub for Migration from Russia’ (*ZoIS Spotlight*, 6 March 2024) <<https://www.zois-berlin.de/en/publications/zois-spotlight/turkey-a-new-hub-for-migration-from-russia>> accessed 12 May 2025.

³⁶⁸ Vicken Cheterian, ‘Friend and Foe: Russia–Turkey Relations Before and After the War in Ukraine’ (2023) 34(7) *Small Wars & Insurgencies* 1271, 1271.

³⁶⁹ Jakub Wódka, ‘Turkey’s Middlepowermanship, Foreign Policy Transformation and Mediation Efforts in the Russia-Ukraine War’ (2023) 27(4) *Studia Europejskie* 215.

³⁷⁰ Agreement Between the Government of the Republic of Türkiye and the Government of the Russian Federation on the Conditions of Mutual Travel of Citizens of the Republic of Türkiye and the Russian Federation (signed Ankara, 12 May 2010) (authentic in Turkish, Russian and English).

³⁷¹ Law No 6458 on Foreigners and International Protection of the Republic of Türkiye of 4 April 2013.

³⁷² Republic of Türkiye Ministry of Interior Presidency of Migration Management, ‘Residence Permit Types’ <<https://en.goc.gov.tr/residence-permit-types>> accessed 15 December 2024.

³⁷³ For instance, one of the surveys (N = 1,004) found 47% of their sample working in the IT sector: Krawatzek and Sasse (n 350) 13.

Table 3 illustrates the number of residence permits issued by Turkish authorities to Russian citizens between 2022 and 2024. Although the annual value for short-term residence permits in 2022 was merged with the category ‘Other,’ which resulted in a large figure – 244,717 – it is still possible to partially reconstruct the number of short-term residence permits issued to Russians. By the beginning of December 2022, there were 110,978 short-term permits, whereas the total number of residence permits was 131,206.³⁷⁴ Moreover, although publishing scarce and relatively inconsistent information, the Presidency of Migration Management also specifies the number of family residence permits, allowing foreigners holding one of the available residence permits to bring foreign spouses, minor children and/or dependent children.

Table 3. Number of residence permits issued to Russian nationals in Türkiye, 2022–2024

	2022	2023	2024
Residence permits, total	145,712	104,952	82,568
Short-term	No data ³⁷⁵	74,311	43,256
Family	7,183	9,938	15,758

Source: PMM.³⁷⁶

³⁷⁴ Republic of Türkiye Ministry of Interior Presidency of Migration Management, ‘İkamet İzinleri’ (1 December 2022) <<https://web.archive.org/web/20221210172109/www.goc.gov.tr/ikamet-izinleri>> accessed 15 May 2025 (in Turkish).

³⁷⁵ The absence of relevant statistics at the end of December 2022 might have been related to the emerging mass refusal to issue or prolong short-term residence permits to Russian citizens: see Daniil Bolshakov, ‘Maybe Uncle Vova Asked Erdogan to Make Our Lives Harder’ (*Meduza*, 23 January 2023) <<https://meduza.io/en/feature/2023/01/23/maybe-uncle-vova-asked-erdogan-to-make-our-lives-harder>> accessed 12 May 2025.

³⁷⁶ Republic of Türkiye Ministry of Interior Presidency of Migration Management, ‘Residence Permits’ (22 December 2022) <<http://web.archive.org/web/20221228191318/https://en.goc.gov.tr/residence-permits>> accessed 15 December 2024; Republic of Türkiye Ministry of Interior Presidency of Migration Management, ‘Residence Permits’ (16 November 2023) <<http://web.archive.org/web/20231124163712/https://en.goc.gov.tr/residence-permits>> accessed 15 December 2024; Republic of Türkiye Ministry of Interior Presidency of Migration Management, ‘Residence Permits’ (26 December 2024) <<http://web.archive.org/web/20241231093012/https://en.goc.gov.tr/residence-permits>> accessed 30 December 2024.

Unfortunately, regarding student resident permits, publicly available state statistical data includes Russians in the 'Other' category, which prevents this data from being presented in the table above. Yet, a cross-national survey found that a sample in Türkiye had the 'the highest share of respondents who were in full-time education at the time of the interview',³⁷⁷ thus indirectly indicating the opportunity to use student residence permits to legalise in the country.

The Russian-speaking minority in Türkiye has been there even before the post-February 2022 influx.³⁷⁸ However, since 24 February 2022, this diaspora has become more politically diverse, or even 'strikingly' so. Despite the shared belief that Türkiye is a temporary hub for onward relocation to Western liberal democracies, based on previous research,³⁷⁹ about half of Russian immigrants to this country 'tend to have a negative view of Western institutions', with some expressing positive views about President Putin and the Russian Army.³⁸⁰

Krawatzek stresses that Türkiye has also become a 'place for better-off Russians who want to circumvent sanctions',³⁸¹ A relatively similar situation was found by Maria Volkova and her colleagues when interviewing informants in the country: 'Some wealthier people have moved here, either working remotely in Russia or having income or business there'.³⁸² Indeed, Türkiye is often mentioned when discussing relocating small- and medium-sized businesses from Russia, with 2022 seeing a 670% increase in Russian companies' registrations compared to 2021.³⁸³

³⁷⁷ Krawatzek and Sasse (n 350) 13.

³⁷⁸ Sadykova (n 365) 333–37.

³⁷⁹ Ayşem Biriz Karaçay, "'New Wave' of Russian Emigration to Türkiye' (2023) 104(4) *International Relations and International Law Journal* 33; Eva Rapoport, 'Shock Wave of Russian Emigration and Self-Reflection of Its Representatives' (2023) 15(3) *Laboratorium: Russian Review of Social Research* 33; Maria Volkova, Anna Kuleshova and Alexei Voronkov, 'New Russian Diasporas Outside the European Union: Policy Challenges for Czechia and Other Member-States' (IfR Working Paper, Boris Nemtsov Foundation for Freedom 2023).

³⁸⁰ Krawatzek and Sasse (n 350) 12–13, 17.

³⁸¹ Krawatzek (n 367).

³⁸² Volkova, Kuleshova and Voronkov (n 379) 16.

³⁸³ Gulina, 'Emigration from Russia After 24 February 2022' (n 324) 3.

Finally, some research found that Türkiye is a destination for Russian citizens of Turkic origin (Bashkirs, Tatars, etc) or who practice Islam, since the country has a long history as a ‘traditionally Islamic nation’³⁸⁴ and has long accepted Turkic-speaking peoples from Russia.³⁸⁵ However, there are no specific programmes for legalising such immigrants – they are subject to the same policies and procedures as other Russian citizens seeking to reside in Türkiye.

5.2 Influx problematisation and migration policy modifications

5.2.1 Germany

The mass arrival of post-February 2022 Russian migrants to Germany provoked a mixed reception among local communities and public authorities, with some sympathetic to political exiles, while others were suspicious of recent migrants due to geopolitical tensions.³⁸⁶ Language barriers, difficulties finding employment, housing shortages and societal scepticism complicated efforts to integrate the new Russian immigrants.³⁸⁷ Some of them who are politically active found themselves in relatively tense relationships with late-Soviet Russian-speaking repatriates who sometimes appear to support the current regime in Russia and the Russian invasion of Ukraine.³⁸⁸

Since 2022, Germany has been positioned as a haven for Russian intellectuals, activists and opposition figures fleeing persecution.³⁸⁹ To address the influx legally, Germany predominantly relied on its established asylum frameworks. While no specific legal mechanisms were introduced to target Russian migrants, the asylum system provided pathways for those fleeing political repression or the threat of persecution in Russia. At the same time, Germany has been cautious about potential security risks.

³⁸⁴ Volkova, Kuleshova and Voronkov (n 379) 12; Maria Volkova and others, ‘Not Quite “Russian Diaspora”: Plural Solidarities and Stratified Economies of New Russian Migrants’ (2026) 18(2) *Laboratorium: Russian Review of Social Research* (forthcoming).

³⁸⁵ Sadykova (n 365) 337–41.

³⁸⁶ See eg Cristina Coellen, ‘Forced into Exile, Young Russian Activists Continue the Fight Against the Regime’ (2022) 5 *New Eastern Europe* 126; Gulina, ‘Exodus of Russians to Germany’ (n 320).

³⁸⁷ Gretskey (n 326) 11–15.

³⁸⁸ Darieva, Golova and Skibo (n 322) 26–27; *ibid* 24–25.

³⁸⁹ Gulina, ‘Exodus of Russians to Germany’ (n 320) 4.

One security measure is the scrutiny of visa applications from Russian citizens, both short- and long-term. Addressing the short-term stays – that some Russians attempted to convert into residence permits³⁹⁰ – Germany was in line with the EU policies. Responding to the increased immigration pressure from its eastern borders, the EU entirely suspended the 2007 Visa Facilitation Agreement with Russia, citing ‘waging a war of aggression’ and security concerns. In practice, it implies the visa fee increase from €35 to €80 (€90 after June 2024); the processing time increases from 10 to 15 days, with a possible extension of up to 45 days; more restrictions on multiple-entry visas; and a longer list of supporting documents.³⁹¹ While several EU member states have suspended the issuance of Schengen visas to Russian citizens, Germany was not among them, pursuing a more balanced position.³⁹²

Furthermore, despite increased anti-immigration rhetoric, in 2023, Germany passed major reforms to its Skilled Immigration Act to attract more qualified workers from non-EU countries. Key changes are expanded opportunities for IT and other professionals, relaxed pathways for applicants with vocational experience, reduced requirements for German language skills and qualification recognition, relaxed rules related to family reunification, and so on.³⁹³ Additionally, in 2024, Germany allowed the holding of multiple citizenships and reduced the naturalisation period from eight years for general applications and five years for those who table significant achievements in integration to five and three, respectively.³⁹⁴ Although it is debatable whether changes in the German migration policy could be directly linked to the influx of post-February 2022 Russian migrants to Germany, the latter could benefit from all the above-mentioned. At the same time,

³⁹⁰ Gulina, ‘Exodus of Russians to Germany’ (n 320) 8.

³⁹¹ Council Decision (EU) 2022/1500 of 9 September 2022 on the suspension in whole of the application of the Agreement Between the European Community and the Russian Federation on the Facilitation of the Issuance of Visas to the Citizens of the European Union and the Russian Federation [2022] OJ L2341/1; Directorate-General for Migration and Home Affairs, ‘Schengen Visa Fee Increased as of 11 June 2024’ (*European Commission*, 13 June 2024) <https://home-affairs.ec.europa.eu/news/schengen-visa-fee-increased-11-june-2024-2024-06-13_en> accessed 18 April 2025.

³⁹² Costica Dumbrava, ‘EU Entry Restrictions in Relation to Russia’s War on Ukraine’ (Briefing PE 733.644, European Parliamentary Research Service 2022) 2, 6–7.

³⁹³ Andrea Grunau, ‘Changes to Germany’s Skilled Immigration Rules Take Effect’ (*Deutsche Welle*, 1 March 2024) <<https://www.dw.com/en/more-changes-to-germanys-skilled-immigration-rules-take-effect/a-67458940>> accessed 1 May 2025.

³⁹⁴ Federal Ministry of the Interior and Community, ‘New Law on Nationality Takes Effect’ (27 June 2024) <<https://www.bmi.bund.de/SharedDocs/kurzmeldungen/EN/2024/06/mod-staatsangehoerigkeitsrecht.html>> accessed 12 May 2025.

Chancellor Olaf Scholz has called for ‘faster and larger-scale deportations of those without legal grounds to remain in Germany’,³⁹⁵ revealing the state’s request for more effective migration governance.

5.2.2 Kazakhstan

Influxes of new Russian immigrants gained much attention in the Kazakh society. On the one hand, the Kazakh public generally showed a welcoming attitude. Many volunteers – especially in the northern regions of Kazakhstan bordering Russia and heavily populated by ethnic Russians³⁹⁶ – organised accommodation, distributed food and offered free rides to newcomers.³⁹⁷ On the other hand, the influx led to a sharp rise in rent prices, with some cities seeing rents triple overnight. For example, one-room apartments in middle-income areas of Almaty increased from \$415 to \$1,040 per month.³⁹⁸ The latter significantly affected local communities, raising irritation.³⁹⁹

Moreover, some Kazakhs expressed worries that Russian migrants might not recognise Kazakhstan’s post-independence gains or might assume a position of superiority over local populations.⁴⁰⁰ Indeed, the situation reignited discussions about Kazakh-

³⁹⁵ Natasha Mellersh, ‘Germany’s Migration Policy: Balancing Labor Needs and Deportation’ (*InfoMigrants*, 1 October 2024) <<https://www.infomigrants.net/en/post/60287/germanys-migration-policy-balancing-labor-needs-and-deportation>> accessed 12 May 2025.

³⁹⁶ Diana T Kudaibergenova, ‘The Use and Abuse of Postcolonial Discourses in Post-Independent Kazakhstan’ (2016) 68(5) *Europe-Asia Studies* 917.

³⁹⁷ Aliya Askar, ‘What’s Next for Russians Who Fled to Kazakhstan?’ (*The Diplomat*, 1 November 2022) <<https://thediplomat.com/2022/11/whats-next-for-russians-who-fled-to-kazakhstan/>> accessed 12 May 2025.

³⁹⁸ Farangis Najibullah, ‘Living in Fear of the Draft, Russian Emigres in Kazakhstan Have No Plans to Go Home’ (*RadioFreeEurope*, 22 January 2023) <<https://www.rferl.org/a/kazakhstan-russian-emigres-ukraine-war/32234453.html>> accessed 12 May 2025.

³⁹⁹ It should be mentioned, anyway, that pressures on housing were relatively short-term, while the skilled workers brought by the influx benefited Kazakhstan’s economy. The financial assets they brought to the country and the businesses they started were especially noticed as drivers. See David R DeRemer, Yelzhas Kadyr and Aigerim Yergabulova, ‘Firm Employment Dynamics in Kazakhstan After Sudden Russian Immigration’ (VIVES Discussion Paper No 97, KU Leuven 2023).

⁴⁰⁰ Aizada Arystanbek, ‘Decolonial Disruptions in Central Asia: Understanding Reactions to Russian Migrants in the Wake of Putin’s Mobilization’ (*South/South Dialogues*, 5 July 2023) <<https://www.southsouthmovement.org/dialogues/decolonial-disruptions-in-central-asia-understanding-reactions-to-russian-migrants-in-the-wake-of-putins-mobilization>> accessed 12 May 2025; Laura Teivaanmäki, ‘Thematic Analysis of the Media Coverage of the Russian Influx to Kazakhstan During the Russian Full-Scale Invasion of Ukraine in 2022’ (Master’s thesis, Uppsala University 2023); Mariam Darchiashvili and others, ‘Local Responses to Russian Migration in Georgia and Kazakhstan’ (PONARS Eurasia Policy Memo No 895, PONARS Eurasia 2024).

stan's national identity and its relationship with its former colonial power.⁴⁰¹ Nevertheless, when addressing the influx of Russians during the second 'wave' in late September 2022, Kazakh President Kassym-Jomart Tokayev stated that the new Russian immigrants were 'forced to leave because of the current hopeless situation [announcement of the "partial mobilisation"]' and claimed the need to 'take care of them and ensure their safety'. However, calling the immigrants 'visitors from abroad', he also said that 'they will not receive any preferences', stressing the importance of adhering to the law.⁴⁰²

Already in a few months, Kazakhstan introduced new rules limiting tourist or any other stays of the EAEU member states' citizens in the absence of employment or other grounds for the right to legally reside in the country to 90 days out of every 180 days. Therefore, the practice of border running was cancelled.⁴⁰³ Although no official statements explicitly stated that the policy change targeted the flow of post-February 2022 Russian migrants, some authors explicitly cited it as one of the reasons for the decision.⁴⁰⁴ Furthermore, migration services revised the rules for long-term residence permits, requiring applicants to present a valid international passport rather than a national one. At the same time, foreign citizens need the accommodation owner's presence, a proxy or notarised consent to obtain a temporary residence permit.⁴⁰⁵

It is also important to mention that in April 2022, Kazakhstan ratified the agreement with Russia and Kyrgyzstan on the exchange of citizen data, including information on residence status, citizenship(s) held, migration registration, visas, property, criminal records and identity documents – all within the jurisdictions

⁴⁰¹ Caress Schenk, 'Russian Migrants and National Identity in Kazakhstan' (*Italian Institute for International Political Studies*, 6 November 2023) <<https://www.ispionline.it/en/publication/russian-migrants-and-national-identity-in-kazakhstan-151365>> accessed 12 May 2025.

⁴⁰² Catherine Putz, 'Kazakh President Urges Calm and Care for Russians Fleeing Mobilization' (*The Diplomat*, 27 September 2022) <<https://thediplomat.com/2022/09/kazakh-president-urges-calm-and-care-for-russians-fleeing-mobilization/>> accessed 12 May 2025.

⁴⁰³ EEC, 'Pravila v'ezda i prebyvaniia inostrannykh grazhdan izmenilis' v Respublike Kazakhstan' (*Evrasiiskaia ekonomicheskaia komissii*, 18 January 2023) <<https://eec.eaunion.org/comission/department/migration/events/pravila-vezda-i-prebyvaniya-inostrannykh-grazhdan-izmenilis-v-respublike-kazakhstan/>> accessed 15 May 2025 (in Russian).

⁴⁰⁴ Eg Delovarova (n 358).

⁴⁰⁵ Gulina, 'Emigration from Russia After 24 February 2022' (n 324) 7.

of signatories to the agreement.⁴⁰⁶ The latter raises serious concerns about the safety of the Russians who left for Kazakhstan ‘either in opposition to the war or in fear of being mobilised’,⁴⁰⁷ especially given several cases of extradition⁴⁰⁸ and generally growing number of transnational repressions cases⁴⁰⁹ (see more in Chapter 6). Additionally, the OutRush Project found that Russian migrants in Kazakhstan fear repression by local authorities more than their counterparts in other countries.⁴¹⁰

At the same time, the Ministry of Labour and Social Protection of Population listed professions eligible for a simplified residence permit process without requiring proof of solvency, including engineers, doctors and other science and technology specialists.⁴¹¹ Furthermore, on 11 November 2024, the Ministry of Foreign Affairs of the Republic of Kazakhstan announced the introduction of new measures, including the special visa for the holders of sought-after professions (‘B9’ Visa), the Digital Nomad Visa (‘B9-1’) for IT specialists and the Neo Nomad Visa (‘B12-1’) for remote-working tourists with monthly income over \$3,000 who combine work and leisure. Moreover, updated regulations simplify the application for the business visa (‘C5’).⁴¹² The changes listed above, along with other migration policy modifications, illustrate Kazakhstan’s interest in attracting high-skilled human capital from Russia.

⁴⁰⁶ Law of the Republic of Kazakhstan No 113-VII ‘On Ratification of the Agreement on Mutual Legal Assistance in Administrative Matters in the Field of Personal Data Exchange’ of 1 April 2022 (in Russian).

⁴⁰⁷ The Moscow Times, ‘Kazakhstan and Kyrgyzstan to Share Data with Moscow on Anti-War Russians, Conscripts’ (*The Moscow Times*, 22 June 2023) <<https://www.themoscowtimes.com/2023/06/22/kazakhstan-and-kyrgyzstan-to-share-data-with-moscow-on-anti-war-russians-conscripts-a81594>> accessed 12 May 2025.

⁴⁰⁸ Agnieszka Pikulicka-Wilczewska, ‘“They Want to Show No One Can Escape”: How the Long Arm of Russia is Reaching Out for Putin Critics in Exile’ (*The Guardian*, 28 October 2024) <<https://www.theguardian.com/global-development/2024/oct/28/long-arm-russia-putin-critics-in-exile>> accessed 12 May 2025.

⁴⁰⁹ OVD-Info, ‘Transnational Repression by the Russian Federation: Threats, Tendencies, Solutions’ (*OVD-Info Reports*, 14 May 2025) <<https://reports.ovd.info/en/transnational-repression-russian-federation-threats-tendencies-solutions>> accessed 15 May 2025.

⁴¹⁰ Sergeeva and Kamalov (n 344) 39.

⁴¹¹ Ministry of Labour and Social Protection of Population of the Republic of Kazakhstan, ‘MTSZN utverdilo perechen' vostrebovannykh professii, po kotorym inostrantsy smogut poluchit' vid na zhitel'stvo' (22 February 2023) <<https://www.gov.kz/memleket/entities/enbek/press/news/details/510649?lang=ru>> accessed 15 May 2025 (in Russian).

⁴¹² Ministry of Foreign Affairs of the Republic of Kazakhstan, ‘Kazakhstan Welcomes Foreign Specialists and “Neo-Nomads”’ (11 November 2024) <<https://www.gov.kz/memleket/entities/mfa/press/news/details/880989>> accessed 12 May 2025.

Overall, the updated version of the 2011 Migration Law,⁴¹³ compared to the version as of 24 February 2022, shifted towards facilitating the immigration of ethnic Kazakhs and skilled workers, as projected under the Concept of Migration Policy of the Republic of Kazakhstan for 2022–2026, while also improving integration services and support for immigrants. For instance, the eligibility for permanent residence was expanded to include holders of investor visas.

5.2.3 Türkiye

Türkiye, indeed, experienced a mass influx of new Russian immigrants. If in 2021 Russia was not among the top five in terms of both foreign immigrants and foreign *émigrés* to Türkiye,⁴¹⁴ in 2022 its citizens constituted a quarter (25%) of the total number of immigrants in the country, ranking first.⁴¹⁵ However, this influx occurred amid the Turkish economic and migration crises. On the one hand, Türkiye has been experiencing an economic crisis since autumn 2021, with high inflation rates.⁴¹⁶ In 2022, Türkiye experienced 95.5% annual inflation, which continued by 68.3% and 59.3% in 2023 and 2024, respectively.⁴¹⁷ On the other hand, being a mass grantor of temporary protection to millions of Syrians and Afghans, Türkiye is known as the ‘world’s leading refugee host’.⁴¹⁸ Simultaneously with the mass influx of Russians in 2022, Türkiye started implementing stricter policies towards Syrian asylum

⁴¹³ Law of the Republic of Kazakhstan No 477-IV ‘On Migration of Population’ of 22 July 2011 (as amended to 22 July 2024) (in Russian).

⁴¹⁴ Turkish Statistical Institute, ‘International Migration Statistics, 2021’ (*Turkstat Data Portal*, 6 April 2023) <<https://veriportali.tuik.gov.tr/en/press/45814>> accessed 15 December 2024.

⁴¹⁵ Turkish Statistical Institute, ‘International Migration Statistics, 2022’ (*Turkstat Data Portal*, 24 July 2023) <<https://veriportali.tuik.gov.tr/en/press/49457>> accessed 15 December 2024.

⁴¹⁶ Fikret Şenses, ‘The Long and Bitter Fall: An Account of Events That Shook the Turkish Economy During September–December 2021’ (2022) 66 *New Perspectives on Turkey* 180.

⁴¹⁷ World Bank, ‘Inflation, GDP Deflator (Annual %) – Türkiye’ (*World Bank*) <<https://data.worldbank.org/indicator/NY.GDP.DEFL.KD.ZG?end=2024&locations=TR&start=2021>> accessed 12 May 2025.

⁴¹⁸ Aykhan Kaya, ‘The World’s Leading Refugee Host, Turkey Has a Complex Migration History’ (*Migration Policy Institute*, 1 November 2023) <<https://www.migrationpolicy.org/article/turkey-migration-history>> accessed 18 April 2025.

seekers and refugees, deporting them in violation of international law.⁴¹⁹ At least these factors, along with Türkiye's readiness to collaborate with Russia, affected the host state's attitude towards new Russian immigrants.

Since late 2022, news about the facts of mass refusals in the issuance and extension of residence permits has been appearing in the media.⁴²⁰ For instance, a quarter of survey respondents in Antalya, Istanbul, Izmir and Mersin 'reported problems related to administrative matters or their legal status'.⁴²¹ While residence permit refusals have increased, the Turkish government has never officially confirmed this as a policy.

In a few months, Türkiye also set up 'mobile immigration points' in the country. The policy was introduced to 'expedite the identification of irregular migrants across the city centres'.⁴²² Unlike applying deportation to Syrians or Afghans caught without residence permits, Russians 'were merely told to depart [Türkiye]'.⁴²³ Additionally, while the fee amount and/or penalty for overstays are not publicly specified, and tourist forums are full of evidence of disproportionate application of this measure, tourists are also increasingly being banned from entering Türkiye.⁴²⁴

In August 2024, Ali Yerlikaya, Turkish Minister of Interior, announced that those entering Türkiye as tourists would no longer be granted a residence permit:

⁴¹⁹ Human Rights Watch, 'Turkey: Hundreds of Refugees Deported to Syria' (*Human Rights Watch*, 24 October 2022) <<https://www.hrw.org/news/2022/10/24/turkey-hundreds-refugees-deported-syria>> accessed 18 April 2025.

⁴²⁰ Eg Bolshakov (n 375).

⁴²¹ Krawatzek and Sasse (n 350) 12.

⁴²² Hürriyet, '“Mobile Immigration Points” Set to Expand Nationwide, Says Minister' (*Hürriyet Daily News*, 29 September 2023) <<https://www.hurriyetdailynews.com/mobile-immigration-points-set-to-expand-nationwide-says-minister-186638>> accessed 18 April 2025.

⁴²³ Karina Gouloudava, 'A Temporary Welcome: Russians in Turkey Since February 2022' (*Russia.Post*, 17 October 2024) <https://russiapost.info/society/russians_in_turkey> accessed 12 May 2025.

⁴²⁴ Iaroslav Gafner, 'Pravila v"ezda v Turtsiiu dlia rossiian v 2026 godu' (*Tinkoff Journal*, 1 October 2024) <<https://journal.tinkoff.ru/news/turkey-entry-rules>> accessed 12 May 2025 (in Russian).

Our policy is clear: you leave with the same intent you arrived with! If you came as a tourist, you can't say, 'I want to be a shepherd now.' Go back to your country. Apply for a work permit from there, and I will evaluate your application. Tell me your intentions, and I will grant your residence permit accordingly.⁴²⁵

At the same time, he proposed simplifying the residence permit registration, allowing it to be obtained from a notary, while international students could obtain their residence permits at universities. Moreover, mandatory fingerprinting of all foreigners entering the country was also discussed.⁴²⁶

As shown in Table 3 (see section 5.1.3), the total number of Russians residing in Türkiye declined consistently, particularly among those with short-term residence permits. In 2023, Russians were already not just residual leaders in immigration to Türkiye (13.2%) but also leaders in the foreign émigré population – 17.0% of the total number of *émigrés* who left Türkiye in 2023 were Russian citizens.⁴²⁷ Although statistics for 2024 will emerge in mid-2025, Türkiye still appears on the list of states that 'host significant Russian émigré communities'.⁴²⁸ As of December 2024 (see Table 3), Russians were the second-largest group of aliens residing in Türkiye with residence permits, after Turkmens – 82,568 vs 115,545, respectively. More than half of these permits, 43,256, were short-term, whereas one-fifth, 15,758, constituted family residence permits.⁴²⁹ Nevertheless, Turkish migration policy aims to strike a balance with new Russian immigrants (compared to Syrians or Afghans), but it is still hardly predictable.

⁴²⁵ Tourism Journal, 'No Residence Permit for Those Who Come as Tourists' (*Tourism Journal*, 15 August 2024) <<https://www.tourismjournal.com.tr/english-news/no-residence-permit-for-those-who-come-as-tourists-1376878>> accessed 12 May 2025.

⁴²⁶ *ibid.*

⁴²⁷ Turkish Statistical Institute, 'International Migration Statistics, 2023' (*Turkstat Data Portal*, 19 July 2024) <<https://veriportali.tuik.gov.tr/en/press/53544>> accessed 15 December 2024.

⁴²⁸ ICMPD, 'ICMPD Migration Outlook: Eastern Europe and Central Asia 2024' (ICMPD 2024) 10.

⁴²⁹ Republic of Türkiye Ministry of Interior Presidency of Migration Management, 'Residence Permits' (26 December 2024) (n 376).

6. Policy modifications and migrants' rights: Cross-country analysis

This chapter attempts a cross-country comparison. First, the obligations of case jurisdictions under international and regional legal frameworks are reviewed. Second, the compliance of national immigration policy modifications with the international and regional obligations of the jurisdictions under study is considered, and the impact of these changes on post-February 2022 Russian migrants' rights is traced.

6.1 International and regional obligations of the case jurisdictions

The core international and regional obligations of Germany, Kazakhstan and Türkiye are summarised in Table 4. These treaties are relevant to analysing how modifications to immigration policy affected the rights of post-February 2022 Russian immigrants.

Table 4. Ratifications of relevant international and regional human rights treaties by case jurisdictions

	Germany	Kazakhstan	Türkiye
International Treaties			
ICCPR	Ratification, 1973	Ratification, 2006	Ratification, 2003
ICCPR-OP1	Ratification, 1993	Ratification, 2009	Ratification, 2006
ICESCR	Ratification, 1973	Ratification, 2006	Ratification, 2003
ICESCR-OP	Ratification, 2023	Signature, 2010	No action
ICRMW	No action	No action	Ratification, 2004
ILO Convention No 97	Ratification, 1959	No action	No action

ILO Convention No 143	No action	No action	No action
Regional Treaties			
ECHR	Ratification, 1952	Not applicable	Ratification, 1954
ESC	Ratification, 1965	Not applicable	Ratification, 2007
CFR	Binding, 2009	Not applicable	Not applicable
EAEU Treaty	Not applicable	Accession, 2014	Not applicable
CIS Convention on Human Rights and Fundamental Freedoms	Not applicable	No action	Not applicable
<i>Sources: UN Treaty Collection; OHCHR Interactive Dashboard; ILO.</i>			

In the sense of international law on treaties, as of 30 November 2024, all three states have ratified the ICCPR with its First Optional Protocol (ICCPR-OP1),⁴³⁰ allowing for individual complaints, as well as the ICESCR. Regarding the opportunity for individual complaints under the ICESCR, Germany ratified the Optional Protocol to the ICESCR (ICESCR-OP)⁴³¹ on 20 April 2023, whereas Kazakhstan is still only a signatory, and Türkiye has not acted. At the same time, Türkiye is the only one of the three countries to have obligated itself to ICRMW. Finally, Germany is also a party to the 1945 ILO Convention No 97 Concerning Migration for Employment, which establishes standards to ensure equitable treatment of migrant workers.

Addressing the regional obligations, Germany and Türkiye are member states of the Council of Europe and parties to the European Convention on Human Rights (ECHR)⁴³² and European Social Charter (ESC),⁴³³ thus being part of the European regional human rights regime. As an EU member state, Germany has been bound by the Charter of Fundamental Rights of the European

⁴³⁰ Optional Protocol to the International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171 (ICCPR-OP1).

⁴³¹ Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (adopted 10 December 2008, entered into force 5 May 2013) 2922 UNTS 29 (ICESCR-OP).

⁴³² Convention for the Protection of Human Rights and Fundamental Freedoms (adopted 4 November 1950, entered into force 3 September 1953) ETS No 5, as amended by Protocol No 15 (CETS No 213) (ECHR).

⁴³³ European Social Charter (Revised) (adopted 3 May 1996, entered into force 1 July 1999) ETS No 163 (ESC).

Union (CFR) since 2009.⁴³⁴ In turn, Kazakhstan is a member state of the CIS and the EAEU – regional Eurasian organisations in the post-Soviet territories with weak institutions and mechanisms for human rights protection. With this, Kazakhstan is not even a party to the regional treaty on human rights, the 1995 CIS Convention on Human Rights and Fundamental Freedoms. Kazakhstan acceded to the 2014 EAEU Treaty;⁴³⁵ however, this organisation is strongly focused on economic cooperation between its members, including protections for migrant workers.

6.2 Policy modifications and post-February 2022 migrants' rights

First of all, it is important to note that all three jurisdictions selected for this research have done their best to benefit economically from the influx of Russian citizens after 24 February 2022. However, each applied different policies, varying from restriction to inclusivity.

Being a 'humanitarian-oriented' country that issued 'humanitarian visas' and granted asylum to thousands of Russians in recent years,⁴³⁶ Germany aims to find a balanced approach to restructuring its migration policies to support further economic growth. Over the 2.5 years covered by this case study research, this country has undergone (and is still undergoing) ambitious migration reforms that ensure economic integration and access to the labour market, including multiple relaxations of pre-existing immigration statuses and the introduction of new ones. The latter informs about the pursuit of inclusivity for high-skilled workers

⁴³⁴ Treaty on European Union (consolidated version) [2012] OJ C326/13, art 6(1); Charter of Fundamental Rights of the European Union [2012] OJ C326/391.

⁴³⁵ Law of the Republic of Kazakhstan No 240-V 'On Ratification of Agreement on the Eurasian Economic Union' of 14 October 2014 (in Russian). Roman Yuneman, 'Kazakhstan and the Eurasian Economic Union' (2020) 18(4) *Russia in Global Affairs* 37, 44–46.

⁴³⁶ Olga Gulina, 'Emigration from Russia After 24 February 2022: Main Patterns and Developments' (Prague Process Policy Brief, June 2023, Prague Process Secretariat 2023) 8.

and those with vocational education. Although not induced by the post-February 2022 influx of Russians, these changes bring migrants, including Russians, more opportunities to fulfil their right to work⁴³⁷ and integration support.⁴³⁸

At the same time, given the apparent geopolitical confrontation since the 2022 Russian invasion of Ukraine, Germany has to consider security risks more when allowing Russian nationals to migrate. While it may raise concerns about possible discrimination, the migration statistics cited in section 5.1.1 do not support them. Moreover, it is important to remember that Germany is a member of the EU, bound to follow decisions taken by other member states under the 1985 Schengen Agreement,⁴³⁹ and that the decision to suspend the 2007 Visa Facilitation Agreement with Russia was made collectively.⁴⁴⁰

However, for those who cannot find refuge in states friendly to or affected by Russia's current political regime, more humanitarian opportunities should be available. Given the case of political *émigrés* from Russia, who are still struggling under semi-legal conditions in jurisdictions with liberal visa-free regimes allowing unlimited border runs (eg Armenia, Georgia, Serbia),⁴⁴¹ obtaining a Schengen visa under the current version of the Visa Code⁴⁴² is hardly possible. The latter may be seen as a barrier to political immigrants seeking asylum and protection from persecution under the principle of effective remedies.⁴⁴³

⁴³⁷ International Covenant on Economic, Social and Cultural Rights (adopted 16 December 1966, entered into force 3 January 1976) 993 UNTS 3 (ICESCR), art 6.

⁴³⁸ ESC (n 433) art 19.

⁴³⁹ Agreement Between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the Gradual Abolition of Checks at their Common Borders (Schengen Agreement) (signed 14 June 1985).

⁴⁴⁰ Costica Dumbrava, 'EU Entry Restrictions in Relation to Russia's War on Ukraine' (Briefing PE 733.644, European Parliamentary Research Service 2022).

⁴⁴¹ Addressing the politically active migrants, both in their Russian pasts and in their *émigré* present, it is important to mention that many of them who did not have the opportunity to enter Western liberal democracies had to resort to visa-free countries. Usually, they did so under regular migration regimes, not as asylum seekers, and therefore did not benefit from the specific protections outlined in the 1951 Refugee Convention, eg protection against *refoulement*, and sometimes ended up with negative consequences.

⁴⁴² Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code) [2009] OJ L243/1.

⁴⁴³ International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171 (ICCPR), art 2(3a).

All three countries benefited from post-February 2022 influxes of Russians through the new migration workers, often high-skilled, and the relocation of income-generating businesses. While Germany, with its long history of external work and family immigration,⁴⁴⁴ has a relatively well-adjusted immigration regime, this was not the case for Kazakhstan, which, in recent decades, has been attracting more low-skilled labour migrants from neighbouring Central Asian states and was not yet ready to regulate high-skilled immigration. The case of Kazakhstan is a good example of how a visa-free country balances security and the economy, as its economy benefited from the influx of post-February 2022 Russian migrants.⁴⁴⁵ To retain the workforce in the country and attract new ones, Kazakhstan (as well as Türkiye) has been introducing measures aimed at combating transit country status and eliminating the semi-legality to which Russian immigrants were subject.

Kazakhstan's decision to cancel the border run opportunity was made within the framework of the EAEU, where Russia is a significant actor.⁴⁴⁶ Recalling the 2022 agreement Kazakhstan signed with Russia on the exchange of personal data of citizens⁴⁴⁷ raises concerns about Russia's way to practise transnational repressions, ie state-led tactics to target, intimidate, harass or harm individuals outside their borders, often in exile (eg dissidents, refugees, ordinary members of diaspora communities).⁴⁴⁸ The latter is the case in Central Asian states, where transnational repressions were used 'to muzzle antiwar campaigners, deserters, and pro-democracy advocates'.⁴⁴⁹ In Kazakhstan, five incidents happened at the

⁴⁴⁴ Lauren Stokes, *Fear of the Family: Guest Workers and Family Migration in the Federal Republic of Germany* (OUP 2022).

⁴⁴⁵ Eg David R DeRemer, Yelzhas Kadyr and Aigerim Yergabulova, 'Firm Employment Dynamics in Kazakhstan After Sudden Russian Immigration' (VIVES Discussion Paper No 97, KU Leuven 2023).

⁴⁴⁶ It is worth mentioning that in neighbouring Kyrgyzstan, which recently introduced measures quite similar to those in place in Kazakhstan, border runs were also prohibited in October 2023, and in September 2024, acquiring a registration card became insufficient for legal stay in the country as it had been before.

⁴⁴⁷ The Moscow Times, 'Kazakhstan and Kyrgyzstan to Share Data with Moscow on Anti-War Russians, Conscripts' (*The Moscow Times*, 22 June 2023) <<https://www.themoscowtimes.com/2023/06/22/kazakhstan-and-kyrgyzstan-to-share-data-with-moscow-on-anti-war-russians-conscripts-a81594>> accessed 12 May 2025.

⁴⁴⁸ OVD-Info, 'Transnational Repression by the Russian Federation: Threats, Tendencies, Solutions' (*OVD-Info Reports*, 14 May 2025) <<https://reports.ovd.info/en/transnational-repression-russian-federation-threats-tendencies-solutions>> accessed 15 May 2025.

⁴⁴⁹ Grady Vaughan, 'Transnational Repression in 2023: Insecure Leaders Threaten Dissent Abroad' (*Freedom House*, 20 February 2024) <<https://freedomhouse.org/article/transnational-repression-2023-insecure-leaders-threaten-dissent-abroad>> accessed 12 May 2025.

request of the Russian government,⁴⁵⁰ showing the state's willingness to cooperate with Russian authorities. The cases of refusal to deport people to Russia were rather due to 'Russia's failure to submit all the documents to facilitate deportation'.⁴⁵¹ While infringing on the right to privacy,⁴⁵² the above-mentioned cooperation in targeting and potentially deporting individuals at Russia's request may violate due process rights for aliens facing expulsion.⁴⁵³ All the above reflects the significance of geopolitical settings and vulnerability of new Russian migrants, especially those politically active, to transnational repressions.

In Türkiye, policies were driven mainly by the need to respond to the Syrian and Afghan migration crises and benefit economically from wealthy and/or high-skilled Russians. This combination unprecedentedly identifies an issue of unequal treatment of various groups of immigrants within the country. In some cases,⁴⁵⁴ it appears that Syrian asylum-seekers or refugees, ie persons under international protection, are less protected than Russians staying under short-term residence permits, thus making the latter group relatively privileged. This raises serious concerns about Türkiye's adherence to the non-discrimination principle under the ECHR,⁴⁵⁵ the ICCPR,⁴⁵⁶ the ICESCR⁴⁵⁷ and the ICRMW,⁴⁵⁸ thus making the country unsafe for new Russian migrants as well.

⁴⁵⁰ Grady Vaughan, 'Transnational Repression in 2023: Insecure Leaders Threaten Dissent Abroad' (Freedom House, 20 February 2024) <<https://freedomhouse.org/article/transnational-repression-2023-insecure-leaders-threaten-dissent-abroad>> accessed 12 May 2025.

⁴⁵¹ Agnieszka Pikulicka-Wilczewska, "'They Want to Show No One Can Escape': How the Long Arm of Russia is Reaching Out for Putin Critics in Exile' (*The Guardian*, 28 October 2024) <<https://www.theguardian.com/global-development/2024/oct/28/long-arm-russia-putin-critics-in-exile>> accessed 12 May 2025.

⁴⁵² ICCPR (n 443) art 17.

⁴⁵³ *ibid* art 13.

⁴⁵⁴ See eg Human Rights Watch, 'Turkey: Hundreds of Refugees Deported to Syria' (*Human Rights Watch*, 24 October 2022) <<https://www.hrw.org/news/2022/10/24/turkey-hundreds-refugees-deported-syria>> accessed 18 April 2025; Karina Goulordava, 'A Temporary Welcome: Russians in Turkey Since February 2022' (*Russia.Post*, 17 October 2024) <https://russiapost.info/society/russians_in_turkey> accessed 12 May 2025.

⁴⁵⁵ ECHR (n 432) art 14.

⁴⁵⁶ ICCPR (n 443) arts 2(1), 26.

⁴⁵⁷ ICESCR (n 437) art 2(2).

⁴⁵⁸ International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (adopted 18 December 1990, entered into force 1 July 2003) 2220 UNTS 3 (ICRMW), arts 7, 43.

Furthermore, uncertain and fast-changing migration policy procedures, together with discrepancies in legal processes and inconsistency of migration law implementation,⁴⁵⁹ undermine the migrant's right to information about 'conditions of their admission, their rights and obligations under the law and practice of the State'.⁴⁶⁰ Despite the mass refusals of residence permit applications from Russians, the Turkish government has never officially confirmed them as a policy. As a result of restrictive policies in Türkiye, tens of thousands of Russian migrants are redirected to other destinations and are further expected to continue leaving Türkiye.

Finally, both Kazakhstan and Germany, which have special programmes for ethnic repatriates,⁴⁶¹ allow them to enjoy their right to preserve cultural identity.⁴⁶² At the same time, while not having a specific immigration policy or legal status, Türkiye served as a destination for Russian citizens of Turkic origin and those practising Islam.

With reference to post-February 2022 Russian immigration, all three country cases illustrate that migration policy coordination is, as expected, a domestic issue that can be complemented and/or affected by regional human rights regimes. However, while under the ECHR/ESC of the Council of Europe and the CFR of the EU, the rights of migrants are well-ensured by a number of institutions, the human rights regime, overall and regarding migrants' rights, in CIS/EAEU countries is too weak. Here, in Kazakhstan, legal harmonisation between national law and regional obligations has yet to be achieved, as some contradictions arise between the EAEU, CIS, bi- and multilateral agreements. For instance, despite a unified economic area under the 2014 EAEU Treaty with 'free movement of goods, services, capital, and labor',⁴⁶³ and the princi-

⁴⁵⁹ In some publications, the inconsistent measures and policies, randomness in decision-making and the prominent role of the human factor in Türkiye, including in the migration and financial spheres, are described as 'Turkish random'. Mariia Aronova, "'Nam zdes' bol'she ne rady." Chto izmenilos' za granitsej dlia rossiian, begushchikh ot voyny' (*Sibir'.Realii*, 14 April 2023) <<https://www.sibreal.org/a/chto-izmenilos-za-granitsey-dlya-rossiyan-beguschih-ot-voyny/32362652.html>> accessed 12 May 2025 (in Russian).

⁴⁶⁰ ICRMW (n 458) art 33.

⁴⁶¹ Gulina, 'Emigration from Russia After 24 February 2022' (n 436) 4.

⁴⁶² ICCPR (n 443) art 27.

⁴⁶³ Treaty on the Eurasian Economic Union (signed 29 May 2014), art 1.

ple of 'freedom of travel of citizens' under the 1991 Agreements on Establishing the Commonwealth of Independent States,⁴⁶⁴ a complication of EAEU member states' citizens, including Russians, was introduced since early 2023.⁴⁶⁵

⁴⁶⁴ Agreement on the Establishment of the Commonwealth of Independent States (signed Minsk, 8 December 1991), art 5.

⁴⁶⁵ EEC, 'Pravila v"ezda i prebyvaniia inostrannykh grazhdan izmenilis' v Respublike Kazakhstan' (*Evrasiiskaia ekonomicheskaiia komissii*, 18 January 2023) <<https://eec.eaeunion.org/comission/department/migration/events/pravila-vezda-i-prebyvaniya-inostrannykh-grazhdan-izmenilis-v-respublike-kazakhstan/>> accessed 15 May 2025 (in Russian).

7. Conclusions

As the migration aspirations of those Russians who still reside in the country continue to decline, along with ‘nationalist sentiments, restrictions on movement, and a rally effect around the Russian leadership’,⁴⁶⁶ a new exodus from the country is not expected in the coming years.⁴⁶⁷ The intensity of movements between countries in 2022–2023 is less common now, and new Russian immigrants have started to settle down in various jurisdictions.⁴⁶⁸ The number of those who left in 2022 is declining, especially in visa-free countries;⁴⁶⁹ some move to other jurisdictions, while others return to Russia. As those who stay abroad form diasporic communities in their new states of residence, these states are seeking ways to identify immigrants with serious intentions for long-term legal residence.

While Germany usually serves as a long-term destination from scratch,⁴⁷⁰ Kazakhstan and Türkiye appear as whistle-stops – sometimes for a month or a few, sometimes for more than a year, but still transit points. This fact, together with security and financial concerns, as well as geopolitical contexts, led the authorities of these states to the need to regularise migrants who benefit from loopholes in national migration policies and to find ways to fit

⁴⁶⁶ Mikael Elinder, Oscar Erixson and Olle Hammar, *War Policies and Migration Aspirations in Russia* (Report No 2024:11, Delmi 2024) 8.

⁴⁶⁷ Olga Gulina, ‘Emigration from Russia After 24 February 2022: Main Patterns and Developments’ (Prague Process Policy Brief, June 2023, Prague Process Secretariat 2023) 1.

⁴⁶⁸ Emil Kamalov, Karolina Nugumanova and Ivetta Sergeeva, ‘On the Move: Mobility, Integration, and Dynamics of Russian Emigration in 2022–2024’ (SSRN Working Paper, 25 March 2025).

⁴⁶⁹ Eg ICMPD, ‘ICMPD Migration Outlook: Eastern Europe and Central Asia 2024’ (ICMPD 2024).

⁴⁷⁰ Eg Tsypylma Darieva, Tatiana Golova and Daria Skibo, *Russian Migrants in Georgia and Germany: Activism in the Context of Russia’s War Against Ukraine* (ZOiS Report 3/2023, Centre for East European and International Studies 2023) 14.

them into some legal immigration status. Recalling the hypothesis of this study, which posits that modifications to migration policies shrink the set of rights available to regular post-February 2022 Russian immigrants in Germany, Kazakhstan and Türkiye, this could not be answered with complete confidence.

On the one hand, it is clear that in some jurisdictions, like Kazakhstan and Türkiye, three years after 24 February 2022, Russian immigrants have less opportunities to sustain a semi-legal status, while in Germany scrutiny of visa applications got stricter being framed by the geopolitical context. However, if taken into consideration that new Russian migrants to visa-free countries with limited migration control ‘get stuck ... in some sort of limbo’,⁴⁷¹ then measures on their regularisation seem allegedly beneficial for both sides. In turn, all three countries under study have implemented policies’ modifications that expand migrants’ rights in different ways, eg attracting migrants of various skill levels and expanding the rights available to certain groups of immigrants.

Each jurisdiction sought its own answers to the challenges associated with the influxes of Russian migrants after 24 February 2022, and each shows various levels of legal pluralism and regional integration in its migration policies. Being considered ‘unfriendly’ by Russia, together with the rest of the EU member states,⁴⁷² Germany kept its balanced position towards Russian immigrants. Rather than suspending visa issuance for Russians, it preferred to stay ‘in favour of more targeted measures’⁴⁷³ and ‘offered special entry options for certain groups, partly due to long-standing connections between the civil societies in Russia and Germany’.⁴⁷⁴ On the contrary, Türkiye appears to have failed to be transparent in its immigration policies, although it initially pulled new Russian migrants with its liberal immigration regime and resort mode. Finally, the case of Kazakhstan is an example of the way a visa-free

⁴⁷¹ Eva Rapoport, ‘Shock Wave of Russian Emigration and Self-Reflection of Its Representatives’ (2023) 15(3) *Laboratorium: Russian Review of Social Research* 33, 36.

⁴⁷² TASS, ‘Russian Government Approves List of Unfriendly Countries and Territories’ (TASS, 7 March 2022) <<https://tass.com/politics/1418197>> accessed 18 April 2025.

⁴⁷³ Costica Dumbrava, ‘EU Entry Restrictions in Relation to Russia’s War on Ukraine’ (Briefing PE 733.644, European Parliamentary Research Service 2022) 2.

⁴⁷⁴ Darieva, Golova and Skibo (n 470) 15.

country may balance between security and economy when striving to overcome its ‘transit’ status and ‘considering the risks of the issue of Russian migrants becoming politicised’,⁴⁷⁵ given the separatist attitudes towards Russia in its northern regions.

Nevertheless, none of the countries introduced any special procedures for the new Russian migrants, although some experts call for ‘additional legal migration pathways for Russian qualified or skilled labour that is of interest to the EU labour market’.⁴⁷⁶ Sure, responses of individual states to the post-February 2022 influxes of Russians will continue to be shaped by their domestic regulations and security considerations,⁴⁷⁷ but some attempts are being taken by the Russian opposition in exile.⁴⁷⁸ However, previous research on the new Russian immigrants found growing apathy toward Russian opposition politicians stemming from the perception that their efforts have achieved little over the past 15 years.⁴⁷⁹ Hence, the effects of these efforts are questionable.

A few points must be covered to address the limitations of the current study. First, the fact that one person authored the thesis could be considered a limitation, as comparative research designs are demanding and usually require international teamwork for breadth and depth.

Second, despite their compatibility with the research design of this study, in the latest decade, two out of the three cases – Kazakhstan and Türkiye – demonstrate relatively low levels of liberal democracy and rule of law compared with both the third country case, Germany, and some other countries that experienced mass inflows of Russians after 24 February 2022 (eg Armenia, Georgia,

⁴⁷⁵ Jeff Sahadeo, ‘Russian “Relokanty” in the Caucasus and Central Asia: Cooperation and Tensions Between States and Societies’ (Prague Process Policy Brief, February 2024, Prague Process Secretariat 2024) 1.

⁴⁷⁶ Gulina, ‘Emigration from Russia After 24 February 2022’ (n 467) 10.

⁴⁷⁷ Maria Domańska and Stefan Ingvarsson, *Russia in Exile: Support for Russian Political Migrants as an Instrument to Increase European Security* (SCEEUS Report No 16, Stockholm Centre for Eastern European Studies 2023).

⁴⁷⁸ See eg Maria Volkova, Anna Kuleshova and Alexei Voronkov, ‘New Russian Diasporas Outside the European Union: Policy Challenges for Czechia and Other Member-States’ (IfR Working Paper, Boris Nemtsov Foundation for Freedom 2023); Dmitry Gudkov, Vladislav Inozemtsev and Dmitry Nekrasov, *The New Russian Diaspora: Europe’s Challenge and Opportunity* (Russie.Eurasie.Reports No 47, The French Institute of International Relations 2024).

⁴⁷⁹ Igor Gretskey, *New Russian Immigration to the EU: The Case of the Baltic States, Finland, Germany, and Poland* (International Centre for Defence and Security 2024) 20.

Serbia).⁴⁸⁰ Since human rights, democracy and the rule of law are highly interconnected,⁴⁸¹ whereas contemporary autocracies are interconnected by various structures operating across multiple regimes,⁴⁸² the above-mentioned fact could have affected the results.⁴⁸³

Third, this thesis does not explicitly cover minors and does not go in-depth when speaking about migrants' families, mainly focusing on adult individuals. The methodology of this research framed the decision to skip these populations due to the lack of contextual information on family migration within the migration flows under study. Such studies have emerged, but their methodological grounds remain relatively weak.⁴⁸⁴

Fourth, the present reliance on secondary data for analysis constitutes another limitation, as reactive⁴⁸⁵ expert assessments do not currently complement the study. Future advancements of this research may consider conducting at least two semi-structured expert interviews per country case – one with a local expert on national migration policy and another with a representative of migrant communities present in the country. Integration of expert insights is expected to auxilia the sociological layer of this interdisciplinary research project and triangulate conclusions.

⁴⁸⁰ This statement refers to the data derived from the V-Dem Project's Liberal Democracy Index and Rule of Law Index respectively: Marina Nord and others, *Democracy Report 2024: Democracy Winning and Losing at the Ballot* (V-Dem Institute 2024) 60–63.

⁴⁸¹ Council of Europe, 'State of Democracy, Human Rights, and the Rule of Law. Populism – How Strong are Europe's Checks and Balances? Report by the Secretary General of the Council of Europe' (Council of Europe 2017) 75–117.

⁴⁸² Anne Applebaum, *Autocracy, Inc: The Dictators Who Want to Run the World* (Random House 2024).

⁴⁸³ However, cases of deserters Dmitry Setrakov and Anatoliy Shchetinin, who were detained by the Russian military police and forcibly returned to Russia from relatively more advanced in the mentioned regards Armenia, do not fully support this idea: Hrant Gadarigian, 'Another Russian "War Deserter" Detained in Armenia' (*Hetq*, 10 April 2024) <<https://hetq.am/en/article/165644>> accessed 5 May 2025; Grady Vaughan, 'Transnational Repression in 2023: Insecure Leaders Threaten Dissent Abroad' (*Freedom House*, 20 February 2024) <<https://freedomhouse.org/article/transnational-repression-2023-insecure-leaders-threaten-dissent-abroad>> accessed 12 May 2025.

⁴⁸⁴ BNFF, 'Russian Families in Emigration: Preserving Social Capital Amid Political Migration' (*Boris Nemtsov Foundation for Freedom*, 18 December 2024) <<https://nemtsovfund.org/en/2024/12/russian-families-in-emigration-preserving-social-capital-amid-political-migration>> accessed 12 May 2025.

⁴⁸⁵ Here, I refer to the well-established distinction in social sciences between reactive and nonreactive (unobtrusive) types of data. For more, see Wojciech Welskop, 'Nonreactive Research in Social Sciences – Advantages and Disadvantages of Analyzing "Found" Data' (2022) 44(1) *Humanum. Międzynarodowe Studia Społeczno-Humanistyczne* 151.

Moreover, contacting local experts will allow for double-checking the correctness of interpretations and whether there have been any recent changes in the law that the researcher may have missed or that did not appear to be translated.⁴⁸⁶

Fifth, because this research focused on migrants, it did not cover refugees and asylum seekers from Russia (see definitions of key concepts in section 1.2). Nevertheless, such a research focus could be the subject of a separate study. According to the United Nations High Commissioner for Refugees (UNHCR) data, Germany appears to host many refugees and asylum seekers from Russia between 2022 and 2024. Namely, the number of refugees from Russia under UNHCR's mandate rose from 12,637 in 2022 to 18,700 people in 2024, while the number of asylum seekers from Russia rose from 9,210 to 10,647, respectively. This is the second position on the world list for Russian refugees (France is the first) and asylum seekers (the USA is the first).⁴⁸⁷ Compared to Kazakhstan, another sample case in this research, there were 23 and 18 asylum seekers from Russia in 2022 and 2024, respectively, while no Russian received refugee status in that Central Asian country.

Therefore, further research might focus on refugees and asylum seekers in non-Western and/or visa-free jurisdictions. Being a vulnerable group by definition, these 'immigrants' might be put under even more significant vulnerability in states of residence that lack democratic governance, do not entirely fulfil their international or regional obligations and/or are under the influence of Russia and its international structures.

⁴⁸⁶ Mark van Hoecke, 'Methodology of Comparative Legal Research' (2015) 12 Law and Method 1, 4.

⁴⁸⁷ United Nations High Commissioner for Refugees, 'Refugee Data Finder' (UNHCR) <<https://www.unhcr.org/refugee-statistics/download>> accessed 15 March 2025.

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