

350 Fifth Avenue
New York, NY 10118-3299
Tel: 212-290-4700
Fax: 212-736-1300; 917-591-3452

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Mr. François Crépeau and Ms. Rita Izsák
UN Special Rapporteur on the Human Rights of Migrants and UN

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Independent Expert on Minority Issues
Office of the High Commissioner for Human Rights
United Nations Office in Geneva
8-14 Avenue de la Paix
CH-1211 Geneva 10
Switzerland

Dear Mr. Crépeau and Ms. Izsák,

Human Rights Watch would like to draw your attention to the increasingly precarious situation of migrant workers and ethnic minorities in the Russian Federation. We respectfully ask that you request a joint invitation or respective individual invitations to visit the country at the earliest opportunity in order to collect information concerning the violations and abuses detailed in this letter, and others you may identify, with a view to improving the rights of migrants and ethnic minorities in Russia.

Migrants in Russia, particularly those from Central Asia, and ethnic minorities from Russia's Northern Caucasus are at risk of discrimination, racial profiling and police harassment, and xenophobic violence.

The issue of “irregular” migration and internal migration has shot up the political agenda in the country in recent years, as the Russian authorities have increasingly scapegoated migrants, expressing concerns about the supposed rise in “ethnic crime” (available police statistics do not support this claim) while castigating migrants’ alleged inability to adapt to Russian cultural and “behavioral” norms. Xenophobic discourse in the Russian media and anti-migrant comments by high-level officials are contributing to a climate of xenophobia in Russia.

In one particularly shocking example, Russian State Radio’s Vesti FM published on its website a map entitled “Illegal Aliens,” marking neighborhoods with supposedly dense populations of undocumented migrants in Moscow and encouraging Muscovites to help update the map

to expose “the migrant underground.” Civil society activists have called for Vesti FM to shut down its map project, calling it an open invitation to violence. The state-funded radio station argued that it did not call for violence and that the map merely highlights neighborhoods, not addresses. While this is technically true, several online comments provide exact addresses where irregular migrants allegedly reside, and Vesti FM did not remove that data.¹

Arbitrary detentions of migrants and ethnic minorities, inhuman detention conditions, and deportations

During the summer of 2013, Human Rights Watch documented large-scale police raids against migrants in Russia’s capital. In late July, Moscow police began rounding up thousands of suspected irregular migrants, including nationals of Vietnam, Syria, Afghanistan, Egypt, Morocco, Kyrgyzstan, Uzbekistan, and Tajikistan. The massive campaign was allegedly triggered by an incident at an open-air market in Moscow when a policeman attempting to arrest a rape suspect from Russia’s North Caucasus was attacked by the suspect’s relatives and seriously injured. Hundreds of people in street markets and other places where migrants gather were detained simply based on their non-Slavic appearance. Migrants experienced prolonged detention in appalling conditions in makeshift tent camps or police detention centers without access to counsel, with courts ordering their deportation based on perfunctory, rubber-stamp hearings.²

Following the anti-migrant sweeps in Moscow, large-scale police raids against migrants spread to other Russian cities with significant populations of labor migrants, including Sochi. Human Rights Watch documented how in September and early October Russian authorities in Sochi rounded up hundreds of migrant workers and others for alleged violations of migration or employment regulations, targeting them based on their non-Slavic appearance. The authorities raided workplaces, homes, transport hubs, and public places. Police held many of those detained in police station courtyards or overcrowded temporary holding cells. Most detainees were released after several hours, but some were held for more than a week. Some individuals were denied access to a lawyer, with police sometimes even refusing to admit for hours or even days that they were being held in custody. Others were deported from the country following perfunctory court hearings without lawyers present. Many of those expelled did not get paid wages owed to

¹ Tanya Lokshina, “An Open Invitation to Violence in Russia?” Human Rights Watch dispatch, October 28, 2013, <http://www.hrw.org/news/2013/10/28/dispatches-open-invitation-violence-russia>.

² Russia: Mass Detention of Migrants, *hrw.org*, August 9, 2013, <http://www.hrw.org/news/2013/08/08/russia-mass-detention-migrants>

them by their employers.³ At this writing, the Sochi office of the Migration and Law Program of Memorial, one of Russia's leading human rights organizations, reports that the detentions and expulsions of dozens of migrants each week from Sochi continue.

According to Memorial's Migration and Law Program, on November 25, 2013, Uzbek national Ruzimurod Kholiyorov was detained in Sochi on allegations of not possessing a required migration card, while the migration card was listed among items confiscated from him at detention. He spent a day and one night in a cell without access to food or water; the cell was overcrowded and he could not lie down and sleep. On November 26 he was tried by an administrative court on accusations of violating migration rules, despite the fact that his employer did process all required documents when Kholiyorov was hired and that he was staying in Russia legally. In court he was not provided with interpretation, despite the fact that he neither speaks, nor understands Russian. The court ruled for his deportation. On December 18 the first instance decision was upheld by an appeals court despite above listed procedural violations highlighted in the appeal complaint.

Violence and discrimination against migrants and ethnic minorities

The murder of an ethnic Russian man in October 2013 by a migrant worker with a non-Slavic appearance sparked a massive anti-migrant pogrom in the Biryulevo district of Moscow. An angry crowd attacked a wholesale vegetable market where many traders and handymen come from the Caucasus and Central Asia. In response, instead of acting to protect the victims, Moscow police resorted to raids, targeting alleged migrant workers and rounding up over 1,000 people.⁴ The authorities also failed to prosecute the organizers and perpetrators of violence during the riots, which included an episode of beatings and destruction of property clearly motivated by ethnic hatred. To date, law enforcement authorities are investigating alleged hooliganism in connection with the violence. However, they failed to qualify it as motivated by racial or ethnic hatred as provided by Russian law,

³ Russia: Sochi Migrant Workers Targeted for Expulsion, *hrw.org*, October 3, 2013, <http://www.hrw.org/news/2013/10/02/russia-sochi-migrant-workers-targeted-expulsion>

⁴ Carroll Bogert, "Ethnic-Based Arrests in Moscow, Human Rights Watch dispatch," October 15, 2013, <http://www.hrw.org/news/2013/10/15/dispatches-ethnic-based-arrests-moscow>; "Russia: Detention of 1,200 migrants 'discriminatory and unlawful,' Amnesty International, October 15, 2013, <http://www.amnesty.org/en/for-media/press-releases/russia-detention-1200-migrants-discriminatory-and-unlawful-2013-10-15>. For the direct quote and the transcript of the meeting of the Moscow government on October 18, 2013, please see: http://www.mos.ru/press-center/transcripts/index.php?id_4=27261 [in Russian].

despite extensive evidence, including hate speech and incitement to violence against migrants and non-Slavs.⁵

On the day of so-called “Russian March,” an annual event organized in November by ultranationalist groups in large Russian cities, mass media reported several attacks clearly motivated by ethnic hatred. For example, in Saint Petersburg, a large group of men wearing masks and hoods physically assaulted several persons of “non-Slavic” appearance on an underground train. They shouted racist slogans when attacking their victims. A video recording of this so-called “white train” action was later published on social networks and YouTube. No effective investigation followed.⁶

The authorities appear to be reluctant to qualify violence against migrants and ethnic minorities from the North Caucasus as hate crimes, even when there is solid evidence to this effect.

For example, in mid-October, a young Chechen man named Andi Muslimov was attacked on a bus and stabbed in the neck by another passenger. According to Muslimov’s video-recorded statement for the press, he was attacked when talking on the phone, using Arabic and Chechen words, and the attacker shouted insulting racist slogans during the attack.⁷ The police have failed to conduct an effective investigation into the case. When the attack was reported to authorities, they initially refused to initiate a criminal investigation. According to Muslimov’s lawyer, a criminal case was only opened several days later on charges of “battery,” with the motive of ethnic hatred not taken into account.⁸ The perpetrator has not been identified, and there is no indication that the authorities are taking all necessary steps to do so.

Law enforcement officials are not just failing to respond adequately to crimes committed against foreign and internal migrants. Numerous cases of torture and ill-treatment of

⁵ See, for example, “Бирюлевские хулиганы заплатят 5 тыс. рублей,” *Interfax*, October 14, 2013 <http://www.interfax.ru/russia/txt.asp?id=334622> [in Russian].

⁶ For further details see, for example, the BBC Russia report by Alina Chiopa, “Петербург: нападения 4 ноября возмутили депутатов,” http://www.bbc.co.uk/russian/russia/2013/11/131107_petersburg_nationalists_attacks.shtml [in Russian].

⁷ See, for example, the video statement of Andy Muslimov, *Grani.ru*, November 2, 2013, <http://grani.ru/Events/Crime/m.220774.html>, and on *Kavkazskaya Politika*, November 6, 2013, <http://kavpolit.com/andi-muslimov-za-cto-menya-xoteli-ubit-ya-ne-ponimayu/> [in Russian].

⁸ The comment by Musa Hadisov, Muslimov’s lawyer can be found on *Grani.ru*, November 2, 2013, <http://grani.ru/Events/Crime/m.220774.html> [in Russian].

foreign and internal migrants by police have also been reported. For instance, according to a partner organization of Human Rights Watch, Civic Assistance Committee, a leading Russian human rights group working with foreign and internal migrants, refugees, and internally displaced persons (IDPs), on October 26, 2013, several individuals in police uniform arbitrarily detained an Uzbek labor migrant, Davlyat Garabayev. They did not identify themselves but stated that “a man from the Caucasus” had perpetrated a murder in the neighborhood, and they suspected that the migrant could be the perpetrator. According to Civic Assistance Committee, the officers threatened the migrant with torture, took him outside of the city boundaries, beat him up, and left him unconscious in a desolate area. According to Civic Assistance Committee, when the victim regained consciousness, he found the nearest police station and reported the crime, but the police refused to open a criminal case and told him to leave.⁹

Violence against migrant workers and national minorities is also prevalent outside of large urban centers. According to media reports, on November 1, 2013, a man on a bus in Zelenograd, a satellite city of Moscow, attacked a disabled 14-year-old Azeri boy and subjected him to a beating. As a result, the boy suffered multiple injuries and a psychological trauma, and his vision was severely damaged. The case received significant media attention.¹⁰ A criminal investigation is ongoing.

Migrants in Russia also suffer other forms of discrimination. According to the Civic Assistance Committee, they are particularly discriminated against in access to education and access to healthcare. In its 2012 annual report, the Civic Assistance Committee specifically notes cases of public school authorities refusing admission to children of migrants.¹¹

As regards access to healthcare, in a particularly disturbing recent case, on November 11, 2013, in the country’s easternmost city of Vladivostok, an Uzbek woman in labor was repeatedly denied admission by a local maternity hospital. Healthcare officials later referred to her lack of proper identity documents and medical insurance (neither of which would justify refusal of emergency medical assistance), but television reporters who appeared at the scene captured footage of medical personnel consistently referring to her

⁹ See a blog entry by the Chairman of the NGO “Civil Assistance,” Svetlana Gannushkina: “История маленького узбека, ограбленного и избитого,” November 4, 2013, <http://grani.ru/users/gannushkina/entries/220822.html> [in Russian]

¹⁰ See, for example, “Посольство: избитый в Зеленограде юноша из Азербайджана почти ослеп,” *RIA Novosti*, November 4, 2013, <http://ria.ru/incidents/20131104/974593644.html> [in Russian].

¹¹ Civic Assistance Committee’s 2012 annual report:
http://refugee.ru/Documents/otchet/Otchet_2012.pdf.

Uzbek nationality when refusing admission. When the labor reached its final stages, the woman had to lie down on a side-walk next to the hospital. Then, after an intervention by several local residents and police officials, the hospital workers finally agreed to admit her.¹²

Abuses against migrant workers

Human Rights Watch has also documented abuses against migrant workers in Sochi engaged in construction ahead of the 2014 Winter Olympic Games. Its February 2013 report, *Race to the Bottom: exploitation of Migrant Workers Ahead of Russia's 2014 Winter Olympic Games in Sochi*, documents exploitation of migrant workers on numerous sites in Sochi, including key Olympic sites, such as the Central Olympic Stadium, the Main Olympic Village, and the Main Media Center.

Exploitation faced by workers, including migrant workers, included: nonpayment of wages or excessive delays in payment of wages, including in some cases nonpayment of wages for weeks or months; employers' failure to provide written employment contracts or copies of contracts; excessive working hours, such as 12-hour shifts without payment of overtime; few days off; and overcrowded employer-provided housing and inadequate employer-provided meals. In some cases, employers withheld migrant workers' identity documents apparently as a coercive measure. Some employers retaliated against workers who challenged the nonpayment of wages, including by denouncing them to migration and other authorities, who subsequently expelled the workers.¹³

Separately, there are concerns about migrants being subject to forced labor. In October 2012, activists from the Memorial Human Rights Center discovered several Kazakh and Uzbek nationals who were forced to live and work in a grocery store in Moscow without any pay. The store's owner and Russian workers allegedly subjected the migrants to rape, beatings, harassment, humiliations, and threats.¹⁴ Memorial reported that after the victims' release from captivity, the police threatened them with prosecution for their unlawful stay in Russia and deportation.¹⁵ On June 21, 2013, Moscow city investigation

¹² See, for example, "Росздравнадзор проверил роддом Владивостока, в котором не приняли пациентку из Узбекистана," ITAR-TASS, November 19, 2013, <http://www.itar-tass.com/obschestvo/769722> [in Russian].

¹³ Human Rights Watch, *Russia—Race to the Bottom: Exploitation of Migrant Workers Ahead of Russia's 2014 Winter Olympic Games in Sochi*, February 6, 2013, <http://www.hrw.org/reports/2013/02/06/race-bottom-o>

¹⁴ For further details, please see Memorial's reports on the case, available at <http://www.memo.ru/r/259.html> [in Russian].

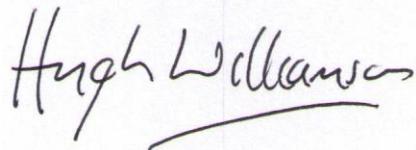
¹⁵ Ibid.

authorities refused to open a criminal investigation. The refusal was challenged in court, but its consideration was pending at time of writing.

In 2013 there were numerous reports in the Russian media alleging use of migrants’ “forced labor.”¹⁶ While Human Rights Watch has not verified the information contained in these reports, they suggest that the grocery store case may be part of a wider pattern of abuse.

Urgent action is needed to address the deteriorating situation of migrants and certain ethnic minorities in Russia, particularly their vulnerability to exploitation, discrimination, arbitrary detention, ill-treatment, and violence motivated by ethnic and racial hatred. We believe that your respective mandates can play a critical role in ensuring Russia’s compliance with its relevant international obligations in this regard. We respectfully ask that you request an invitation for a country visit to Russia at the earliest opportunity, ideally for a joint visit, and engage with the authorities on the steps needed to protect the rights of migrants and national minorities.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Hugh Williams".

Director
Europe and Central Asia Division
Human Rights Watch

¹⁶ See, for example, “Возбуждено уголовное дело по использованию рабского труда мигрантов,” *Grani.ru*, August 6, 2013, <http://grani.ru/tags/police/m.217657.html> [in Russian]; “Ищут замену,” *Rossiyskaya Gazeta*, November 5, 2013, <http://www.rg.ru/2013/11/05/reg-cfo/zamena.html> [in Russian].