



Analytical Report

Combating irregular migration and human trafficking in the CIS countries

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ABSTRACT

Irregular migration, including human trafficking, remains widespread in spite of all national and global efforts to counter it. In the post-Soviet space, the appearance of new independent states following the dissolution of the USSR has largely facilitated irregular migration. Various ethnic and territorial conflicts have accompanied the respective state formation processes, resulting in a continuous reforming of the migration authorities and attempts of international criminal groups to make use of the situation for their own purposes. The Islamic fundamentalism witnessed in some states has further aggravated the problem.

Russia and Kazakhstan represent the main countries of destination within the Commonwealth of Independent States (CIS). The European Union (EU) is another important destination, with the respective migration flows - including irregular ones - continuously growing. Due to the existing visa-free regime among the CIS countries, as well as Ukraine and Georgia (with some exceptions), most regional migrants enter the CIS territories legally for employment purposes. In spite of the national regulations developed in order to counter irregular migration, the irregular employment of labour migrants remains a common feature across the CIS. Since their independence, the CIS countries have built a system of collective responsibility in the fight against this phenomenon, but a large number of labour migrants remains outside the legal field. In the area of combating THB, the criminal law approach still prevails over a balance between the criminal prosecution and the protection of the victims.

This Analytical Report provides an overview of the irregular migration and human trafficking to, through and from the CIS countries and offers recommendations for possible actions to improve the overall situation.

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BACKGROUND

Established in December 1991, the Commonwealth of Independent States (CIS) nowadays unites nine countries - Armenia, Azerbaijan, Belarus, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan and Uzbekistan - featuring a total population of 230 million people^{1,2}. Turkmenistan³ has an observer status. The CIS countries have ratified agreements on the common economic space and on the visa-free regime (except for Turkmenistan). The CIS does not have supranational powers. The member states instead cooperate through the CIS Inter-Parliamentary Assembly. Georgia withdrew from the CIS in 2009, but retained freedom of movement with all the Commonwealth countries except for Russia⁴. In 2018, Ukraine also recalled its representatives from all the CIS statutory bodies and closed Ukraine's representation in the CIS. In spite of featuring among the founding countries, it has never been a member of the Commonwealth in legal terms⁵.

The socio-economic and demographic disparities among the CIS countries have stimulated population movements within the Commonwealth⁶. As the CIS frontrunners in terms of economic development and living standard, Russia and Kazakhstan represent the main destinations for migration within the region, experiencing severe labour shortages owing to their aging populations. Meanwhile, the main source countries of migration struggle with considerable unemployment among their youth⁷. In 2019 alone, Russia's Ministry of Labour issued 1.5 million vacancies. Almost 80% of all migrants entering Russia and Kazakhstan come for employment purposes. Once in the country, many of them breach the law by working in the informal economy.

At the same time, nationals of the CIS countries are actively seeking opportunities to travel outside the CIS. Since 2010, migration to the West, and in particular to the EU, has been growing, albeit to a much lesser degree from the Central Asian countries.

Most CIS countries have a well-developed regulatory and institutional framework for countering irregular migration. Their cooperation and joint actions ensure a stable control over any irregular border crossings⁸. Inside the countries, however, the law enforcement is relatively poor when it comes to protecting the rights of migrants or providing trafficking victims with assistance, rehabilitation and protection from their perpetrators.

¹ For the analysis and review of the migration flows in the region, the report makes use of separate data for Georgia and Ukraine, which are not CIS members.

² UN (2019). UN (2019), *Department of Economic and Social Affairs, Population dynamics* <https://population.un.org/wpp/Download/Standard/Population/>

³ It has an observer status in the CIS Inter-Parliamentary Assembly and is selectively included in the work of individual commissions.

⁴ Georgia and Russia have no diplomatic relations since 2008. Russian nationals nevertheless have the right to visit Georgia visa-free. Meanwhile, Georgian nationals need a visa for Russia. Air traffic is available between the countries.

⁵ Interfax (2019). Ukraine ratified the Agreement Establishing the CIS, but did not sign the CIS Charter, and therefore was never a regular member state.

⁶ Zainchkovskaya J. (2013).

⁷ According to the CIS Statistical Committee.

⁸ Rossiyskaya Gazeta (2019).

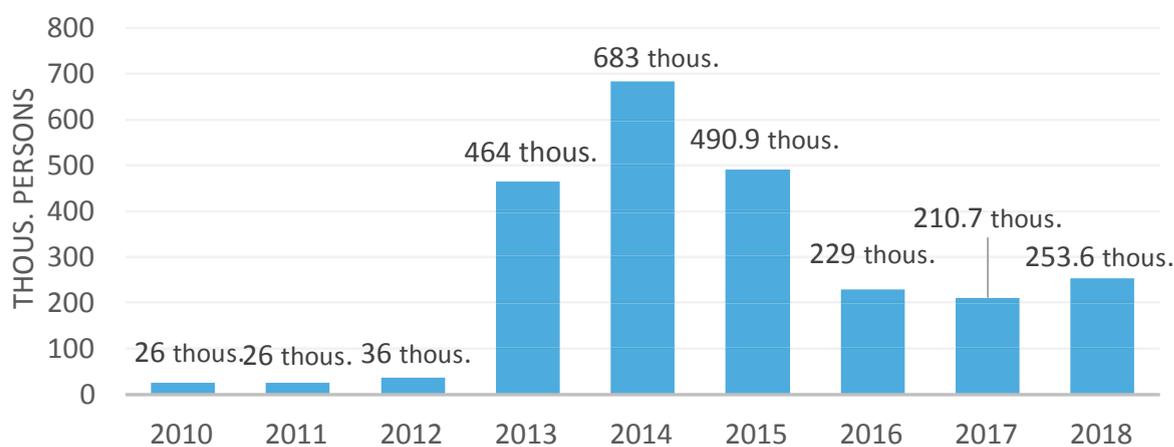
1. IRREGULAR MIGRATION IN THE CIS COUNTRIES

1.1. SCALE, GEOGRAPHY AND INSTITUTIONAL FRAMEWORK

It is difficult to assess the scale of irregular migration throughout the CIS because of the fragmentation, incompleteness and at times confidential nature of the relevant data. Irregular migrants from third countries, such as Afghanistan, China, India, Bangladesh or Vietnam target the CIS both as a destination and as a transit region. Most irregular migration, however, stems from within the CIS⁹.

In 2018, Russia's Ministry of Interior estimated the number of irregular migrants at approximately two million people¹⁰, but various experts claim their number to be at 2.5 to 4 million, representing up to one third of all labour migrants present in the country¹¹. In 2018-2019, around 250,000 entry bans were issued per year¹². Meanwhile, the number of deportations and administrative expulsions has decreased from over 100,000 in 2015 to 72,000 in 2018 and little over 32,000 in the first half of 2019¹³. Between 2011 and 2018, about two million migrants, mainly from Central Asia, were banned from entering Russia due to violating its national legislation (Fig. 1). Consequently, the number of irregular attempts to cross the Russian border increased significantly, including through the hiring of smugglers¹⁴.

Fig. 1. Entry bans for migrants who violated the Russian legislation (2010-2018)



Source: RF MIA

Kazakhstan is also experiencing significant irregular migration. By the end of 2019, 76,200 foreigners had administrative penalties, with 9,000 expelled from the country¹⁵. CIS nationals account for up to 90% of all foreigners entering Kazakhstan¹⁶ and the lion's share of all violations of the migration legislation. Of the 90,000 migration violations recorded in 2018, more than 87,000 pertain to CIS nationals¹⁷. According to the Ministry of Internal Affairs, each year over 100,000 foreign nationals are held administratively liable and over 10,000 are expelled from the country. Over 2,000 employers have been penalised for illegally hiring migrant labour.¹⁸

In all other CIS countries, the number of irregular migrants¹⁹ is much smaller in scale. Azerbaijan, for instance, issued 509 decisions on administrative expulsion in 2018, with a little over 19,000 migration violations registered²⁰. That year, Belarus deported 2839 individuals²¹, whereas Kyrgyzstan deported less than 400 individuals²².

⁹ CIS Internet Portal: Migration situation by countries <https://e-cis.info>

¹⁰ RIA (2019) (Rossiyskaya Gazeta, 2018).

¹¹ Chudinovskikh O. (2014), Mkrtychan N., Filinskaya Yu. (2019). The number is calculated as the maximum difference between the migrants who declared employment as the purpose for entry and those who actually obtained patents.

¹² Ministry of Internal Affairs of the Russian Federation website (2019)

¹³ CIS Internet Portal (2019) https://e-cis.info/cooperation/3728/84722/?sphrase_id=4738 ; https://e-cis.info/cooperation/3727/84714/?sphrase_id=4739

¹⁴ Interfax (2017).

¹⁵ Ministry of Labor and Social Protection of Kazakhstan (2019)

¹⁶ Radio Liberty (Radio Azattyq, Kazakhstan 2018)

¹⁷ https://e-cis.info/cooperation/3727/84716/?sphrase_id=4741

¹⁸ Baige News (2018) Over five million foreigners have visited Kazakhstan over the past three years - Ministry of Internal Affairs https://bnews.kz/news/svishe_pya-ti mln_inostrantsev_posetilo_kazahstan_za_poslednie_tri_goda_mvvd

¹⁹ Eastern Partnership (2017)

²⁰ Website of the State Statistical Committee of Azerbaijan: <https://www.migration.gov.az/press/statistics>

²¹ CIS Internet-Portal. The Migration Situation in Belarus in 2018 <https://e-cis.info/cooperation/3727/84717/>

²² CIS Internet-Portal. The Migration Situation in Krgyzstan in 2018 <https://e-cis.info/cooperation/3727/84715/>

As the main destination country within the CIS, Russia has the greatest influence in shaping the migration policies of the Commonwealth²³. In 1995, it initiated the process of building collective responsibility in the fight against irregular migration, which has since resulted in the ratification of various agreements²⁴. Following the EU enlargement of 2004, the CIS Member States endorsed the Concept for a Coordinated Border Policy. Until 2021, this Concept provides the basis for the two-year cooperation programs to combat irregular migration. The resulting joint “Illegal” operations²⁵ represent the most successful type of cooperation in this area²⁶.

The “Illegal-2018” operation resulted in some 4.000 prosecutions for facilitating irregular migration in Russia, Armenia, Belarus, Kazakhstan, Kyrgyzstan and Tajikistan. The operation identified over 143.000 violations of the migration legislation, of which 110.000 related to the entry, exit and stay of foreign nationals and the remaining 33.000 to migrants’ irregular employment. 238 prosecutions related to irregular border crossings and 30 to cases of extremist and terrorist nature²⁷.

Overall, from 2004 to 2018, over 74.000 border violators and over 20.000 irregular migrants were detained within special border operations. In 2018, such operations more than halved the number of border violations. This was presumably due to the heightened border surveillance during the Football World Cup²⁸.

The early 2010s saw the introduction of new provisions on countering irregular migration in the Criminal Codes of Russia, Belarus and Kazakhstan²⁹. The detection of law enforcement officers facilitating irregular migration in Belarus and Kazakhstan represented an aggravating circumstance³⁰. Whereas the Criminal Codes of Kyrgyzstan, Tajikistan, Armenia, Azerbaijan and Turkmenistan do not entail equally extensive provisions, they do explicitly recognize the facilitation of irregular migration as a crime. Individual CIS countries also concluded readmission agreements with each other, with various EU MS, as well as with a number of source and transit countries of irregular migrants (e.g. Mongolia, Turkey, Vietnam)³¹.

The geography of **irregular transit movements** through the CIS territory is shaped by the changing political situation, visa and entry regimes, and border restrictions. For many years, Russia and the EU continue to be the main destinations for irregular migration (Table 1). Most non-CIS migrants enter the Commonwealth legally on a visa. In a next step, they secretly or on forged documents cross the EU border coming from Russia, Belarus, and less often Moldova and Ukraine³². Criminal transnational networks play a key role in smuggling migrants across the Latvian-Russian, Polish-Belarusian and Belarusian-Latvian borders. On both sides of the border, the smuggling is often organised by CIS migrants with a refugee status in the EU or representatives of their diaspora³³. In Central Asia, the smugglers are mostly Russian and Central Asian nationals. Non-regional smugglers from Afghanistan, India, Cameroon, Pakistan and Bangladesh operate from the Russian side along the Finnish and Norwegian borders³⁴. Afghan and Bangladeshi migrants also undertook numerous attempts to obtain the Kazakh Oralman status³⁵ in order to illegally transit from China through Kazakhstan³⁶. The CIS border services are especially concerned over the southern border with Afghanistan (on the side of Uzbekistan, Kyrgyzstan and Tajikistan), where Afghan smugglers occasionally attack border outposts³⁷.

²³ Zaionchkovskaya Zh. (2009).

²⁴ “Treaty on Cooperation in the Protection of the Borders of the Participants in the Commonwealth of Independent States with States That Are Not Members of the Commonwealth” (1995), “Agreement on Cooperation of the CIS States in Combating Illegal Migration” (1998), “Agreement on Cooperation of the CIS States in Combating Human Trafficking” and “Regulation on Integrated Database on Irregular Migrants”.

²⁵ Since 2017, the “Illegal” operation has been granted the status of a permanent regional operation

²⁶ Commonwealth Border Guard, (2019: 7).

²⁷ Sizov Yu. (2018).

²⁸ By 2019, the Council of Commanders of the Border Troops of the CIS Countries concluded over 260 international multilateral agreements on cooperation in the border sphere with 48 States. (Commonwealth Border Guard, 2019).

²⁹ Provisions foresee liability for organisation, stay, transit, fictitious registration of a foreign national; facilitating illegal border crossing for personal gain.

³⁰ Kazakhstan: CC Art. 394; Azerbaijan: CC Art. 318.1; Tajikistan: CC Art. 335.1; Ukraine: CC Art. 332; Moldova: CC Art. 362; Republic of Belarus: CC Art. 371.1; Armenia: CC Art. 329.1 (Gulina, 2018:9).

³¹ CARIM (2013:7-8). (Gulina, 2018).

³² Virkkunen, Piiponen (2017).

³³ Frontex (2017) State Border Committee of the Republic of Belarus (2016, 2017, 2017a, b, c); Eurasia Daily (2017), Border Service of the Federal Security Service (2017, 2017a)

³⁴ Frontex 2017:11.

³⁵ Oralmans (kaz. Oralman – from Kazakh means “returnee”) are ethnic Kazakhs-repatriates who move to Kazakhstan from neighboring countries (Uzbekistan, China, Turkmenistan, Russia, Kyrgyzstan), and some other Asian countries (Mongolia, Iran, Afghanistan, Pakistan, etc.)

³⁶ Radio Liberty (Radio Azattyq) (2018); Forbes (2018).

³⁷ Sputnik Tajikistan (2019).

Table 1. Routes of irregular transit movements through the CIS countries, Ukraine and Georgia since 2010



Source: compiled by Molodikova (2018); data of the Border Committee of the Republic of Belarus (news feed) 2017–2019, IOM (2015), IOM (2016), data of the Border Committee of the Russian Federation, “Commonwealth Border Guard” Journal, 2017–2019. <http://skpw.ru/sections/skpw/editors.html>

- 1a.** Afghanistan – Pakistan – Iran – Azerbaijan – Russia
- 1b.** Afghanistan – Tajikistan – Russia
- 1c.** Afghanistan – Russia (Moscow) – Finland/Norway
- 2a.** Georgia – Turkey – Greece (EU)
- 2b.** Georgia – Turkey – Serbia – EU
- 2c.** Georgia – Belarus – Russia
- 3.** Central Asia (migrants with an entry ban): Uzbekistan – Kazakhstan/Kyrgyzstan – Russia
- 4.** Central Asia – Turkey – Balkan route – EU (asylum)
- 5.** Middle East/Southeast Asia – Turkey – Ukraine/Belarus – Poland/Baltic States – Germany
- 6.** China – Russia (Far East) – Russia (Moscow) – Ukraine/Belarus – Baltic States (EU)
- 7.** Vietnam – Russia – Belarus – EU (Poland, Baltic States)
- 8a.** Russia (North Caucasus) – Azerbaijan – Turkey – ISIS (migration of militants from Russia and Central Asia who came as migrants, mainly to Syria and less often to Iraq)
- 8b.** Russia (North Caucasus) – Russia (Moscow) – Belarus – Poland (asylum in the EU)
- 9.** Return of militants: Syria (Kurdistan) / Iraq – Turkey – Georgia – Russia (or from Turkey – Central Asia / Azerbaijan – Russia (Dagestan). Migration from Turkey is possible in search of the EU asylum

1.2. MAIN FACTORS OF IRREGULAR MIGRATION

The geography of the CIS – located between developing, overpopulated Asian countries and developed European countries – turns it into a **natural transit corridor for migrants**. Here, the main entrance gate is the eastern regions of Russia, the Chinese borders of Kazakhstan, and the Caucasus countries, while the exit gate includes Belarus, Ukraine, Moldova, and northwest Russia³⁸. The **vast CIS territory with borders characterized by varying degrees of control** facilitates the formation of international corridors for irregular migration. In 2018, over 155 million Russian and foreign nationals were admitted through the Russian state border, of whom over 65.000 had invalid documents³⁹. In the same year, the Kazakh border guards admitted over 48 million people and over 6 million vehicles⁴⁰.

As a legacy of the USSR's breakup, **the ongoing ethnic and territorial conflicts** account for complex relations, territorial claims and the emergence of separatist enclaves within the region⁴¹. **The absence of diplomatic relations** between Georgia and Russia, Armenia and Azerbaijan, as well as between the self-proclaimed statelets and their 'parent' states also give rise to irregular transit migration. The conflict in Ukraine and the resulting closure of more than half of its checkpoints with Russia, as well as of rail and air traffic through the world's second largest migration corridor, led to an increase in irregular border crossings in both directions⁴². This also turned Belarus into a more prominent transit corridor. Georgian labour migrants, for instance, travel through Belarus to Russia, crossing the border irregularly, including on forged Abkhaz passports⁴³. The protection of their rights, including in trafficking situations, thereby becomes nearly impossible.

The visa-free regime and the overly **bureaucratic and expensive labour mobility system** across the CIS region hinder the efficient regularisation of labour migrants in Russia and Kazakhstan⁴⁴. The economic crisis in Russia, which led to the devaluation of the currencies of most CIS countries and a decrease in real wages, facilitates irregular labour migration even more. Without any alternative high-income and visa-free destinations, labour migrants cut their costs on work permits, medical insurance and registration, and ultimately enter the shadow economy. **The corruption in the competent migration agencies**⁴⁵ reinforces the criminal networks in their illegal actions against migrants. In Russia, only 14.3% of migrants did not pay to intermediaries⁴⁶, while 10% paid bribes to the police in the absence of a registration or work permit⁴⁷. In 2019, an infamous corruption case involved the staff of the Administration of Internal Affairs on the Moscow Metro accepting bribes from migrants⁴⁸. In Kazakhstan, the employees of the Almaty Center for Migration Services supported a criminal group, which organised an irregular migration channel from Central Asia⁴⁹.

The constant reforms of the responsible authorities and changes in the migration and border legislation make migrants breach the law due to a lack of awareness and education or their poor knowledge of Russian and Kazakh language. Migrants often rely on unscrupulous diaspora members and intermediaries who draw up fictive documents and registrations for them⁵⁰.

The geographic **proximity of the CIS countries to states under the influence of Islamic fundamentalism and terrorism** facilitates the recruitment of the vast CIS Muslim ummah⁵¹ to ISIS. These fighters then often cross the CIS borders illegally going to the Middle East and back⁵². Up to 10.000 fighters migrated irregularly from Russia to fight on the ISIS side⁵³. In 2018, over 1.000 persons were suspected of involvement in terrorist activities on the Russian state border⁵⁴.

³⁸ Ivakhnyuk (2014)

³⁹ Rossiyskaya Gazeta (2019)

⁴⁰ Inbusinesskz (2019).

⁴¹ Transnistria, Nagornyi Karabakh, South Ossetia, Abkhazia, Donetsk and Luhansk republics

⁴² Derkach (2018)

⁴³ Interview with an illegal Georgian labor migrant in Russia in July 2018.

⁴⁴ Decree "On State Migration Policy Concept of the Russian Federation for 2019-2025" (2018); Decree "On Approval of the Migration Policy Concept of the Republic of Kazakhstan for 2017-2021".

⁴⁵ Deutsche Welle (2017).

⁴⁶ The data comes from the research project: "Transit Migration, Transit Regions and Migration Policy of Russia: Security and Eurasian Integration" (2017-2019)" implemented as part of the Presidential Grant "Social Risks and Security during Transformation of Migration Processes in the Russian Outskirts" (2018-2019). (Altai State University, 2019).

⁴⁷ Poletaev (2019).

⁴⁸ Fakhrutdinov (2019)

⁴⁹ Eurasia Daily (2019)

⁵⁰ Studies have shown that most migrants get jobs through acquaintances and relatives. See: Altai University (2019), Poletaev (2019)

⁵¹ Umma (Arabic **أمة** - community, nation), in Islam - a religious community. In Russia, Islam is one of the official religions. The main indigenous people of the North Caucasus, the Volga Tatars and Bashkirs, as well as the population of the Central Asian countries profess mainly Islam.

⁵² Sputnik Tajikistan (2019)

⁵³ Eurasia Daily (2017a)

⁵⁴ Rossiyskaya Gazeta (2019).

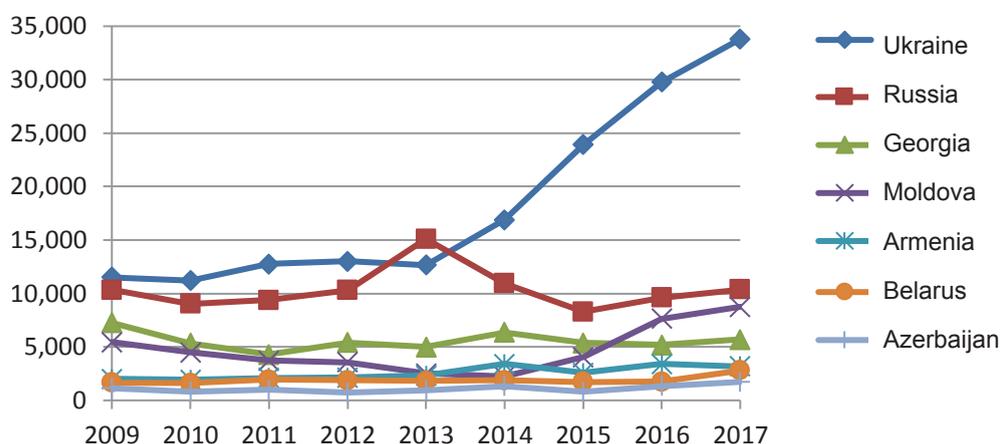
It is also worth mentioning the **important role of the diaspora within the transnational criminal networks** in the countries of Central and Eastern Europe. In the 1990s, the visa-free travel to Poland, Hungary, Czech Republic, Slovakia and the Baltic States gave rise to a significant transnational diaspora from the CIS and the former socialist camp countries⁵⁵.

1.3. IRREGULAR MIGRATION FROM THE CIS, UKRAINE AND GEORGIA TO THE EU

In 2017, the total number of unauthorized migrants⁵⁶ in the EU, whose population is double of the CIS, ranged from 3.9 to 4.8 million⁵⁷. The share of CIS nationals (including Ukrainians and Georgians) increased from 8.5% in 2009 to 12.3% in 2017-2018 (or from 48.600 to 76.200 persons per year, respectively). Germany, Poland, Sweden and Lithuania (less often Austria, the UK and Hungary) were their main countries of destination⁵⁸.

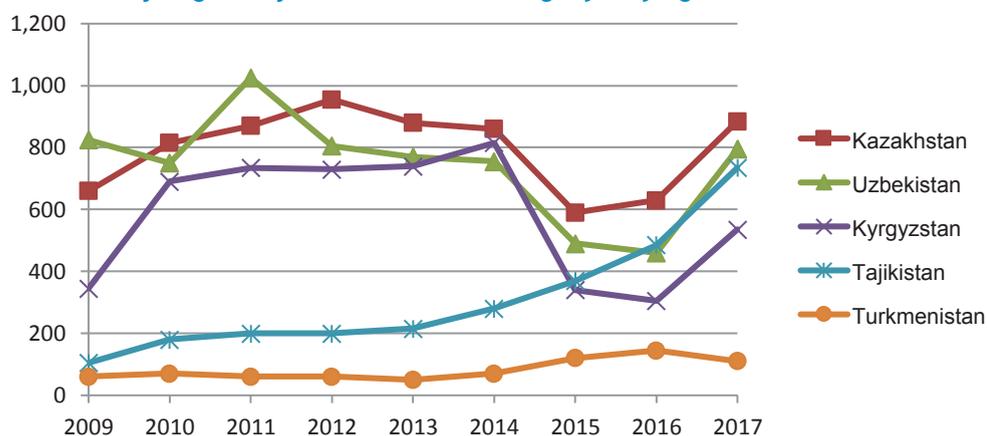
Over 70% of all unauthorized migrants from the wider CIS are from Ukraine, Russia and Georgia, followed by Moldova. Whereas the number of Russian irregular migrants in the EU remains stable over the years, the number of unauthorized nationals of Moldova, Ukraine and Georgia has increased after the introduction of the visa-free regime with the EU (Fig. 2.1.)⁵⁹. Meanwhile, the number of Central Asian irregular migrants is marginal and does not exceed 1.000 persons per year (Fig. 2.2.).

Fig. 2.1. Number of migrants from the CIS, Ukraine and Georgia illegally staying in the EU, 2009-2017/2018



Source: Eurostat 2009-2018

Fig. 2.2. Number of migrants from Central Asia illegally staying in the EU, 2009-2017



Source: Eurostat 2009-2018

⁵⁵ See more in Molodikova (2018).

⁵⁶ Includes asylum seekers whose applications are pending review

⁵⁷ Peiu Research Center (2019).

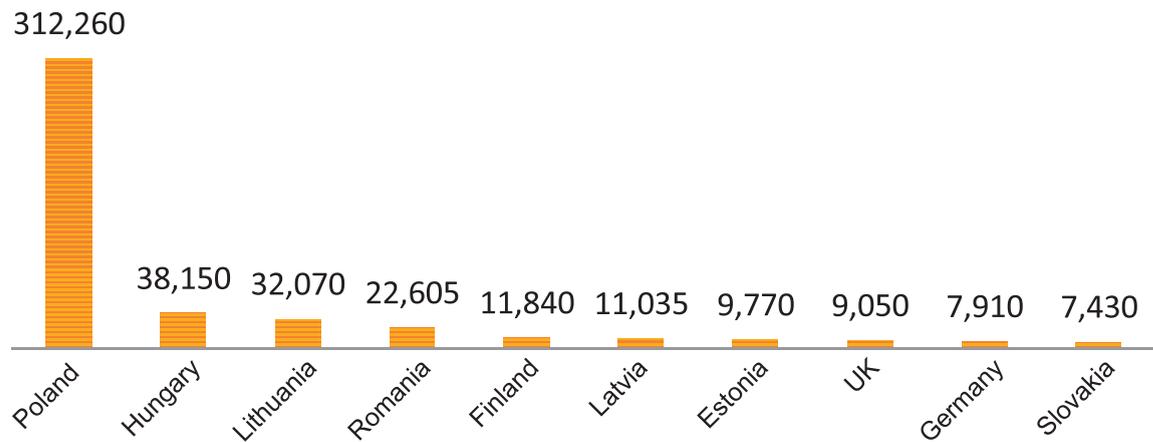
⁵⁸ Eurostat 2009-2018 [migr_eipre]

⁵⁹ Eurostat 2009-2018 [migr_eipre]

It is important to note that while irregular migrants from Moldova or Belarus are primarily coming for employment purposes, the Central Asian nationals often end up with an irregular status after a failed asylum claim. The CA countries do not feature on the EU MS lists of 'safe countries of origin', nor have they ratified readmission agreements with the EU⁶⁰. Following the rejection of their asylum application in one EU MS, many Central Asian nationals tend to re-apply for asylum in another country or remain irregularly until their deportation. In recent years, however, the EU has also been recording more labour migrants from Central Asia⁶¹. Without any state support in terms of a targeted recruitment of labour force, they frequently end up as irregular labour migrants in Norway, Poland or Finland⁶².

As seen on Fig. 3, Poland is the main country of entry and the leader in entry refusals for irregular migrants from the CIS⁶³. From 2009 to 2017, it refused entry of over 3 million CIS nationals, including Ukrainians and Georgians. Hungary and Lithuania account for ten times less with some 30.000 entry refusals over this period. Romania, which borders Moldova, issued 22.000 refusals, while Finland, Estonia and Latvia, which border Russia, issued 10.000 each (see Table 1). The border of Belarus along several EU MS remains the most challenging entry point. For this reason, Belarus, Russia, Poland and the Baltic States organise annual border operations there.

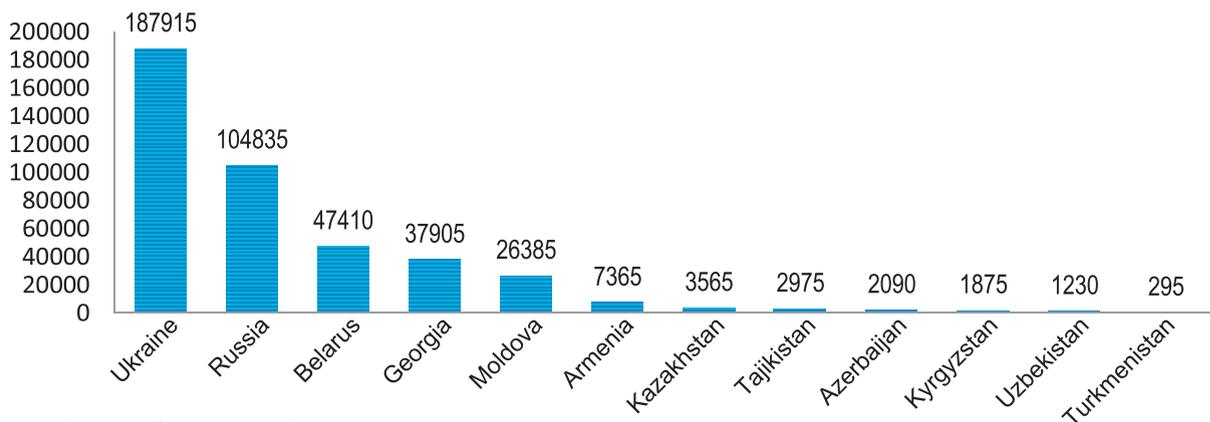
Fig. 3. Top 10 EU countries issuing most entry refusals from 2009 to 2017 (persons).



Source: Eurostat data 2009-2017

Most entry refusals were issued to Ukrainian nationals, half as many to Russian nationals, followed by nationals of Belarus, Georgia and Moldova with four, five and six times less refusals respectively (Fig. 4). All five Central Asian countries are far behind.

Fig. 4. EU entry refusals from 2009 to 2017 (persons).



Source: Eurostat data 2009-2017

⁶¹ Matusevich (2019).

⁶² Sputnik Kazakhstan, (2019), Matusevich (2019).

⁶³ Eurostat 2009-2018; FRONTEX database, 2009-2019.

1.4. IRREGULAR LABOUR MIGRATION IN RUSSIA AND KAZAKHSTAN

Attracting up to 90% of all CIS migrants, Russia and Kazakhstan experience frequent violations of their migration laws. Violations by nationals from the visa-free CIS countries relate to overstays, the lack of an appropriate registration or a work permit (patents)⁶⁴.

The various **administrative barriers** represent an enormous challenge for labour migrants in **Russia**⁶⁵ - the need to pass tests on the history, legislation and language of Russia; the obligation to register anew upon every entry; or the impossibility for citizens of Azerbaijan, Moldova, Tajikistan and Uzbekistan⁶⁶ to change the purpose of stay inside Russia. Moreover, the unwillingness of property owners to register migrants pushes the latter to purchase fictive registrations⁶⁷. By failing to register migrants and pay the resulting taxes to the state budget, unscrupulous employers also push migrants out of legality. Migrants may also become irregular by committing two administrative violations - for instance, by parking in the wrong place⁶⁸. The problem of forged documents is also relevant: approximately every fifth Kyrgyz migrant who approached the Kyrgyz embassy in Russia had problems with false documents⁶⁹.

Substantial financial expenses incurred by migrants push some of them into debt bondage. In 2017, only 50% of all migrants present in Russia had a work permit⁷⁰. In 2018, 21% of migrants in seven border regions of Russia worked without a patent and over 15% paid bribes to obtain one⁷¹. The main obstacles in obtaining the necessary patents included the lack of financial resources⁷², the employer's passive attitude, and the overly complicated and lengthy administrative procedure. Trying to minimize their expenses, migrants apply different unlawful or semi-legal strategies:

- Obtain a patent, but work without a formal contract for a fictive minimum wage;
- Live and work without documents, also after receiving an entry ban;
- Work without a patent, but adhere to the migration regulation by crossing the border every 90 days;
- Enter a sham marriage with Russian or Kazakh nationals;
- Buy a passport of an EAEU country (e.g. Kyrgyzstan)⁷³, thereby avoiding the need to obtain a patent⁷⁴;
- Buy a residence permit or citizenship of Russia or Kazakhstan through paying bribes⁷⁵;
- Enroll as students to Russian universities and work illegally – voluntarily or forcibly⁷⁶.

Irregular labour migration in **Kazakhstan** is also significant, especially among **domestic workers** from neighboring Uzbekistan, who work for private individuals in agriculture and small business in the border regions⁷⁷. The applicable quota system does not allow recruiting labour force in a swift manner⁷⁸. In general, the domestic labour market operates informally, without involvement of private recruitment agencies, and only 13% of employees have written agreements. Both Kazakhstan and Russia provide almost no legal remedies to migrants working in private households. Twenty percent of the domestic workers in Russia and up to 40% in Kazakhstan are deceived, which also constitutes a breach of Article 5 of the ILO Domestic Workers Convention 189⁷⁹. Russia and Kazakhstan have signed this Convention but have not ratified it.

The minor attempts to establish regulated labour recruitment schemes⁸⁰, which address the residence and work permit requirements already at the pre-departure stage, have not paid off to date. Whereas Uzbekistan and Tajikistan have concluded agreements on recruitment schemes with Russia, the lack of a centralised admission and registration system for migrant workers, persisting mass violation of migrants' rights and their exploitation⁸¹, as well as the corruption in government agencies make these schemes unattractive.

⁶⁴ Filippov (2015); Caritas (2018).

⁶⁵ Caritas 2018.

⁶⁶ All other CIS countries allow changing the purpose of stay without the need to leave the country.

⁶⁷ Since 2019, Article 332 of the Criminal Code increased the criminal liability for "fictitious" registration to 3 years in prison.

⁶⁸ Rossiyskaya Gazeta (2019); Caritas (2018:25)

⁶⁹ Ivashchenko (2018)

⁷⁰ Poletaev (2019).

⁷¹ 700 migrants were interviewed in Murmansk, Pskov, Rostov and Orenburg regions, the Altai Territory, the Republic of Altai (Altai State University (2019)).

⁷² The average cost incurred by a migrant accounts to 10-18 thousand rubles (180-250 EUR). (Altai University 2019)

⁷³ In accordance with the Eurasian Union Treaty, nationals of the EAEU Member States (Armenia, Belarus, Kazakhstan and Kyrgyzstan) are exempt from applying for a patent.

⁷⁴ Ivashchenko, (2018).

⁷⁵ Radio Liberty (Radio Azattyq 2018).

⁷⁶ Trafficking (2019)

⁷⁷ Sputnik Kazakhstan (2019a).

⁷⁸ According to the Ministry of Labour, the 2020 quota will be 360 thousand or 3.9% of the RK labour force.

⁷⁹ Ivakhnyuk (2017)

⁸⁰ Matusevich (2019).

⁸¹ Sputnik Uzbekistan (2019).

It is worth noting that both host countries are taking steps to improve the situation. Since November 2019, Russia has been trying to ease the residence permit process for some categories of migrants. In March 2020, President Putin issued an instruction on reforming the migration and citizenship laws in line with the new Migration Policy Concept⁸². In January 2020, Kazakhstan also liberalized its residence and registration system significantly⁸³. It canceled the migration card and obliged the hosts of migrants (employers, medical and recreation facilities, educational institutions, owners of hostels, hotels, rental housing) to register visa-free migrants within three days, respectively notifying the Migration Service.

The new Migration Policy Concepts of Kazakhstan (2017) and Russia (2018) emphasize, inter alia, the fight against irregular migration, but do not pay due attention to seasonal and circular migration and labour migrants' rights⁸⁴. Instead, the enforcement of the migration legislation and special control operations remain the key priority.

⁸² Changes in the temporary stay and permanent residence permits (2019), RIA Novosti (2020)

⁸³ INBUSINESS (2018)

⁸⁴ Ivakhnyuk (2018)

2. HUMAN TRAFFICKING IN THE CIS COUNTRIES

2.1. ASSESSMENT OF THE MAGNITUDE AND FORMS

Entering the global labour market in the 1990s, many CIS migrants simultaneously joined the criminal networks of human traffickers. The rapid development of the Internet in the region moved trafficking to the online space, accelerating its dynamics and increasing traffickers' anonymity⁸⁵. Since 2000, the CIS countries have signed and ratified the Convention Against Organized Crime (2000) and the two Palermo Protocols ("Against the Smuggling of Migrants by Land, Sea and Air" and "On Combating Human Trafficking")⁸⁶. They have also established the necessary legislative base to combat this phenomenon on the national level. All of them introduced articles criminalizing forced labour and prostitution (with some alternations) into the Criminal Codes. Most CIS countries established interdepartmental commissions for combating Trafficking in Human Beings (THB) and developed national action plans. Moreover, they concluded various agreements at the level of member states, established the Council of General Prosecutor's Offices of the CIS countries, as well as the Council of the Heads of the Ministries of Interior to combat THB⁸⁷. Furthermore, the countries adopted medium-term cooperation programs in the field of combating THB as of 2007 to present⁸⁸ (for more details see Appendix, Table 3). The assessment of the progress in this area nevertheless remains challenging. The CIS statistics are far from perfect, and even the UNODC data features numerous gaps and ambiguities⁸⁹.

Russia and Kazakhstan are the main countries of destination, transit and origin of THB victims in the CIS. All other CIS member states, as well as Turkmenistan and Ukraine, foremost represent countries of origin of THB victims. However, the geography of human trafficking is constantly expanding. For example, Moldova is also a destination for sex tourism. Dancers from Russia work in Armenia and Azerbaijan or outside the CIS. Moreover, the CIS countries have become destinations for THB victims from new regions: Vietnamese in Belarus; Chinese in Kyrgyzstan, Kazakhstan and Azerbaijan; Indians in Armenia; or Uzbeks in Azerbaijan (for details see Appendix, Table 2).

The UNODC 2014-2017 data⁹⁰ shows that in most CIS countries women are more likely to become victims of THB, with sexual exploitation being the main form. The exceptions in this regards are Uzbekistan, Kazakhstan and Armenia, where men are more likely to be subjected to labour exploitation. Only Armenia and Kyrgyzstan provide statistics on other forms of trafficking (e.g., children and organ trafficking).

The largest number of THB victims in the CIS originate from Uzbekistan (3.632), with their majority being men⁹¹. Moldova comes second with 955 victims, featuring an even number of female and male victims. Belarus holds the third place with 477 victims, of whom 331 are women subjected to sexual exploitation (Fig. 5)⁹². In Russia, 224 men, women and children became THB victims, although some sources estimate larger numbers of 0.6 to 1.5 million⁹³. In 2018, a survey showed that 7% of migrants in Russia faced some form of exploitation that fell within the Criminal Code's definition of a THB victim⁹⁴. In 2014, this figure reached 15% among migrants working in private households in Moscow⁹⁵. In the remaining CIS countries, the number of identified THB victims did not exceed 200 in four years.

⁸⁵ Law (2019); IOM (2019)

⁸⁶ Uzbekistan has signed but has not ratified the Convention and the protocols.

⁸⁷ Agreement on Cooperation among the CIS Member States on the Issues related to Return of Minors to Their States of Permanent Residence (2002); "On Cooperation of the Commonwealth of Independent States in Combating Trafficking in Human Beings, Human Organs and Tissues" (2005); "On Cooperation of the Prosecutor General Offices of the CIS Member States in Combating Trafficking in Human Beings, Human Organs and Tissues" (2009); "On Cooperation of the Ministries of Internal Affairs (Police) of the CIS Member States in Combating Trafficking in Human Beings to Ensure Prosecution of Those Involved in Human Trafficking" (2010). (Molodikova (2018).

⁸⁸ It is unclear why the fourth CIS anti-trafficking program has not been initiated since 2019.

⁸⁹ Molodikova (2020).

⁹⁰ UNODC (2018).

⁹¹ Ibid.

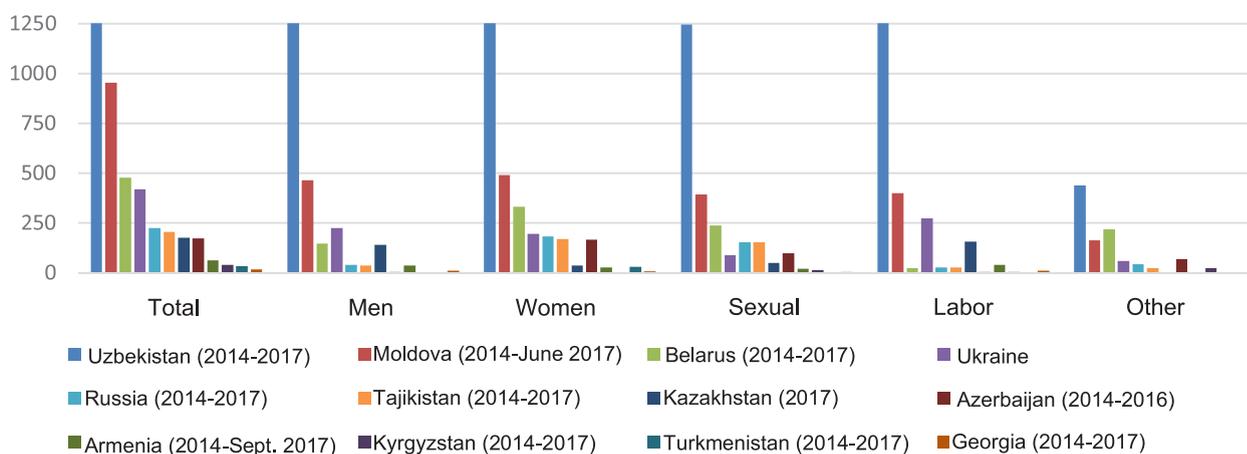
⁹² Republic of Belarus MIA (2019).

⁹³ Trafficking in Persons (2019); Pravda (2017); Ryazantsev (2015)

⁹⁴ Altai State University (2019).

⁹⁵ Zaionchkovskaya (2014: 49)

Fig. 5. The total number of identified THB victims from 2014 to 2017 (persons)



Source: UNODC (2018).

Overall, Belarus⁹⁶ showed a downward trend in 1999-2018, after reaching a peak in 2005. Since 2011, more victims have been exploited inside the country rather than abroad. A similar trend is observed in the Central Asian countries, Azerbaijan and Armenia. According to experts, the internal urban migration of poorly educated youth from rural areas represents an important reason for the internal THB market in the CIS to grow. With few opportunities on the local labour market, young people become an easy catch for traffickers⁹⁷. According to various sources, the entry bans for migrants in Russia have increased the number of actual and potential THB victims in the Central Asian countries⁹⁸.

The recent years saw the emergence of new patterns in human trafficking. Since 2010, militants from Russia, Uzbekistan, Azerbaijan, Tajikistan and Kyrgyzstan together with their families moved illegally to join ISIS in Syria and Iraq – their number is estimated at 3.500-10.000 people. After the defeat of ISIS, Russia and the Central Asian countries had to address the return of women and children from this region, many of whom had ended up as THB victims⁹⁹. The 2018 Football World Cup represented another opportunity for traffickers. By 2019, some 5.000 migrants had entered Russia as football fans and remained in the country illegally. This number included 1,863 Nigerian nationals who became victims of sexual exploitation¹⁰⁰.

2.2. PROVIDING ASSISTANCE TO THB VICTIMS

The most common forms of assistance provided to THB victims include hotlines, shelters and centers for victim protection and rehabilitation, financial and legal support, as well as awareness raising campaigns. All CIS countries provide all or some of them, but lack a monitoring and evaluation system to assess their effectiveness and sustainability.

Specialised hotlines for THB victims exist in Belarus, Kazakhstan, Moldova, Turkmenistan, Azerbaijan and Kyrgyzstan. Other countries feature hotlines for a wider range of vulnerable groups, such as victims of violence. Many lines receive financial support from abroad.

While all CIS countries have established a system of **shelters and centers for victim protection and rehabilitation**, their number remains insufficient. Since 2012, there is only one single state rehabilitation center in Russia¹⁰¹, which provides psychiatric assistance to victims, but does not ensure their pre-trial protection. Since the adoption of the law on foreign agents of 2015 in Russia, all shelters operated by NGOs have been closed¹⁰². Whereas the MIA of Azerbaijan also runs one shelter for THB victims¹⁰³, the government does not

⁹⁶ Current state of the rights and freedoms of internally displaced persons in Ukraine. Stakeholder' Report. The report is presented to the UN Universal Periodic Review, 28th Republic of Belarus MIA (2019).

⁹⁷ Moldobaev (2017); IOM (2016); Eastern Partnership (2017); Chobanyan (2019); Hainzl (2019).

⁹⁸ Trafficking in Persons (2019); IOM (2016); Moldobaev (2017)

⁹⁹ Eurasia Daily (2017a) Since 2017, 200 children from Iraq and Syria have been returned to Russia, but there may be 1,400 of them (Trafficking in Persons, 2019), (Gazeta 2019).

¹⁰⁰ Trafficking in Persons (2019).

¹⁰¹ At the V.P. Serbsky State Scientific Center for Social and Forensic Psychiatry

¹⁰² Law No 43, adopted on 08 March 2015 <https://rg.ru/2015/03/13/nko-dok.html>

¹⁰³ All recognized victims receive financial, legal, medical and psychological assistance, as well as support in finding employment. In 2017, support was officially provided to 95 recognized and three potential victims. The MIA has a shelter for women (Eastern Partnership, 2017).

provide any support to NGO-run centers. In Turkmenistan, one shelter financed from abroad is providing employment and reintegration assistance to female THB victims. While there are no specific facilities for THB victims in Belarus, the local authorities do operate a number of crisis rooms for a wider range of vulnerable groups¹⁰⁴.

Tajikistan and Uzbekistan equally feature rehabilitation centers for assistance and protection of THB victims. Uzbekistan also has special centers for minors. In Kyrgyzstan, the municipalities of Bishkek and Osh have provided the premises for the shelters for THB victims (including foreigners) operated by IOM. Kazakhstan finances ten shelters, but only for its own citizens. Armenia allocates funds¹⁰⁵ to protect THB victims and maintain NGO shelters, as well as provides victims with the right to a residence permit in case of employment. The issue of victim return and reintegration, nevertheless, remains unresolved, with cases of re-victimization¹⁰⁶. Since 2001, Moldova has had a national system of assistance to THB victims, and Assistance and Protection Centers for Vulnerable Groups of Populations, but male victims cannot stay there¹⁰⁷. The government also assists victims with return. In 2018, it returned 28 adults and 20 children from Russia, Ukraine, Romania, Spain, Lithuania, Italy and UAE. Regardless of the victims' preparedness to cooperate with the law enforcement agencies, they receive legal, medical and psychological assistance at regional aid centers upon return.

All countries regularly organise **awareness raising activities** together with international organisations. These include media activities and various infomaterial, as well as trainings for law enforcement agencies, schoolchildren, students and labour migrant. The Ministries of Internal Affairs offer lectures on countering THB at the CIS MIA Academy in Minsk and at the MIA Academy in Tajikistan.

In terms of legal support, the consulates of Kazakhstan, Kyrgyzstan, Tajikistan, Uzbekistan, Belarus and Armenia offer special programs protecting the rights of migrants in various destination countries. Some countries provide migrant victims with free legal support and accommodation before and during the trial. As to **financial compensation**, the laws of Moldova¹⁰⁸, Belarus and Kazakhstan¹⁰⁹ provide for compensation to THB victims from the trafficker's property (Appendix, Table 2).

2.3. CHALLENGES OF COMBATING THB IN THE CIS

The **practical application of the law** in the area of THB victim protection, rehabilitation and reintegration represents a key challenge. While criminalizing trafficking and forced labour crimes, the courts of Russia and Kazakhstan often re-qualify THB cases to other crimes. The hearing of THB cases is ever more challenging in the absence of a stand-alone human trafficking law in the two countries¹¹⁰. The legislation of Belarus allows qualifying prostitution as an administrative offense¹¹¹. Meanwhile, the Criminal Code of Kyrgyzstan does not stipulate an imprisonment for human traffickers¹¹². In addition, international migrants are often deported before THB investigations have been initiated. In other instances, open cases get closed immediately after the departure of the THB victims¹¹³.

The well-organised criminal networks facilitate human trafficking through high-level corruption and money laundering. In Kazakhstan, many THB cases do not even reach the court¹¹⁴ due to corruption involving law enforcement officials, which is equally true for other CIS countries¹¹⁵.

Cooperation among the CIS law enforcement agencies is also challenging. Most complaints account for lengthy negotiation, information exchange and decision-making processes¹¹⁶. The victim identification system remains poorly developed, as the employees of the relevant agencies often lack the necessary qualifications or criteria for identification of victims.

¹⁰⁴ US Department of State, 2018 Trafficking in Persons Report - Belarus, 28 June 2018, available at: <https://www.refworld.org/docid/5b3e0ba54.html> [accessed 10 August 2020]

¹⁰⁵ In 2017 and 2018, \$39,320 per year (Eastern Partnership 2017).

¹⁰⁶ Chobanyan (2019)

¹⁰⁷ Eastern Partnership 2017.

¹⁰⁸ In Moldova, victims can get restitution as compensation from the accused traffickers (Eastern Partnership 2017).

¹⁰⁹ The Law of Kazakhstan "On Changes and Additions to Some Legislative Acts of the Republic of Kazakhstan on Countering Trafficking in Human Beings" (2013) provides for the mandatory confiscation of the criminals' property.

¹¹⁰ Molodikova, 2020.

¹¹¹ MIA of Belarus (2019).

¹¹² IOM (2015:58).

¹¹³ Melnikova (2018), Sharafiev (2016)

¹¹⁴ IOM (2015)

¹¹⁵ Trafficking in Persons (2019), sections on Armenia, Azerbaijan, and Russia; MIA of Belarus (2019).

¹¹⁶ Chobanyan (2019); Eastern Partnership (2017).

The existing **xenophobia towards migrants often applies to THB victims**, especially victims of sexual exploitation. The societies of the CIS countries believe that the victims themselves might have behaved inappropriately¹¹⁷. The Russian law enforcement agencies support a public discourse, which sees migrants as criminals who pose a threat to the national security. Meanwhile, police and courts often treat victims and witnesses inadequately as if they were participants in a criminal offence.

Subsequently, having little to no trust in government agencies, THB victims rarely approach them for assistance¹¹⁸. Equally, the witnesses and victims avoid giving true testimonies or participating in the criminal case, fearing revenge of the criminals. Even though Russia and Kazakhstan have laws for protecting victims in judicial proceedings, their real application remains an exception¹¹⁹. At the initial stage of the criminal case, the involved victims and witnesses in principle have no access to protection¹²⁰. During the first month, when they may consider their cooperation with the investigation, they are not protected from the possible pressure of traffickers. In some cases, the traffickers try to bribe and blackmail victims to influence their testimonies.

¹¹⁷ Buckley (2018).

¹¹⁸ IOM (2015: 46-47)

¹¹⁹ Trafficking in Persons (2019), Chupik (2014, 2018).

¹²⁰ Melnikova (2018).

3. POLICY RECOMMENDATIONS

The legal framework and state institutions of all CIS countries and the Commonwealth as a whole set the necessary conditions to eradicate irregular migration and human trafficking. However, the main emphasis in combating irregular migration foresees the use of the criminal law. There is, therefore, a need to find a balance between the criminal punishment of the offender and the protection of the victim. It is important to develop a long-term cooperation strategy, preventive measures and measures protecting the rights of migrants, as well as to monitor the progress.

To resolve the **issues pertaining to irregular labour migration**, Russia should improve its work permit system. The registration of labour migrants may run through an online system¹²¹, with clear legal requirements set for the submission of relevant documents. Overall, the registration process needs to be simplified, the work permit (patent) linked to the place of registration, and the price of the work permit adjusted. It is also advisable to allow for the deduction of the work permit fee from the first salary. This could bring migrants, which lack the money, out of the shadow economy. Migrants present in the country should be able to change the purpose of their stay from within the country in case of legal employment. The 'black lists' criteria shall be reviewed, establishing opportunities for appeals and amnesty for minor offences. Meanwhile, the employers who exploit regular and irregular migrants and violate the provisions of the Labour Code shall be subject to a criminal offence. Hence, the Article 322.1 of the Russian Criminal Code should foresee responsibility of an employer in cases of abusing their official position or acting in a manner, which threatens the life or health of migrants or is associated with cruel or degrading treatment.

When it comes to **seasonal migrants**, Russia could replicate the provisions of the EU's Seasonal Workers Directive, thereby reducing the list of documents required and eliminating the need to pass an exam on the Russian language and legislation. There is a general need to approach short- and long-term labour migration differently, envisaging different mechanisms and conditions for entry, stay and employment. Additional steps may foresee the development of organized recruitment schemes for seasonal migrants and foreign students during their holidays.

To reduce irregular labour migration in **Kazakhstan**, it is necessary to liberalize the current quota system by reducing the processing time of the employers' applications and thereby allowing foreign workers to accede the jobs in accordance with the employers' needs¹²².

To reduce violations of migration legislation, it would be reasonable for **all CIS countries** to create a platform explaining the applicable legislative amendments in the various national languages, as well as an electronic database of job vacancies for migrants from the CIS countries. The system shall match the migrants' requests to the available vacancies and enable the preparation of the required documents.

To improve their anti-trafficking response, **Russia and Kazakhstan** shall adopt a separate law "On Combating Trafficking in Human Beings", including a definition of 'THB victim'. There is a long-overdue need for both countries to ratify the ILO Domestic Workers Convention 189 and to stipulate a liability for its violation in the law.

All CIS countries need to improve the skills of the relevant staff (including labour inspectors) in order to recognize victims and protect them from traffickers in the pre-trial, trial and post-trial periods. The process of THB victim identification requires the development and implementation of certain standards for the provision of special social services¹²³, as well as adequate training for the competent personnel.

The Central Asian countries, Armenia and Azerbaijan should establish a joint liability of recruiting companies in the sending and destination country in order to ensure the respect of the migrant workers' rights and their social protection if an employer fails to comply with the employment contract. Such liability should also be stipulated in any inter-state recruitment schemes. To counter human trafficking and other forms of exploitation, these countries should equally expand the assistance provided to their nationals in their national representations in Russia and Kazakhstan, including through allocation of sufficient funds to ensure the return of possible THB victims. Moreover, the relations to the own diaspora already present in the country should be strengthened in order to assist migrants in times of hardship and inform them better upon

¹²¹ Kazakhstan has already taken this step, as of January 2020.

¹²² Decree "On the State Migration Policy Concept of the Russian Federation for 2019-2025", 31 October 2018.

¹²³ In September 2014, IOM together with OSCE developed a draft standard for provision of social services to THB victims. It entails assistance with sheltering, restoration of documents, as well as educational and employment support (IOM 2015).

their arrival to the new environment. There is also a need to better support the protection and rehabilitation of THB victims financially, regardless of their gender.

To reduce the irregular (transit) migration flows towards the EU, the **CIS and EU countries** need to strengthen their cooperation in the area of border management and consider the organization of targeted joint border operations. Finally, the EU Member States could envisage the conclusion of bilateral readmission and labour migration agreements with the Central Asian countries.

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ANNEX

Table 1. Top three EU countries reporting the largest presence of irregular migrants for each CIS country, incl. Georgia and Ukraine (2009-2017)

Country	Irregular migrants in the EU (2009)	Irregular migrants in the EU (2017)	Total number of irregular migrants in 2009-2017/2018	1st country receiving most irregular migrants	2nd country receiving most irregular migrants	3rd country receiving most irregular migrants
	thous persons		thous persons			
Ukraine	11.5	33.7	165565	Poland	Hungary	Germany
Russia	10.3	10.3	93380	Germany	Austria	Poland
Georgia	7.2	5.7	49935	Austria/Germany	Germany/Sweden	Austria/ Poland
Moldova	5.4	8.7	42420	Romania/Hungary	Hungary/Germany	Germany/Poland
Armenia	2.0	3.2	23110	Germany	France	Austria/Poland/ Belgium
Belarus	1.6	2.7	18157	Poland	Lithuania	Germany
Azerbaijan	1.1	1.7	9870	Germany	France	Sweden
Uzbekistan	0.8	0.8	6675	Sweden	Czech Republic	UK/Germany/Lithuania
Kazakhstan	0.7	0.9	7145	Germany	Lithuania	Sweden
Kyrgyzstan	0.3	0.5	5235	Germany	Lithuania	Sweden
Turkmenistan	0.06	0.1	745	Germany	UK	Poland/ Sweden
Tajikistan	0.1	0.7	2770	Germany	Lithuania	Poland
Total per year	48.6	76.2				
Total for 2009-2017	568.5	618.8	425007			

Sources: TIP (2019); Moldobaev (2017); Belarus MIA (2018); IOM (2016); Olimova, Mamdzhanova (2006); UNODC (2018); IOM (2017); Hainzl (2019); Yaganyan (2013).

Table 2. Classification of CIS countries (incl. Georgia and Ukraine) by geography of THB victims

Country	Types of THB in the country	Countries of origin of THB victims in this country	Transit migration of victims through the country	Countries of destination of THB victims from the country
Russia	Sexual exploitation of vulnerable groups (troubled families, alcoholics, drug addicts, people with disabilities, orphans from orphanages, etc.); Selling of children by troubled families.	From Central Asia, South-East Asia, including China, Vietnam, North Korea, Ukraine, Moldova, Philippines, Nigeria.	From China, Vietnam, Central Asia to the EU	To the EU, Central Asia, Turkey, USA, Middle East, ISIS countries ¹²⁵ .
Kazakhstan	Sexual exploitation prevails over labor exploitation	Central Asian countries, China, Russia	From Central Asia, China, South-East Asia, India to Russia and the EU	To South Korea, Russia
Belarus	Labor exploitation, begging	Vietnam, Russia, Ukraine, and Moldova	From Vietnam, Russia, Central Asia to the EU	To Turkey, Middle East, EU, Russia, and Israel

¹²⁵ Migration of militants from Russia and Central Asia who came as migrants (mainly to Syria and less often to Iraq)

Armenia	Sexual and labor exploitation vulnerable children from orphanages and men without education from the countryside. There have been cases of sale of children for organs removal.	Russia (sexual exploitation). India (labor exploitation).	From Georgia	To Russia, UAE, Turkey
Moldova	labor and sexual exploitation, begging	Sex tourism: from the EU, Turkey, Australia, Israel, Thailand, and USA	From Ukraine	To Turkey, Russia, Serbia, Ukraine, UAE, EU: Germany and Cyprus.
Tajikistan	labor exploitation			To the UAE, Saudi Arabia, Turkey, Russia, Kazakhstan, Moldova
Uzbekistan	sexual exploitation, incl. children in orphanages, male forced labor		From Kyrgyzstan, Tajikistan to Russia and Kazakhstan	In Russia, Kazakhstan, Moldova, Turkey, Middle East, UAE, Gulf countries, Spain, Israel, South Korea
Turkmenistan	Labor exploitation at cotton picking and public facilities			To Turkey, Russia, India, Middle East, Central Asia, and EU
Azerbaijan	Begging among children as help to parents. Male labor exploitation	China, Russia, Turkmenistan, Ukraine, Uzbekistan.	From Central Asia to Iran, Turkey, and UAE.	Women and children sex victims in Iran and Malaysia, Pakistan, Russia, Turkey, UAE Labor: to Russia, Turkey, UAE
Kyrgyzstan	Distribution of drugs; begging; labor exploitation, transportation of goods, sale of newborns	Women and minor girls from Uzbekistan, Turkmenistan, and Tajikistan.	From Tajikistan and Uzbekistan to Russia and Kazakhstan	Women and girls to India, Kazakhstan, Russia, South Korea, Turkey, UAE; for sexual and labor exploitation ISIS and Middle East (Syria)
Georgia	Sexual and labor exploitation, child begging (Kurds and Gypsies).	From China. Azerbaijan and Central Asia to the region of Adjara, Tbilisi, and Batumi	From Tajikistan, Kyrgyzstan, and Uzbekistan to Turkey,	Turkey, less often to China and UAE, Cyprus, Iraq, Egypt
Ukraine	Sexual and labor exploitation; begging among children, disabled, and Gypsies	Moldova, Belarus	From Asian countries to the EU	Russia, Poland, Germany, all EU countries, Asian countries; Turkey, UAE, Israel, South Korea (a total of 33 countries for cases of returned THB victims)

Sources: TIP (2019); Moldobaev (2017); Belarus MIA (2018); IOM (2016); Olimova, Mamdzhanova (2006); UNODC (2018); IOM (2017); Hainzl (2019); Yaganyan (2013).

Table 3. Key legal provisions and measures to combat human trafficking

Country	International projects with NGOs	Articles of the Criminal Code and other anti-trafficking laws	Government institutions and programs to combat THB
Russia	Cooperation with IOM, OSCE, UNICEF, ILO and national NGOs helping THB victims (NGOs "Sisters", "Angel", Center Against Violence and THB; Baikal Center for Legislative Reform; "Save the children"; 47 crisis centers across the RF were opened by women's NGOs)	Articles 127.1 and 127.2 of the Criminal Code "Trafficking in Persons" and "Exploitation" were supplemented by another 18 articles of the Criminal Code with related acts (Articles 105, 116, 117; 120; 126; 131; 134 of the Criminal Code); 154; 210; 240; 241; 242; 242.1; 286; 290; 322.1; 327. Federal Law No. 119-FZ "On State Protection of Victims, Witnesses, and Other Parties to the Criminal Proceedings" (2009), Labor Code, Constitution, Administrative Code, Family Code Bilateral agreements of the RF MIA with the MIAs of the CIS countries and other countries	- National Europol Contact Center at the National Bureau of Interpol of the FR MIA; - Department for Combating THB at the Department for Combating Organized Crime and Terrorism of the RF MIA;
Kazakhstan	3-year IOM project "Combating Human Trafficking through Countering Internet Recruitment", "Stop traffic"	Articles 128, 134, 135, 308, 125, and 126 of the Criminal Code. The Law "On Amendments and Additions to Some Legislative Acts of the Republic of Kazakhstan on Combating Human Trafficking". Law "On the State Protection of Persons Participating in Criminal Proceedings" THB victims receive compensation from the confiscated property of those accused of THB.	MIA, Ministry of Information and Communication. - Collective Security Treaty Organization program "Illegals". - National plan of countering THB (2018-2020); - Interagency Commission against Illegal Human Export, Import and Trafficking. 14 agencies (State Border Service, MIA, MFA, Ministry of Education and Science, and others), OSCE, IOM, and three NGOs. -In the MIA the program "Providing Financial Assistance to the RK Nationals Who Have Become THB Victims, as well as Victims Abroad". - At the Karaganda MIA Academy – training of specialists on combating illegal migration and THB.
Belarus	UNDP, IOM, La Strada program, Red Cross, NGO "Business Women's Club", advisory centers "Helping Hands". The project "Prevention of Trafficking in Human Beings through Raising Awareness of the General Public of Belarus on this Phenomenon" of the Swiss Christian Eastern Mission.	The Criminal Code was amended in 2005, 2008 and 2015 Art. 171, 171.1, 181 "Human trafficking"; 181.1 "Use of slave labor"; Art. 182, 187, 343.1 – imprisonment of up to 15 years with confiscation of property. Law "On Countering Trafficking in Human Beings" (2012) – The THB victim has been legally defined, measures to protect and rehabilitate victims have been determined. The 2014 Law "On Combating Trafficking in Human Beings" has provisions on non-refoulement and extension of temporary stay in the RB.	- National Action Plan from 2002 to 2017–2019, Combating THB is coordinated by the MIA, Ministry of Labor and Social Protection, Ministry of Education, Ministry of Health, the MFA, and NGOs.

Armenia	IOM trainings with the Ministry of Labor and Social Protection, police officers, civil servants and social workers; trainings on rehabilitation of THB victims	Criminal Code Articles 132 and 132-2 criminalized sexual and labor exploitation, the Law "On Identification and Assistance to Victims of THB and Exploitation" (2014) provides for permanent residence permits in case of finding a job.	<ul style="list-style-type: none"> - Interagency Commission on Addressing the Issues related to Illegal Export of People from the Republic of Armenia for the Purpose of Their Exploitation and THB (2002). - Concept on the suppression of illegal transportation and TH from RA for the purpose of their exploitation. (2004) - National THB combating programs, - Council for THB Combating (2007); - Anti-trafficking unit at the MIA. - MFA has a repatriation program
Moldova	IOM runs a program on THB prevention and victim protection. NGO "La Strada"	<p>Art. 165, 206 and Art. 168 of the Criminal Code criminalized labor and sexual exploitation.</p> <p>Since 2018 THB victims receive compensation from the confiscated property of those accused of THB.</p>	<ul style="list-style-type: none"> MIA; National Strategy (2018-2023) and National Action Plan (2018-2020). - National Referral System (NRS) to help and protect victims and potential victims of THB. - Center for countering TIP (CCTIP); - Department of the Prosecutor General's Office; - Office for Countering THB together with Regional Prosecutors.
Tajikistan	<p>Regional IOM, UNODC, media campaigns, universities; 20 NGOs work on combating THB and victim protection;</p> <p>Training of human rights agencies and police on the THB prevention in Central Asia. for 5 Central Asian countries in the fight against THB</p>	<p>Art. 130.1 of the Criminal Code. "Human Trafficking" (2003) and related articles of the Criminal Code – "kidnapping", "deprivation of liberty"</p> <ul style="list-style-type: none"> - Law "On Combating Human Trafficking" (2004); - new laws are being developed: Law of the RT "On Combating Human Trafficking" and Law "On Assistance to Victims of Human Trafficking" 	<ul style="list-style-type: none"> - Interagency Commission for Combating Human Trafficking; - Ad Hoc Working Group on Return of THB Victims (2005). - National anti-trafficking training center for counteracting THB; - Special structures for countering THB (under the Office of the President, MIA, Prosecutor's Office) - Office for Combating THB and organized crime under the MIA; - Agency for issues of external labor migration; - Regional offices for employment of citizens abroad; - Republican Rehabilitation Center for Assistance and Protection of THB Victims.; - National Educational and Training Center for Combating THB at the Faculty of Law of TNU; - MIA Academy – compulsory course on combating THB
Uzbekistan	The Agency for External Labor Migration of the Ministry of Labor and Social Protection of Population provides consultations to citizens traveling for labor migration purposes	Criminal Code: Art. 135, 228, 224, 137, 138, 104, 105, 109; Art. 110, 56. Law "On Countering Human Trafficking" (2008);	<ul style="list-style-type: none"> - Republican Interagency Commission on Countering THB (MIA, MFA, Ministry of Justice, Economy, Finance, Health, Labor and Social Protection of Population, National Security Service, State Customs Committee, Women's Committee, National Center for Human Rights, Ombudsman for Human Rights.

	<ul style="list-style-type: none"> - Guideline manuals have been published to improve legal literacy of citizens; - A unified system of primary accounting of the THB-related materials is being created; 	<ul style="list-style-type: none"> - Resolutions "On Accession of the Republic of Uzbekistan to the International Treaty of the CIS Countries" and "Agreement on Cooperation of the CIS Member States in the Fight against Trafficking in Human Beings, Human Organs and Tissues" (2005); Presidential Decree (2019) "On Measures to Further Strengthen Guarantees for Protection of Citizens of the Republic of Uzbekistan Engaged in Temporary Labor Activities Abroad and Their Family Members"; RU Cabinet of Ministers Decree "On Additional Measures to Protect the Rights and Legitimate Interests of Citizens of the Republic of Uzbekistan Engaged in Temporary Labor Activities Abroad" (2019). 	
Turkmenistan	<p>International donors provide trainings for police officers on THB issues.</p> <ul style="list-style-type: none"> - The government, together with NGOs, runs information campaigns among vulnerable groups of the population; - trainings, incl. for diplomats. 	<p>Art. 129.1 of the Criminal Code.</p> <p>Law "On Countering Human Trafficking" (2016),</p>	<ul style="list-style-type: none"> - National Action Plan for 2016-2018,
Azerbaijan	<ul style="list-style-type: none"> - The government with NGOs provides police training. - IOM and ILO, with support of the government, administer educational programs 	<p>Art. 144 of the Criminal Code criminalizes forced labor and sexual exploitation. CC Art. 144.1, Art. 144.2, and Art. 144.3 were amended and supplemented.</p> <p>The Law "On Countering Trafficking in Human Beings" (2005) provides certain benefits to recognized THB victims.</p> <ul style="list-style-type: none"> - Readmission agreement signed - Cooperation with the MIA of Russia and Ukraine on extradition of their citizens. - National Plan for Countering THB (2009) adopted. 	<ul style="list-style-type: none"> - MIA Department for Countering THB; - MFA Department responsible for preventing the danger of THB. - The MIA and the republic's NGOs signed an agreement on cooperation in combating THB (2013) - The Migration Committee may issue a temporary residence permit to victims (2018). National Action Plan (2014-2018) - Main Directorate for Combating THB (since 2013).
Kyrgyzstan	<ul style="list-style-type: none"> - IOM, OSCE <p>And 38 local NGOs cooperate in countering THB through the media (about 10,000 participants).</p> <ul style="list-style-type: none"> - Employment centers in Osh and Bishkek disseminate information on countering THB 	<p>Art. 124 of the Criminal Code. and related articles (Art. 125-1), Art. 262-1, Art. 260 of the Criminal Code. In 2018 all forms of THB and certain types of sexual exploitation were criminalized</p> <ul style="list-style-type: none"> - Law "On Prevention and Combating of THB" (2005, 2013), strengthened control over adoption of children through the Family Code; - Strengthened control over adoption of children; <p>Art. 391.1 of the Criminal Code implemented to prevent smuggling of illegal migrants (Article 391.1).</p>	<ul style="list-style-type: none"> - Program to combat human trafficking 2013-2016. - Action Plan to implement the Program. Plan for licensing international marriage, mediation and modeling business (Ministry of Labor, Migration and Youth, and the MIA). - Ombudsman has 5 representatives in Russia for monitoring human rights violations, including THB. - The State Migration Service was established with one of the objectives to counter THB (2019),

		- The laws "On External Migration" and "On Education" were harmonized to combat THB.	- 7 regional coordination councils of representatives of the local authorities, NGOs and local activists. - Council for the Affairs of Compatriots Abroad (2018).
Georgia	Government shelters and crisis centers for victims. The Government, together with NGOs and international NGOs, provides trainings for civil servants on combating THB and awareness raising events on television and in the print media	Articles 142 and 143 of the Criminal Code criminalized sex trafficking, pimping, and THB National Action Plan for 2019-2020, Law on Labor Inspectors allowing unannounced inspections Cooperation with Kazakhstan, Moldova, Uzbekistan	Specialized units for combating THB and illegal migration at the Criminal Police Central Directorate, four mobile groups and operational groups under the MIA Council of representatives of non-governmental and international organizations. Interagency Council for Combating TIP (TIP Council)
Ukraine	International donors (IOM,) hotline, sites WWW.STOPTRAFFICKING.ORG and WWW.527.ORG.UA	Article 149 – all forms of THB are criminalized.	Rehabilitation centers, socio-psychological rehabilitation centers for adults and children (22) for vulnerable groups Ministry of Social Policy is the coordinator. The State Migration Policy Strategy (2017) includes combating THB.

Sources: UNODC (2018); Trafficking in Persons (2019); Eastern Partnership (2017); CARITAS (2018); Republic of Belarus MIA (2019); IOM (2015); IOM (2017); Russian Federation MIA (2016); OSCE (2016); Pravo (2018); Sabekov (2016).

