



Here to stay?

**REFUGEE VOICES
IN BELARUS, MOLDOVA,
THE RUSSIAN FEDERATION AND UKRAINE**



ECRE
EUROPEAN COUNCIL ON
REFUGEES AND EXILES

“HERE TO STAY?”

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The stories in this collection are based on interviews conducted over Summer 2008 by refugee-assisting organisations in Belarus, Moldova, the Russian Federation and Ukraine, as part of ECRE’s project “The Protection of refugees, asylum seekers and forced migrants” sponsored by the European Union.

NGO project partners in the four countries interviewed 100 asylum seekers, recognised refugees, internally displaced persons and refused applicants identified from among their own client groups. The people who were interviewed as part of this project did so voluntarily and in confidence. They signed consent forms and were assured that their stories would be presented anonymously and would have no bearing on their asylum case or current status. The majority of interviews took place in Russian, and were subsequently translated into English.

Some of the people interviewed were keen to speak publicly about their experiences and most had strong opinions about the asylum system they had encountered, and the situation they found themselves in.

The stories have been gathered from a wide geographical area, from the North Caucasus to the borders of the European Union. The people interviewed share their stories, some recalling them chronologically, others concentrating on one particular aspect of their experience. Some people concentrated on the barriers they face in trying to integrate into their new host society and starting a new life there, others are still traumatised by flight. Some feel at such risk that they are not able to look ahead, and await further assistance with resettlement to another foreign country.

Many different emotions were expressed, from distress at recalling traumatic experiences, to anger, frustration, impatience, disbelief at their treatment as asylum seekers to relief, contentment and gratitude towards their hosts.

In editing the original interviews we have tried to remain faithful to the voices of those who are telling their story. We have not tried to corroborate the stories in this publication as they represent the experiences of those who have sought protection in the region in their own words. In some cases, we have added contextual details about relevant policy and legislation where we feel it helps to clarify someone’s experience and with the intention of drawing attention the challenges refugees and asylum seekers continue to face in Belarus, Moldova, Russia and Ukraine today.

We would like to thank ECRE’s NGO partners for the hard work they put into collecting these testimonies, and particularly those people who agreed to share their stories with us.

BELARUS

**SITUATION FOR REFUGEES
AND ASYLUM SEEKERS IN BELARUS –BARRIERS TO
INTEGRATION**

SITUATION FOR REFUGEES AND ASYLUM SEEKERS IN BELARUS – BARRIERS TO INTEGRATION

The Belarusian Red Cross interviewed a total of 20 refugees and asylum seekers in Belarus for this publication. ECRE is publishing 6 of these stories. According to UNHCR's latest statistical yearbook 649 people in total have been granted refugee status in Belarus and there were 10 asylum seekers at the end of 2007.¹

Finding adequate housing, along with access to regular and sufficient income, is one of the most pressing problems faced by refugees in Belarus. Most refugees and asylum seekers live in large cities where the issues of housing are most acute. There is no national policy on integration or investment in this area. There is no state financed housing for refugees (apart from temporary accommodation centres for asylum seekers in Vitebsk and Gomel) and there are no resources for assistance in this area despite the acuteness of problems with housing.

The majority of refugees have no other option, except to rent an apartment, which for many refugees is the biggest item of their family's monthly expenditure. Refugees who are employed receive relatively sufficient wages, but as they rent apartments and often have large families, they struggle to make ends meet. The story of an Afghani refugee, Basheer, illustrates the extent of the difficulties many refugees face with housing in Belarus.

Living conditions vary but a large number of refugees continue to live in difficult and unsatisfactory conditions. The main problem for refugees in need of better housing is the provision of all the necessary documents such as registration at the place of residence, family certificates, proof of income, identification documents, and marriage certificates.²

For most refugees obtaining sufficient, regular income is one of the greatest barriers to integration in society. Although unemployment is generally low and in many parts of the country, especially in rural areas, there is a shortage of labour, refugees are faced with numerous obstacles in accessing employment. Competition for the higher paid jobs is significant and often limited to big cities or the capital. It is difficult for refugees to compete with local citizens or Russian-speaking migrants, and they often prefer to work unofficially. This is despite the fact that many refugees have vocational or higher education. Working at the market either officially or unofficially is usually more profitable than regular employment. Of those interviewed, the majority either worked themselves or had someone in their family who worked in the market. It is rare for refugees to gain employment that would correspond to their professional skills.³

A related problem is that refugees who are employed illegally are not paid their social allowances or pension contributions. They do not accumulate length of service and it is often difficult for them to prove previous work experience, which further hinders their prospects for gaining better employment in the future. Moreover, if the person cannot show that he/she was involved in permanent paid employment for a certain minimum period of time, he/she cannot be registered as unemployed and therefore does not have the right to the corresponding benefits. Most of the important services related to employment, including further training, subsidies for starting a new business and job placements are only available for registered persons.⁴

There is also a trend of discrimination in the labour market and employers often prefer to hire Belarusian citizens to refugees. General misconceptions abound, that, for example, refugees are not eligible for some professions even if no real limitations actually exist. Refugees may also be unable to demonstrate sufficient fluency of one of the official languages, Russian or Belarusian.

Although the majority of refugees have good spoken Russian, and some can read, their knowledge is often insufficient. Only a few understand Belarusian though the knowledge of one of the two official languages is sufficient. The minority of refugees understand Russian poorly such as women who do not work and do not actively engage in the life of the local community.

Only a small number of refugees have benefited from official programmes and language courses and the courses which have been held, have been not always been as effective as they could have been due to low attendance. Refugees say they lack time and resources as they have to prioritise working to earn a living for themselves and their families. Refugees who have recently arrived in Belarus do not usually understand Russian. If they also have a poor understanding of another common language, English, for example, social interaction can become a significant problem.⁵

At present, there are Russian language courses financed by UNHCR and run by the Belarusian Red Cross. However, attendance at these courses is voluntary and not compulsory for the newcomers.

Republic of Moldova and Ukraine – "A Strategy for Action", Cross-Border Cooperation/Söderköping Process in cooperation with UNCHR, the International Organization for Migration and the Swedish Migration Board, funded by the European Commission, 2008.

1 <http://www.unhcr.org/statistics.html?gclid=CJiDkqWJnZgCFYwh3god i1JgnQ>

2 Country reports 2007: Belarus, Moldova, Russian Federation and Ukraine - Situation for refugees, asylum seekers and internally displaced persons (IDPs), European Council on Refugees and Exiles (ECRE), funded by the European Commission.

3 The Local Integration of Refugees in the Republic of Belarus, the

4 Country reports 2007: Belarus, Moldova, Russian Federation and Ukraine - Situation for refugees, asylum seekers and internally displaced persons (IDPs), European Council on Refugees and Exiles (ECRE), funded by the European Commission.

5 Country reports 2007: Belarus, Moldova, Russian Federation and Ukraine - Situation for refugees, asylum seekers and internally displaced persons (IDPs), European Council on Refugees and Exiles (ECRE), funded by the European Commission.

By law, refugees have the same rights to social benefits as Belarusian citizens but not all provisions are currently fully complied with. There are a number of benefits available for refugees, including maternity allowances, disability benefits, unemployment benefits and minimum pensions. Refugees are unable to rely on the social safety nets of relatives and friends from which local citizens benefit in the absence of sufficient state social security structures.

The majority of refugees in Belarus have not experienced racist or xenophobic behaviour from the local population. Those who have experienced it found hostile behaviour uncommon and exceptional, and only few have suffered serious xenophobic attacks. Also, government officials have generally demonstrated tolerance and respect towards refugees in spite of the fact that there have been few state-run awareness raising programmes on tolerance and combating racism and xenophobia.¹

Most refugees wish to apply for Belarusian citizenship but are confronted with a range of obstacles such as a lack of transparency in the application procedures and the requirement to produce a certificate of renunciation of the former citizenship, which is in contradiction of international practice and treaty obligations.

The stories of individual refugees in this publication demonstrate the hopes, aspirations and difficulties refugees and asylum seekers currently face in Belarus as well as their recommendations to the Belarusian authorities in order to improve their challenging situation in Belarus. For confidentiality reasons the real names of the interviewees have been substituted by pseudonyms.

ECRE would like to thank all the individuals, who shared their personal stories, and the representatives of the Belarusian Red Cross, who conducted the interviews with them.

¹ The Local Integration of Refugees in the Republic of Belarus, the Republic of Moldova and Ukraine – “A Strategy for Action”, Cross-Border Cooperation/Söderköping Process in cooperation with UNCHR, the International Organization for Migration and the Swedish Migration Board, funded by the European Commission, 2008.

**REFUGEE STORIES
FROM BELARUS**

AKMAL'S STORY

Themes: Belarus / documentation / housing / education / employment

In 1992 when the Mudzahedeen/Taliban took over Afghanistan Akmal was working as a lecturer of history at university in Kabul. His political views were against the Taliban which is the reason why he was forced to flee, together with his family. At first they went to Pakistan but were forced to leave because the Taliban party was strong in Pakistan and Akmal and his family were constantly intimidated. From Pakistan Akmal went to Belarus through Moscow. In 1998 he was recognised as a refugee.

SCARED TO ANSWER THE DOOR

His friend's brother, an Afghan student helped them settle in Belarus at first, finding them a one bedroom flat. There was no hot water and no furniture. Sometimes they were too scared to answer the door bell. ***"There were 15 of us living in one room. It was hard at the beginning, not knowing Russian, no work, no money», describes Akmal, "We didn't eat for three days and then friends helped us. I had to do something to feed my mother, wife and father, so I decided to go to the Komarovka market. The Afghans who work there took me up and gave me \$3 per day. It was just enough to get bread!"***

DOCUMENTATION PROBLEMS

Akmal and his wife find the greatest obstacles to integration and finding work are not being able to speak the language and having problems with registration. Akmal's wife still does not have the correct papers despite being recognised as a refugee and so she is unable to work, and is frequently stopped by the police on the street.

"Today its Tuesday, the police came again today to ask for her papers.... I found a flat for \$1200 per year but the landlady wants money upfront before registering us, and it is quite hard. In a year it will be impossible to continue life here because life is more and more expensive every day"

FEELING SETTLED

Commenting about Belarus Akmal says that he feels settled simply because his life is there and he has nowhere else to go. Being a quiet, law respecting citizen who has always respected his neighbours he has never felt to be a victim of racism or other kind of abuse. His children go to school and he is happy with that. He has learned some Russian via them and friends. The Red Cross gave him some money for language courses but he had no time to go as he was working. Akmal would have liked to do a PHD in Belarus, but was unable due to the language barriers and the need to find income. He works illegally on the market.

Akmal hopes only to lead a normal life and for his

children to become good, educated citizens. But he finds life hard. He is the only one working in the family and supporting his wife, mother and four children. Akmal is proud of his daughter who has the highest marks at school and speaks English, Russian and Belarusian and regrets not being able to buy her a computer which she has been asking for the last two years.

Akmal is grateful for the help he has received from the Red Cross¹ and from his Belarusian neighbours.

Akmal says he is very happy with medical help offered in Belarus and has felt no discrimination as a consequence of being a refugee.

Akmal is aware that in other EU countries, like Germany and Holland, refugees are looked after better, given a flat, work and salary. In Belarus there are a lot of refugees. There are problems with registration, accommodation and with finding work. ***"My biggest worry now is what will happen if the landlady sells the flat. What will I do with my mother, wife and four children!!!"***

His message to the government and policy makers in the EU is that they should offer some help for refugees in Belarus considering that Belarusians have their own problems. ***"Maybe creating programmes which will help us settle outside of the city", he suggests. "Otherwise we can hardly pay for accommodation and have enough money left to buy bread and butter. Even 50% help with expenses from the West would be very beneficial for us"***

¹ This is UNHCR financial assistance which is channelled through the Red Cross.

BASHEER'S STORY

Themes: Belarus / documentation, housing, health / employment

Basheer escaped Afghanistan in 1998. He was continually persecuted by the Taliban and put into prison twice. He remembers the trauma of his flight:

"I left everything that I had behind. I only took my wife and son with me and left the country without anything. I didn't even know where I would end up and what would happen to me. The main thing at that moment was to save my life and that of my family. Therefore I left Afghanistan... They [Taliban] captured me and, in short, I suffered from this for a very long time after this, what they did to me... They did not let me live peacefully there, and I had to escape my country."

Basheer travelled through Pakistan, Uzbekistan and Russia to reach Belarus. In Uzbekistan, he and his family did not have any documents and only received a transit visa for three days. They lived there for three months in constant fear of getting caught and being deported back to Afghanistan. After three months Basheer decided to travel to Moscow by himself in order to try to find work there. Half a year later his wife and son joined him. They found life very difficult in Moscow because they did not have any documents. Basheer had a document from UNHCR saying he was an asylum seeker, but this did not help protect him from the police, who made him pay daily fines. Basheer learned to hide some of his pay from the police so that he would be able to live. Basheer he had problems with racism and xenophobia in Moscow, which made him feel unsafe. After four years of living this way he decided to leave for Belarus.

HOW TO FIND A HOUSE?

When they arrived in Belarus Basheer had his family had serious financial problems. They stayed for a month with a family of five in a one-room flat and then rented their own apartment but they did not have enough money to pay the rent. Basheer remembers the difficulties he had with obtaining residence registration in Belarus.

"The main problem here is the difficulty to find a place for registration... it is very difficult...[when we arrived] we had to live somewhere in a village. And in the village it is very difficult to find a place to live. Firstly, no one there lets apartments to foreigners, very rarely you find such a person. We had to conclude an agreement that I live there [in the village] but in actual fact there was no place to live there. I still had to live somewhere in the city in a way that no one would find out. And if they found out then there would be a fine or next time they wouldn't register you...Secondly, they require more money for this. If the apartment costs 150 USD – they request 250 USD. This is the main problem here... Many refugees have problems with this – how to find a place to live."

Basheer and his wife had some problems and they got divorced. His wife with their two children moved to the temporary accommodation centre in Vitebsk and Basheer stayed in Minsk. Later UNHCR helped his wife to resettle to the USA with their children.

Basheer stayed in Belarus. He was homeless for 15 days and just slept at the station. Later he managed to rent an apartment.

DISBELIEVED AND DISAPPOINTED

Basheer received legal advice from the Refugee Counselling Service and they provided him with an interpreter when necessary. The Ministry of Interior rejected his application for refugee status in 2003. He appealed the decision through the courts but again his application was rejected. Finally, he appealed the decision to the President but again he received a rejection in 2004.

While awaiting a letter with the decision on his asylum application from the Presidential Administration Basheer was detained by the police who took him to prison with the view of deporting him from Belarus. He claimed that he had not received confirmation of the negative decision. Furthermore, he had problems with his health and his registration was later extended by one year in order for him to undergo medical treatment.

Basheer was really disappointed with the court's decision on his case and felt that the court had not been genuinely interested in his case.

"The thing is that they always require documents that to prove what happened. But here they always forget that when people escape from a country they do not think about documents – they want to save their lives. Then it did not come to my head to think that I need documents, and they do not think that it is possible that the documents burned, that they may have been lost. All the same, the documents are needed. The main reason [for the rejection of his refugee application] is this, unfortunately. It is very difficult to prove what a person says without documents."

SOURCES OF SUPPORT

Basheer gets support from the Red Cross¹ and they also help him with paying for his medicine. Apart from assistance from the Red Cross and the Refugee Counselling Service he has not had the opportunity to participate in specific integration programmes for refugees. He did not attend any lessons for learning the language but managed to learn some Russian by studying it independently.

NO PROSPECT OF STEADY WORK

In Afghanistan Basheer was a qualified electrician-mechanic. He had not anticipated that he would have

¹ This is UNHCR financial assistance which is channelled through the Red Cross.

problems finding work in Belarus. However, the only place he can work in Belarus is at the market, either as a trader or a loader. He started to work as a seller but had problems with the police as he did not have the required documents. He was fined a few times for working illegally.

“But I did not know how to solve this problem. I tried to apply for the permission to work once. It was very difficult. Two-three months I ran here and there, but I didn’t manage to do it. Why is it so difficult?”

PAYING WITH HIS HEALTH

Later Basheer’s health deteriorated and he was not longer able to work. He receives some help from the Red Cross and from friends. He sits in the market and repairs toys and tape-recorders. ***“If I didn’t have this, I don’t know how I would pay for the apartment.”***

Access to health care: When Basheer fell ill he went to the polyclinic which was paid for. He did not have medical insurance and therefore was not able to access free healthcare. He had an operation. The Red Cross paid for the hospital bill. ***“Honestly, I had thought and heard that medical services were free for all here. But unfortunately it was not how I had expected it to be here.”***

Basheer continues to have serious health problems, which he attributes to poor living conditions, unhealthy nutrition, stress and anxiety. He found it really hard emotionally when his asylum application was rejected. ***“It was the most difficult time for me, because I didn’t know what to do next. I had tried to get settled, with children, with my life. When I received that answer I really didn’t know what to do”***

NO OTHER OPTION

“... I don’t have a choice. I can’t go anywhere as I don’t know where else I could go anymore. I have to adapt to this life. I have lived here for practically 6-7 years, and got used to all of this.”

Basheer says he likes living in Belarus and he finds Belarusian people very friendly and willing to listen if there is a problem. He is sad that he will have to leave Belarus when they decide and will not be able to continue his life in Belarus. He appeals to the UNHCR to help him to resettle to another country but he would like to stay in Belarus. He knows the culture and has lived with Belarusian people. He is very afraid of being sent back to Afghanistan: ***“Here there are problems but it is possible to resolve these problems. And there it is a question of life and death. It is very difficult.”***

Basheer has recommendations to Belarusian decision makers on asylum cases. He urges them to understand that a person who flees danger may not have time to bring complete documentation and proof of persecution. He urges policy makers to change the regime of residence

registration to make life easier for asylum seekers. And he urges the judiciary and migration services to be sure to fully review cases of appeal against rejection of status. ***“They should repeatedly look at your case, not that two-three pages in two minutes can decide anything. Because they do not look at it carefully. Once a rejection, always a rejection - no one considers this case anymore. It is necessary to look at this case more carefully, because it is a person’s fate that depends on this. But they do not care... Now I cannot imagine what would happen if I somehow ended up back in Afghanistan... Because there you risk your life 100 per cent.”***

ENAYAT'S STORY

Themes: Belarus / documentation / employment / health / housing

Enayat arrived in Belarus with his family in January 2005. In Afghanistan, he had twice been abducted by the authorities and it was dangerous for him to stay there. He and his family escaped Afghanistan to Iran and from there was taken with many others by a human smuggler by car and train to Belarus.

Enayat finds life in Belarus very hard. His wife fell ill after she gave birth to their fourth child in 2006, and it has been difficult to find medical care for her. She is currently a disabled person, which is very hard, as they have the children to take care of.

When they first arrived in Belarus, Enayat and his wife received a help from acquaintances who they had known from the Soviet times. One friend said that it would be good for them to be in Belarus - peaceful. At first they lived temporarily with friends in the Minsk region. They did not live in the accommodation centre. After this they rented accommodation. ***"It was very difficult, firstly the language, secondly, we had to feed our children. We managed to resolve some problems, our friends helped us a little bit."***

At first they applied to the Refugee Counselling Service in Ol'shevsky, after which they were given a direction in Kal'variisky, Ministry of Interior. They live in the Minsk region and have registration there.

"We applied a lot, gave statements, it was very difficult. I think it was due to these problems that my wife became ill. After this we have had lots of problems here. We received a rejection, and she was very worried, got cancer, a very difficult disease. We applied to the Ministry of Interior with many statements, gave a statement to the court, and even to the President."

However, all their applications for asylum were rejected. They had no documents with them.

During the refugee status determination procedure they received assistance from a lawyer from the Refugee Counselling Service, UNHCR and the Red Cross helped them financially. When they arrived they had not known where to turn for help but after a year they found out that it was possible to receive assistance from the Red Cross.¹ The Refugee Counselling Service gave them legal assistance.

Enayat says that they need language courses and money to pay for accommodation. He said that there is not much assistance available in Belarus. He is worried also because his wife needs medical care.

Enayat has problems finding regular work because he

has not got refugee status and has no documents.

I receive rejections and no one would hire me. No documents. When I have documents, then there will be work. I work as a type of loader, sometimes friends that I have here, we socialise - they help. We receive assistance from the Red Cross every month, not very much, but I am grateful.

Enayat speaks a bit of Russian language, but his wife only knows very little. His children go to school. They were not accepted to kindergarden, but the UNHCR helped them to get places in school. As they had no registration they were not allowed to attend the local school. The school is very far from where they live.

Previously the family rented a room in a house in the Minsk region, rented, then they moved to the city, because it was very far for children to go to school. They got permission from the Ministry of Interior to move. ***"We had many problems. You consider, how much is needed for one child: clothes, any food, it is hard. This problem must be solved"***.

"In the Minsk region there was no hot water, a private house, the children were ill. Now it is a bit easier but everything is expensive. We rent one room and the landlord is in the other... now we have a gas cooker, light, water. It is a bit better, but more expensive."

Enayat says his wife has started receiving medical treatment but it is expensive. They receive some assistance from the Red Cross.

Enayat is worried about the future ***"Every year will get harder, as the children grow up and my wife needs treatment"***.

"If we call the emergency services they first of all look at our documents, the residence permit, and if the registration is temporary, they are not very... happy. So many times we asked them, and they told us you don't have the residents permit and we don't know which hospital to take you."

Enayat's advice to the Belarusian migration services, would be to allow refugees and asylum seekers to lead a good life, provide education for their children, apartments and normal assistance, so that everyone could be happy. ***"All of our people know that refugees should be helped, not just financially, and that I will never forget. Refugees should be helped."***

¹ This is UNHCR financial assistance which is channelled through the Red Cross.

ESMA'S STORY

Themes: Belarus / housing

Esma came to Belarus from Afghanistan. She had to leave her country because of the war. She lived in the region where military operations were very frequent. Respondent left her country together with her husband and elder son. She arrived in Belarus through Pakistan and Russia.

Life in Belarus is very difficult for Esma and her family

"I have four children. I'm a housewife and my husband's salary is very small. We don't have enough money for living. If I pay for the flat we have no money for food."

Esma knew nothing about Belarus when she came there. Her acquaintances helped her with their problems with housing in the beginning. The Red Cross and UNHCR helped them with applying for refugee status: ***"We went for the interview and a year later they told us that we were refugees"***.

But now there is a problem with registration. She has been in Belarus for 10 years but the authorities do not want to grant her registration. Without it she cannot find a good apartment or work.

Esma has a lot of problems with housing. She moves to another apartment every time the owner asks. It is also very hard to find an apartment with four children: ***"When there are one or two children the owner says nothing, but when there are four children they don't want to rent the apartment..."***.

Esma worries about the health of her children. Local doctors say that they can do nothing as there are long waiting lists for treatment.

"Two of my daughters have problems with their legs, they can't walk normally. When they go to school other children ask them Why their legs are like that... . When the elder daughter comes home she is crying and asks if she will be like that all her life. Doctors say that they need treatment or it will get worse."

When Esma received her documents she got the opportunity to have free health care. But sometimes it doesn't help: ***"After receiving the documents I went to give birth to my child but doctors in the hospital didn't understand me and asked me to pay 250,000 Belarusian roubles for each day – we had documents but not registration documents. They asked me to leave the hospital only 20 minutes after the delivery. I cried, I lost my milk. We rang the UNHCR and the Red Cross explained everything to them, the doctors calmed down."***

Esma thinks people in Belarus are very good. But sometimes there are individuals who treat them badly: ***"You***

know, every day people call us «black». Once my daughter didn't want to go to school because people called her a «Negro».

Esma's advice to the Belarusian migration services, it would be to give refugees assistance with housing and documents.

" If you don't have documents you can't go to the hospital, there are a lot of problems with housing, and your children can't go to school. I want to go to another country where they could help us".

KETEVAN'S STORY

Themes: Belarus / housing / employment

Ketevan left her country of origin, Georgia, because of the war between Georgia and Abkhazia. After the war there was nothing, everything was destroyed. She came to Belarus when she was eight months pregnant. They lived in Beshenkovichy (Vitebsk region). The neighbours helped her a lot. They travelled from Tbilisi to Minsk by plane.

"We came so that we wouldn't have to be scared that there would be war, so that we wouldn't have to be scared that someone comes. Because our parents stayed there and the Abkhaz have come and threatened them, forced them to do something. We came so that we could live well and in peace in the Republic of Belarus"

When they arrived in Minsk, they were informed about the accommodation centre in Vitebsk where they lived while their refugee status applications were being considered by the migration services in Vitebsk. ***"The conditions were very good there, with all comforts, we had two rooms there. There was everything. We could move freely."***

Ketevan's family received documents eight months after they applied for refugee status: ***"The whole procedure was very positive; we had no problems with it. Everything was quick. When we found registration, we were immediately given the residence permit."***

After Ketevan and her family received the documents everything became easier for them and they also found it easier to find work.

The main problem which Ketevan's family has to deal with is housing. The whole family, including seven people live in a one-room (studio) apartment, including Ketevan's family, her husband's parents and his brother. They are temporarily living in an abandoned house, where no one is living, in the village. Their neighbours had suggested it. Her husband took a loan and fixed everything in the house. They don't have any comforts. They have an old, outdoors toilet and they have to carry water from the well. They don't know what will happen to them in the future and where they will be able to live.

Her children go to school without any problems and they speak Russian very well. However, they don't speak any Georgian. The Red Cross gives them some financial assistance, a grant for school in September, and gives them groceries.¹ Concerning medical assistance everything is satisfactory. When children are ill they can always see a doctor. Sometimes they have had problems with registration. For example, when she was in Vitebsk and had to go to gynaecologist the doctor demanded registration in Vitebsk. Eventually after she had spoken to a lawyer, they accepted her at the city hospital.

Apart from the problems with housing and money, Ketevan's family have had no big problems with integration, as the family knew Russian and also get on with the Belarusian people very well. They have never had any problems with discrimination. Instead, local people have supported them. However, when asked what integration means to her, she responds: ***"It means a lot of things. I don't feel very (settled), I still have to obtain a lot in order to live like normal people, a lot needs to be done."***

Ketevan would like to study but has no money or time, as somebody has to look after their children. Her husband works and she takes care of the children. She has bad eyesight, -16, and can't work for that reason, as it is difficult for her to find any work. Her husband's wages are insufficient for the family and they struggle to make ends meet.

¹ This is assistance from the UNHCR which is challenged through the Red Cross.

SHUKRIA'S STORY

Themes: housing / education / employment

Shukria came to Belarus from Afghanistan to join her husband who was a student in Belarus. A war broke out in Afghanistan and he was not able to return. Shukria got married at a ceremony in Afghanistan which took place without her husband, and she arrived in Belarus without him. She first went to Alma-Ata (Kazakhstan), then to Moscow and after a month to Minsk. She got help from friends and other Afghans in Alma-Ata and Moscow. She did not stay at the reception centre but was helped by her husband's friends. Her husband studied in Belarus long ago and then stayed there, for a year he had studied in Minsk and then in Leningrad/St Petersburg to become an engineer-teacher.

Shukria explains that she had good expectations of her life in Belarus. There was a war in Afghanistan and it was hard to live there. She was a teacher and they closed all the schools.

"I thought I would be able to work here or to study a lot. It is a shame that I didn't know Russian well here. We have a different country, a different language. Here everything is different. All my expectations of life here did not happen."

Shukria's three children were all born in Belarus. Shukria had to leave her relatives behind in Afghanistan: parents, brother, eight sisters. Her husband's parents are also there. They miss them.

With the children life got harder for Shukria and her husband - they did not have enough room. One room for five people costs 200 USD. Her husband does not have a job now. They receive assistance from the Red Cross.¹ What she likes about being in Belarus is that it is peaceful, her children go to the nursery, school, and it is a lot better to study in Belarus than in Afghanistan.

Shukria and her husband applied for refugee status at the migration services. They did not require interpretation as her husband spoke Russian. They both had an asylum interview and submitted a statement. ***"No, we were not rejected as they knew how difficult it was in our country. We submitted our application once."*** They were granted refugee status within six months.

When they had submitted their application for refugee status they were given a temporary refugee document. ***"We had problems. For 7-8 years we had not had a residence permit as we did not get registration as refugees. It was difficult because we had no money, and for this you need a lot of money. After this we received registration and we were given a residence permit. We rented an apartment, always one room."***

They have a residence permit and they are on a waiting list for housing. Her children are studying in Belarus so she is hoping that they will be able to get education and training. Shukria says it is free for children to go to school but foresees problems when they finish school, as you need money to have access to further education.

Despite these various hardships, Shukria feels positively about her prospects of integration in Belarus.

"We have registration and a residence permit, soon we will have a Belarusian passport, citizenship. Yes, I want to become a citizen of Belarus."

Shukria finds life easier now they have refugee status as she is able to work as a cleaner, her husband is training to become a driver, and the Red Cross helps. She would like to be a teacher in Belarus as she had been in Afghanistan but they do not have money for her to study. Also she does not speak Russian very well. Shukria didn't realise that she would not be able to work as a teacher in Belarus.

Shukria attended Russian language courses for a few months but after that her children were born and she could no longer go. These were free courses organised by the Red Cross and UNHCR. She thinks it may be possible for her to study more when her children get older. She has learned Russian from the courses, and her husband and children have also helped.

"We have a hard life. You know how difficult it is for a refugee - no language, no apartment, problems with work. Everything is expensive. One room is 200 USD in Minsk. And the children study at a school in Minsk."

¹ This is UNHCR financial assistance which is challenged through the Red Cross.

MOLDOVA

**SITUATION FOR REFUGEES AND ASYLUM SEEKERS IN
MOLDOVA – BARRIERS TO INTEGRATION**

SITUATION FOR REFUGEES AND ASYLUM SEEKERS IN MOLDOVA – BARRIERS TO INTEGRATION

NGOs in Moldova interviewed a total of 20 refugees and asylum seekers in Moldova for this publication. ECRE is publishing 6 of these stories. According to UNHCR's latest statistical yearbook 151 people in total have been granted refugee status in Moldova (some of whom have since left the country) and at the end of 2007 there were 79 asylum seekers.¹

The Republic of Moldova is a major transit country for asylum seekers and irregular migrants to Western Europe. It remains one of the poorest countries in Europe, a large percentage of its population, particularly in rural areas, living below subsistence levels. It relies heavily on international support. Unemployment levels are high which leads many Moldovan citizens to seek employment in other countries and a significant part of the GDP stems from remittances from Moldovan citizens working abroad. Refugees' prospects for integration and self-sufficiency are therefore also limited.²

Over two thirds of those interviewed did not feel integrated into Moldovan society. For some people this was a personal issue and was not because of anything that had happened in Moldova. However, most of those interviewed cited the reasons for not feeling integrated as: living in conditions of extreme hardship, difficulties in finding work, relatively expensive housing and an inability to afford basic goods such as rent, food and clothing. Nevertheless, several of those interviewed expressed their gratitude to the Moldovan people and said that they were treated well on the whole.

The majority of refugees and asylum seekers in Moldova live in the reception centre situated outside the city centre in Chisinau. Others are either in Chisinau or dispersed throughout the country. There is also a temporary shelter in the premises of the NGO Charity Centre for Refugees in Chisinau. However, the maximum period of stay for refugees in the reception centre is three months, which is insufficient for their local integration.

Some of the most vulnerable refugees who face serious financial problems are permitted to stay in the centre for a longer period of time, including families with small children, the sick and those with very low material resources. This government initiative is beneficial as in this way the state aims to improve the position of some refugees and asylum seekers by providing them free housing for a longer period of time. Nevertheless, the situation with regard to housing remains a significant challenge for the integration of refugees in the Moldovan society. The situation is made worse as flats are more expensive for foreign citizens.

Access to the labour market is a crucial problem for refugees and asylum seekers in Moldova. The main reasons for the difficulties experienced in finding employment are the language barrier and the lack of job opportunities available. Furthermore, asylum seekers and those with the humanitarian status do not have the necessary documents to allow them to be employed legally. An additional problem is that the process of receiving identification documents can take up to six months. For this period refugees receive a temporary document, which is not accepted by most employers. Some of the refugees from African countries interviewed also felt they faced racial discrimination on the job market

Most of the professional qualifications and diplomas the refugees hold from their countries of origin are not recognised in Moldova. Another major obstacle hindering refugees' integration are the difficulties they face when attempting to set up their own businesses and registering legal entities for this purpose.

There are no state programmes for language training for refugees and asylum seekers. UNHCR has financed a project of Romanian language in cooperation with the Charity Centre for Refugees but this alone is insufficient in relation to the number of refugees who are in need of language training in Moldova each year.

Vocational courses for refugees are run at the Accommodation Centre for asylum seekers, but only recognised refugees are permitted to attend them. The training courses are focused particularly on technical professions, such as for acquiring a driving license, hairdressing and sewing courses. Moreover the Moldovan Refugee Directorate, the government department responsible for asylum and refugee issues, offers some assistance in employment through the provision of information on the locations of vocational courses or potential places of employment.

However, these programmes are not sufficient in resolving the barriers to access to the labour market and social integration and there are no financial resources to fund anything other than these advisory activities. Most refugees work unofficially in jobs ranging from retailing to construction, working in bakeries, restaurants or hairdressers.³ Nevertheless, many refugees thought that the government should provide them with documentation which potential employers and landlords would recognise. Several also complained of the lack of a travel document that stopped them leaving or looking elsewhere for work.

1 <http://www.unhcr.org/statistics.html?gclid=CJiDkqWJnZgCFYwh3godi1JgnQ>

2 Country reports 2007: Belarus, Moldova, Russian Federation and Ukraine - Situation for refugees, asylum seekers and internally displaced persons (IDPs), European Council on Refugees and Exiles (ECRE), funded by the European Commission.

3 The Local Integration of Refugees in the Republic of Belarus, the Republic of Moldova and Ukraine – "A Strategy for Action", Cross-Border Cooperation/Söderköping Process in cooperation with UNCHR, the International Organization for Migration and the Swedish Migration Board, funded by the European Commission, 2008.

All refugee and asylum seeker children, and children with the humanitarian status, have access to school education. The Moldovan NGO Save the Children provides financial assistance¹ in purchasing writing materials, books and covers school expenses, as well as offers them a second breakfast. Save the Children also covers the kindergarten expenses of refugee and asylum seeker children. However, children who have completed the 12th grade no longer have access to assistance as there is no organisation that provides such assistance. Therefore young refugees who have finished school have to find sufficient financial resources to enter university and obtain higher education in Moldova.

There are serious problems regarding access to medical assistance for refugees and asylum seekers. Refugees only receive the minimum assistance, which is covered by the national medical insurance, whereas asylum seekers receive none. The medical insurance covers some expenses for hospitalization and the basic and cheapest medicines for recognised refugees. However, it does not provide an effective treatment in case of a dangerous or life-threatening disease. Save the Children has employed a doctor who provides medical assistance to refugees and asylum seekers and covers some asylum seekers' medical expenses. However, the NGO does not have the adequate resources to help all people in need of medical care and therefore it provides assistance in the most serious cases.

Recognised refugees and stateless persons have the right to obtain citizenship of the Republic of Moldova after eight years of legal and unbroken residence. However, for most refugees it is difficult to prove that they have legally and habitually resided in Moldova. This is the main reason for rejecting refugees' applications for citizenship. In essence, naturalization is a long process and many refugees find it non-transparent and discriminatory. The process includes a precondition to have a good knowledge of the state language, Moldovan (the name of the Romanian language in Moldova). The fulfilment of these obligations is required in spite of the fact that the state does not offer any programmes or courses in Romanian language or the study of the Constitution. The Law Centre of Advocates, a Moldovan NGO, has provided some courses on the study of the Constitutional law in order to help refugees get through the naturalization process.²

The refugee stories in this publication illustrate the difficulties and aspiration asylum seekers and refugees have Moldova and their recommendations to the Moldovan authorities in order to improve their situation in Moldova. For reasons of confidentiality the real names of the interviewees were substituted by pseudonyms.

ECRE would like to thank all the individuals, who shared their personal stories, and the following organisations for conducting the interviews with them:

Charity Centre for Refugees

Law Centre of Advocates

1 Save the Children Moldova is UNHCR's implementing partner in Moldova and receives funding from UNHCR for its activities.

2 The Local Integration of Refugees in the Republic of Belarus, the Republic of Moldova and Ukraine – "A Strategy for Action", Cross-Border Cooperation/Söderköping Process in cooperation with UNCHR, the International Organization for Migration and the Swedish Migration Board, funded by the European Commission, 2008.

**REFUGEE STORIES
FROM MOLDOVA**

DALITA'S STORY

Themes: Moldova / health

Dalita's husband left Armenia because of the ethnic tensions. They had helped a classmate, given her somewhere to live, fed her. When other people found out they started to have problems. It was getting worse and worse so he left for Russia, then Moldova. He came for Dalita and they stayed in Russia for a while. Two of their three children were born there (the eldest was born in Armenia). They moved to Moldova because her husband had friends here, although it turned out that they had left for Russia when they arrived so they found themselves alone.

"It was very difficult, very. Three children, no flat, nothing. It wasn't possible to live without work. You have education but no propiska [registration at place of residence], plus we didn't know the language..."

However, they did like Moldova. The people were friendly and helpful, which Dalita appreciated as they had no friends or relatives around to help them. Nevertheless, "propiska" (registration at place of abode) was an issue for them.

"They used to stop my husband as it was obvious that he wasn't Moldovan. They would stop him and... well, let's just say that there were fines and other things. For example, the landlord didn't want to renew the [temporary] registration or he was away or he had left somewhere. Well, during this period of time when he didn't have it [registration], he was detained, so he was detained. They checked you see. And after we applied, that didn't happen any more. We could live peacefully".

Eventually they applied for refugee status. Dalita felt degraded during the process for applying for refugee status. ***"It wasn't that anyone degraded me. It wasn't like that. I just felt like that myself because I wasn't in the place where I was born and I didn't know what would happen to me next"***

Their temporary registration lasted for around 2 years. This needed to be renewed every 3 or 6 months but eventually they got refugee status. This meant that there were no longer problems with being stopped. The problem then was how to get a job, how to earn money. Both Dalita and her husband experienced employers not paying them for several months and there was nothing they felt they could do as they had no documents.

INTEGRATION

For Dalita integration means that a person has a house, health and employment.

Dalita's husband died recently. She now has to pay for a flat and bring up 3 children by herself on very little income. She has a musical education so she gives a few private

music lessons from home, but her health stops her from doing more. She has to pay 100 Euros just for rent.

Dalita is thinking of moving to the Reception Centre but her eldest daughter is in 10th class [the final year is 11th] in a school that is a long way from the Centre. As her daughter is very shy Dalita worries about moving her to a new school and causing problems in her final year. She gets some humanitarian assistance from NGOs but is concerned that her children go hungry.

HEALTH

Dalita has serious health problems. She has lost all of her teeth and needs urgent dental treatment. She feels that she cannot work because she cannot really talk to people because of it. She also has serious problems with her kidneys that require an operation.

She has medical insurance now, which means you do not have to pay huge amounts of money, but if you need an x-ray, for example, you can wait 9 months for it. She is very worried that something will happen to her and her children will be left alone.

"My kidneys are so bad that even the doctors don't given any guarantees. ... And my children are minors, so I am very afraid. I want to do something but I can't so I stay at home all the time, thinking about what might happen"

DOMINIC'S STORY

Themes: Moldova / employment / health

Dominic left Sudan in 1985 to study in Romania. Whilst there, he undertook various political activities, including producing a newspaper. Towards the end of 1989 the situation in Sudan changed and a military dictatorship came to power. One of the consequences of this was that all grants for students overseas stopped and their visas were cancelled. As a social democrat and political activist, Dominic could not return to Sudan. At first he worked in Romania but by 1999 could no longer stay there. As he already spoke fluent Romanian, he decided to go to Moldova. When he arrived in Moldova, he was shocked to hear Russian being spoken. He planned to stay with friends in Moldova for 6 months to one year and then to return to Romania. However, he could not find a way to get back to Romania legally and so was forced to look for work in Moldova.

"[I noticed] the indifference of the population: Moldovans, Russians, Ukrainians – all of them. I understood that there were good people here and that it was probably normal for them to lead their own lives, but it was not fair that they did not notice us at all, when we had 1000 times more problems. As time passed I understood that Moldovans have enough of their own problems, there aren't any good jobs, the salaries are pitiful, the pensions are worse, but even in this situation the inhabitants of Moldova have advantages over us: they have a roof over their heads, we don't. Now, when I reason things aloud to myself I understand that Moldovans are also looking for higher paid work or a way to leave and to find work abroad. Then I can come to terms with the fact that everyone lives for themselves and that I shouldn't expect any help. Everyone in Moldova is looking for their own way of surviving"

In 1999 Moldova had not signed the 1951 Refugee Convention. Dominic was often stopped by the police. He worked for 2 organisations and even did some farming in order to make ends meet. When he first applied for refugee status he was granted humanitarian status as some documentation was missing. He applied again and now has refugee status. He is happy to be living in Moldova legally but found the process to be full of red tape and very stressful.

Since he left Sudan, his father has died and he wants to visit his family, but cannot without a travel document. He could apply for Moldovan citizenship to get a passport but has heard that 3 years have to pass after being granted refugee status. He also doubts that he would be granted citizenship, even though he is now married to a Moldovan citizen and has a son.

"If we can't get a travel document, how do you expect us to get Moldovan citizenship? I want this information to be heard by ECRE and those higher up, because we feel like

we live on a reservation here. We are simply discriminated against by the government".

INTEGRATION

Dominic does not feel integrated.

"I don't understand. In all the documents (international and Moldovan) they talk about rights, but in real life these rights don't exist. They don't give out travel documents, they don't give passports, there are no opportunities at all to work in this country to look after your family, not just yourself. And everywhere people say we should integrate into Moldovan society. We want to do this, but how? If my monthly salary does not pay for rent for a flat, how do you suggest that we live? Part of refugee integration is economics and that means finding a good job, getting a good salary for it. We don't want more. We want to live at the same level as the average Moldovan citizen. But we can't. If a flat costs 200-300 Euro for a month and my salary is 2000 Leu [around 110 Euros], what can we do?"

He has been living in the Reception Centre together with his family. Even living there with Dominic working as much as he can, his family barely make ends meet. He recently received notice to vacate their room at the Centre and the day of the interview was his family's last day with somewhere to live. He hoped to be able to live with his wife's parents but they too had problems and may not be able to help.

EMPLOYMENT

The authorities have suggested that Dominic moves to the countryside but he has tried farming and does not think it is for him or that he can support his family doing it. Dominic paid for himself to study two years at the International Independent University of Moldova. This was the only university that treated refugees as Moldovans and allowed them to pay in Leu. However, the course fees went up and he could not afford to continue. He feels like he is stuck in a vicious circle. To earn more he needs to study but to study he needs to earn enough to pay to feed his family, buy medicines, pay rent and have some left over for his course fees.

"I am told to go and work on a building site. Okay, so I have to carry cement all month to earn 1000 or 2000 Leu [55 – 110 Euros]? Or they tell me to go and work in the countryside. Or go and find a job. Then the employer sees that you are foreign or that you a different colour and will not employ you. But he won't tell you the truth to your face, he will say, "go and wait for your invitation [to work]"; but the invitation never comes. And another problem is our documents. An employer sees our refugee documents and is worried because they aren't what he is used to. And in order not to have any problems, they won't take us on. Who needs problems?"

Dominic is a translator but he is also trying to get into

radio. He has had a couple of interviews and voice tests. He hopes they want to employ him to use his voice for an advert, an Arab speaking Romanian.

HEALTH

Dominic's situation with health care is very complicated due to the fact his family all have different statuses.

"I am a refugee but my son is a citizen of the Republic of Moldova, and we live in the refugee centre. I don't know what hospital to go to. I go to Hospital Number 2 and they send me somewhere else, but nobody will take me. And I am not asking for help for me, a refugee, but for my son, who should get protection from the state. If you pay, people look at you, no – they send you to the place where your wife has a propiska [registration at place of residence]. Her, the child and me. No one thinks about how this will work out in practise – we live in the airport area but she is registered in Gretiesht' – around 40-45km away. In order not to create more problems I just pay. And not just the doctors – the police, the government officials, everyone".

RECOMMENDATION TO THE GOVERNMENT

In Dominic's opinion refugees need most help from the government to find somewhere to live and to work, the rest they can manage for themselves.

"[I would say that] our problems should be solved quicker, that we should be given a roof over our heads, and that we should be treated as people".

HASSAN'S STORY

Themes: Moldova / detention / documentation / housing

Hassan left his home in 1991. His refugee story has taken him from Afghanistan, to India, to Russia, Belarus and back to Russia, before he met his Moldovan wife and moved to Moldova. When he first arrived in Moldova, he went straight to a village with his wife. However, life was very hard.

DETENTION

Hassan decided to cross the border to Romania. The border guards apprehended him. It was very cold and he was not given any food at first. He is still ill to this day due to his treatment whilst in detention. After spending time in detention at the border, he was moved and held with people who had committed serious crimes.

"I don't think it was right to hold me together with bandits, maniacs, killers. Even if a person has broken the law you shouldn't just keep him with any criminal."

He was in detention for 3 months in all, with no access to a lawyer or any assistance.

"To be defended you need money. If you have money you can be defended. That is the only solution to problems"

APPLYING FOR REFUGEE STATUS

In all Hassan and his family lived off the land for two years, but it was hard. Hassan was in Chisinau when he heard that refugees could get help. It was difficult for him to make his application for refugee status. He had to borrow money to travel the 100km to Chisinau to apply, then work a day to pay back the money he had borrowed. After the first interview he did not receive any assistance but after a second interview he was given registration. This took about a month.

"At first I felt good. I thought that there were organizations that wanted to help, but when I saw their attitude, that they didn't care at all, I just asked for any document, anything so that I could walk around town"

Hassan lived at the Reception Centre for a short time and is very grateful that he had a roof over his head then, but is unclear about the conditions for staying there as he was asked to leave. Hassan started to rent a flat and work on the market. He has not received any social assistance, even for his children who are Moldovan citizens.

"I don't think it [the procedure] is fair at all. I have been living here for 7 years and what have I got? A piece of paper and when I show it to the police they tell me I can wipe myself with it"

Hassan had only studied up until 4th class in his homeland as the school had been bombed. He has studied Romanian, computer studies and how to use the internet at the Charity Centre for Refugees. He can speak the language but cannot read or write. He now cares more about his children's education. He is pleased they are studying well, although as his children are Moldovan citizens he gets no assistance for their studies and you have to pay for a lot in Moldova. Besides he has to do any work he can to feed his family. It is very difficult for him to get work without discrimination. He his hopes are now for his children. ***"A career... Since I have already forgotten about me getting a career, I would like to concentrate on my children getting one, so that they had some sort of career, a good life and a good education, not like me"***

Hassan would like to leave Moldova for Canada where he has a sister he has not seen for 16 years.

INTEGRATION:

Hassan does not feel integrated in Moldova.

"No, I don't feel [integrated], as I walk round with just a piece of paper and get no assistance at all. What is integration? It seems to me that integration is when you get help, some kind of assistance. I got 500 Leu [35 Euros] for 6 months and that was it. Goodbye. Go and work! But I have no documents, no documents and go and work! But where?"

RECOMMENDATION TO THE GOVERNMENT

"I would like to recommend that you help refugees! Whatever recommendation I give, though, no one will listen or pay attention. But I do think there is one recommendation, you could find a solution, good relations with refugees. In Moldova there are a lot of places..... You could build somewhere where refugees with children could live. And give them some kind of normal documentation, so that they can work and earn money. Housing is the main thing for people to live. To have a roof over their heads. Everything else they can do for themselves little by little. That is the recommendation I would give to the authorities working with refugees. It isn't difficult for them to give a little bit of land and to build something on it. The European Union will help them and give them money. You can buy building materials and build it. We refugees could build it ourselves, we could get together and build it. That is what I would recommend!"

MOYO'S STORY

Themes: Moldova / integration / employment

Moyo fled Zimbabwe because his life was in danger. His father had problems with the President and the government thought that Moyo's shop was a channel for distributing information for the opposition. He managed to escape to South Africa and from there planned to go to Spain. He travelled by ship to a country he later found out was Ukraine. He was transported from there by car. He arrived at his destination only to discover he was not in Spain but in Moldova.

Moyo knew nothing about the procedure for applying for refugee status whilst he was at home. All he wanted was to leave home for a better country, where he would be safe. However, once in Moldova Moyo felt that the procedure to apply for asylum went well.

"I felt good. I was provided interpreter and all steps fully explained me.

I think it was ok. I never felt any unjust as the process was the same for all. Also the guy who conducted the interview understood English very well so no problem."

INTEGRATION

However, Moyo does not feel integrated into Moldovan society. He feels that there is discrimination against foreign people, particularly black people in Moldova. In Moyo's opinion the police are unlikely to defend you against a local citizen if you are black, whatever has happened.

"Well, being a refugee is not a good thing so long I can see here in Moldova. Very often, we are looked at as people with no hope and with only problems and dangerous to the society. In Moldova, they think that we have HIV, and as such look upon us as people too inferior and good for nothing. We don't have any right and as such, cannot demand for it. Actually, I'll never like to be a refugee any more after this."

As a beneficiary of humanitarian protection Moyo does not think that he qualifies for free medical care, probably because the government does not have the funds to cover it. He prays he is not sick as the only health care he can access is simple medication from the NGO, Save the Children.

"I read some books about integration and it states that the government of such country needs to provide basic amenities and support for the smooth process of integration. All has to start with making good laws to guard and protect the right of the refugees. Having a stable work as sources of income or establishing a business is very important. By my understanding, integration is living and working like a citizen in a country of residence without feeling rejected by law and the society not withstanding your background."

Moyo believes that because of the economic situation the government can not provide any real assistance so refugees have to provide accommodation, food and all the basic necessities for themselves. He did spend 10 months in the reception centre but had to leave after continuous conflicts with another resident. The main barrier to securing alternative accommodation was money. The prices are very high compared to salaries and flats are often more expensive for foreigners. Meanwhile, his salary barely covers rent and food.

"For me the salary I receive is meant to pay my house rent, regular monthly bills and with the little left I manage to buy food. It is not possible to think within one's income about clothing. Flats are very expensive to rent. For example as a foreigner the highest pay for job is 180-200 euro per month. From this, about 150 euros go for house rent. The rest you must plan so that it is enough for bills, food, transport and clothes. In actual fact, this is really difficult and to survive, you must do something extra. Me, I occasionally go with friends to the village to help on farm and from there food is given me."

LABOUR MARKET

Although he is not paid very much, it has been very difficult for Moyo to get any work. Employment is a major issue, particularly in the absence of any significant government assistance. As a foreign citizen he has been paid less and problems with documentation mean that it is not possible to get a good job. He believes that employers who do employ foreign citizens can have problems with government bodies. Becoming self-employed is not an option either.

As far as Moyo is concerned language is not a problem, nor is education or qualifications. Although he has a background in computer engineering, according to Moyo so many local graduates cannot find work that there is too much competition for highly skilled jobs and it is not in a refugee's interest to compete. He feels that discrimination against foreign people is an issue when looking for work, based on his own experience and the experience of other foreigners he knows how are well qualified and who have been in Moldova for a long time.

"I know of a story of a refugee with confirmed status who tried to establish a business on his own even though he is married, he was not successful. When he went to register his company's name, he was told he has no right to do so. They accused him of trying to legalize his stay in the country. This actually is strange since he has the status, which says the holder of such documents is living legally in the society. Secondly, he is married to a local woman. This confirmed in Moldova, that the wordings in the constitution do not correspond with what they mean. One thing is to write beautifully in the constitution other things is to set foreigners as enemy and not be willing to accept them in the society. Could integration be possible under such treatment? No"

“Searching for job is another hardship. For example, there was a case I called to fix an appointment for job through an agent, but immediately the person I was talking to on the phone got to know I am from Africa, the conversation ended with the saying “ we don’t need foreigners”. That was all. We just don’t have any organ that can defend our interest in such cases. We are just helpless and vulnerable in all. I do things on my own. Just few months ago, I got a job through the office of the directorate. I use to visit them on regular bases asking for assistance for job. One day they called a company and ask if they wouldn’t mind hiring a black for work and the answer was ‘we don’t mind’ and I was sent to them. Since then I have been working. In addition, I volunteer at the CCR too which also fetches me little income. Such occasional jobs are not really common and has been saving me from shelter, feeding and clothing. I conclude that there is no prospect in this country as per job opportunity is concern.”

THE FUTURE

Despite the hardships of living in Moldova, Moyo is not considering going home and would only do so if his security could be guaranteed and he knew he would be able to find a job and be self-sufficient financially.

“I personally think there is no future so far I am concerned. The refugees have no hope so long there are no changes taking place in refugee’s life in Moldova.”

TAISA'S STORY

Themes: Moldova / integration

Taisa arrived in Moldova in March 2007 and has been living at the Reception Centre ever since. She didn't really choose Moldova, she just wanted to come to a country, that wasn't too far from her homeland, Chechnya. She had to leave because her husband had problems in Chechnya. He was arrested for something he did not do. There are some difficulties in Moldova – mainly due to the fact that it is another country with different traditions, but Taisa feels that you have to meet people halfway. The best thing for her is that her children are safe.

“The good thing is that I am not..... that my children are out of danger.. that I don't worry about the children, for example, I am not worried about what will happen tomorrow or anything, that my children's future is safer in this country, that is [what is good] for me”.

Taisa didn't know anything about the procedure for applying for asylum before she came, but it all went well and she was granted refugee status after 10 months. As she knows Russian she had no problems with language during the application process.

INTEGRATION

Taisa says it is difficult to find work in Moldova, even with the qualifications to do a specific job because Moldovans do the better jobs. Taisa herself cannot work at the moment as she has children. She cannot attend Romanian language classes either for the same reason, but hopes to think about her career when the children are older. She has children in kindergarten and her eldest son is at school.

Taisa does feel integrated into Moldovan society.

“Yes, I feel [integrated]. Well, for me integration means that I am not in my homeland. Well, that is what I think and I feel integrated..... I am used to this country and I don't feel as though, well as though people are pointing their fingers at me, for example. There hasn't been anything like that”.

YAHYA'S STORY

Themes: Moldova / employment

Yahya is a Palestinian who came to Moldova from Syria. He had been living in Israel where he and his family had had the status of refugees from Palestine in Israel. He had been persecuted by people who wanted him to take part in a holy war against Israel. When he left he was promised passage to Germany. On 20th April 2007 he arrived in Odessa. He then found himself in Chisinau with no documents, no money and no help. The person who had accompanied him told him to hide so that the German police did not catch him otherwise he would not get a job. He slept outside for nine days in the cold without the proper clothing before being found by the Moldovan police. He didn't understand what the police wanted. He was beaten, tormented and the police did not want to let him go to the toilet. He says he was constantly given some piece of paper to sign. An interpreter came but Yahya did not trust him. Eventually someone took him to the Directorate for Refugees. He was questioned there before being given a room in the Refugee Centre.

"... at first it was very difficult for me, I didn't understand Moldovan or Russian. But I was treated with understanding and helped with everything".

Yahya applied for refugee status in May 2007. He had an interview in summer 2007 but he had no identity document and his application was refused. He found a copy of his driving license to prove his identity. His application was rejected again. At appeal the court decided he should be awarded humanitarian status. This was still to happen as the time allowed to appeal the court decision had not yet passed.

He is hopeful that it will turn out alright in the end, but sorry that he has to travel to Chisinau from S. so often. He now feels that the procedure lasted a long time but believes that thanks to the procedure he was given a room in the Refugee Centre and is grateful for that.

INTEGRATION

Yahya does not feel completely integrated. However, he feels lucky to have met his boss.

EMPLOYMENT

Yahya works in the village of S. He met a farmer who kept animals and who invited Yahya to work for him. He commuted for two months from the Refugee Centre but it was too far. He tends the animals even though he has higher education. He doesn't feel that this is beneath him as he is getting good experience and is doing honest work.

His boss speaks Russian and now Yahya understands and even speaks a little himself. Eventually he would like to earn enough to start his own business. He is happy to stay

in Moldova.

"I like my work, although it isn't easy. The pay is good. It isn't a lot but I can rent a flat in the town of S. I have good relations with my colleagues and my boss".

"When it was really difficult, I wanted to go back, but now it isn't so bad. I am surrounded by good people, I am being helped, I understand Russian and most people here speak Russian".

RUSSIAN FEDERATION

**PREAMBLE BY SVETLANA ALEKSEEVNA
GANNUSHKINA, MEMORIAL HUMAN RIGHTS CENTRE,
MIGRANT'S RIGHTS NETWORK**

**SITUATION FOR REFUGEES, ASYLUM SEEKERS AND
INTERNALLY DISPLACED PERSONS IN THE RUSSIAN
FEDERATION – BARRIERS TO INTEGRATION**

THE PROBLEMS ASYLUM SEEKERS AND REFUGEES HAVE INTEGRATING INTO THE RUSSIAN FEDERATION

**Preamble to the Russian part of the Refugee Stories interviews
Memorial Human Rights Centre, Migrant's Rights Network
Svetlana Alekseevna Gannushkina**

Russia has had problems with forced migration since before the collapse of the Soviet Union. Feeling the uncertainty of central authority, local elites began to struggle for as much power as possible, involving whole peoples in processes of clarification of relations and trading pain, tragedy and shame.

In 1988 to 1992 over 40 thousand victims of the Armenian pogroms in Azerbaijan were brought to Russia. In Summer 1989 after the Fernanga Valley massacres in Uzbekistan approximately

20 thousand Meskhetian Turks settled in Russia's southern regions. And this was just the beginning. Ethnic Russians arrived in Russia in great waves, frightened by the aggressive rhetoric and hostile actions of the former "brother" states.

The Russian State, used to having a monopoly on the movement of peoples, was not ready to solve the waves of migration related problems it was now facing. The laws "On Refugees" and "On Forced Migrants" (on Russian citizens forced to leave their place of permanent residence) were introduced only in 1993. Russia then became a party to the UN Convention on the Status of Refugees of 1951. However, the laws did not impose clear obligations on the state in relation to the recognition of status, nor on the provision of assistance for those deserving of it. The wording relating to the social rights of refugees and forced migrants was written in such a way that the rights of the refugee were not attributed to a particular government responsibility and the time frame for implementation was not specified.

Therefore, for example, a refugee has the right to "use housing accommodation.. from the Housing fund for temporary accommodation" Article 8. para 1(b) of the Law "On Refugees". At the same time, the law is silent on which government body should provide the accommodation within which timeframe. The key word of the law, determining the relations between the government body to refugees is "cooperate"; the state is not obliged to provide a refugee with housing, medical assistance, financial assistance but only to facilitate all of this.

Obviously, such an approach leads to a situation where problems are not solved at all. The refugee also is left with no legal grounds on which to appeal to the Courts in order to insist on the fulfilment of his legal rights.

Since 1991 the Russian Federation has had to accept several refugee flows. After the events in Uzbekistan and the more active phase of the Karabakh conflict there were several waves of refugees also produced by the Ossetian-

Georgian and the Abkhaz-Georgian conflicts. Approximately 40 thousand Ossetians fled to North Ossetia, and Georgians to central Russia mainly to large cities. According to expert statistics from Georgia some 50 thousand Georgians fled to Russia, 30 thousand of whom settled in Moscow and surrounding regions.

Apart from this, there were the citizens of Afghanistan in Russia who found themselves "sur place" refugees when the Nadjibullah regime fell and made returning to their country impossible for them. According to UNHCR there were 150,000 Afghans in Russia. In its 2004 report the Federal Migration Service (FMS) of Russia estimated the number of Afghans to be between 80-100 thousand. Amongst them are some 2000 child-orphan who were brought to the Soviet Union in the mid 1980s.

And finally, the internal conflicts on the territory of the Russian Federation, which led to streams of internally displaced persons. IN 1992 as a result of the Ossetian-Ingush conflict some 60 thousand Ingush people left the Prigorodny region of North Ossetia. The two conflicts in Chechnya led to constant movement of Chechens from the Chechen republic and back again – at the slightest improvement in the situation. At different times a total of not less than 600 thousand internally displaced people have left Chechnya – some 150-200 thousand of the Russian speaking population of Chechnya will not return in the foreseeable future. According to the statistics of the famous academic demographer V.I Mukomely, in 1996 over 714 thousand internally displaced persons were on the territory of Russia, having fled interethnic conflicts occurring across the territory of the former Soviet Union.

(http://www.ecsocman.edu.ru/images/pubs/2005/10/07/0000238425/008_Demografiya.pdf)

In 1995 at the UN Conference on Migration in CIS countries and neighbouring states the official number of refugees was given as 270 thousand, and of internally displaced persons as 900 thousand. After the conference these numbers began to fall significantly. New versions of the law of the Russian Federation "On Forced Migrants" (1995) and "On Refugees" (1997) appeared. The first victims of these new versions of the law on refugees were Armenians from Azerbaijan, the so-called "Baku Armenians". They were simply taken off the registration lists, and their documents were declared "unofficial identity documents". For over a year there was simply no determined form of such identity documents. Then they started issuing documents again, very reluctantly, to individuals. The exception was North Ossetia, where the authorities generously gave Ossetians from Georgia blue

refugee documents.

years time.

Of the very few people who were able to get recognised, the majority were 3-4 hundred Afghans. In addition some 1000 Afghans received temporary asylum, which

Unfortunately, at present the integration of not one single group of forced migrants is complete. And the flow of people seeking in asylum in Russia continues. There follows an

Table 1. The number of people recognised as refugees on the FMS register at the end of the year.

Year	1997	1998	1999	22000	2001	22002	2003	2004	2005	2006	2007	2008 май
Number of refugees.	239359	128360	79727	226065	117902	113790	8725	614	4458	405	452	527
Of these, number from North Ossetia-Alania	28086	26210	24124	119650	115150	111534	6688	229	1110	101	72	0

Table 2. Number of people given temporary asylum and on the FMS register at the end of the year.

Year	2001	2002	2003	2004	2005	2006	2007
Number of people with temporary asylum	379	1145	1232	1228	1061	1020	1174

the authorities began to give in 2001, after the relevant Presidential decree was issued of November 2001 (No 274).

The status of internally displaced persons was also given out very reluctantly. In May 2008 only ten people received it. In the same period 4399 people were taken off the lists of idps. Today, from nearly a million internally displaced persons there only remains 69 thousand.

At the end of the first Chechen conflict in 1996 147 thousand inhabitants of the Chechen republic received the status of internally displaced person. Amongst the victims of the second conflict only 12.5 thousand inhabitants of Chechnya received status, as the FMS admitted "people who did not belong to the ethnic population". This summary is understandable, in the first wave of the conflict the Russian population fled, and there were very few of them left there when the second conflict began.

Internally displaced persons have a ephemeral but nevertheless legal right to receive permanent accommodation. The authorities do not want to accept extra responsibilities therefore a situation is created where no one is given status, and the annual renewal of status is also refused on any possible grounds. In 2005 the duty to provide housing for internally displaced persons was taken away from the FMS and given to the Ministry of Regional Development. This latter body had no experience in migration issues and was not ready to defend the rights of forced migrants. The provision of housing is organised by government housing certificates. In accordance with the Parliamentary decree of 21 March 2006¹ for every subject of the Russian Federation at least one housing certificate should be given each year for an idp. At the current rate, if no one is added to the waiting list the last family of idps will receive permanent housing in thirty

explanation of the situation of some of the basic groups of idps.

The situation of Baku refugees is regulated almost everywhere in Russia. These first refugees were recognised as Russian citizens and managed to receive housing while the FMS was in charge of its distribution, or managed to find housing for themselves when house prices were affordable. The exception is Moscow, where some of the refugees who arrived from Azerbaijan in 1990 were housed by Moscow city council in hotels and hostels. Moscow city council was then disbanded and the Moscow authorities do not now think it necessary to fulfil the undertakings of the disbanded authority and provide Baku refugees with housing. This situation led to a programme of resettlement being opened in 2002 by the USA for Baku refugees living in the Moscow region. However, the programme did not cover all those in need. The criteria for resettlement were too narrow, and the decisions in many cases depended on the individual interviewer. Therefore, to this day there are several hundred Baku refugees living in hotels whose owners are trying to get rid of them by any legal and illegal means. The Courts, however, do not decide to evict these people.

In 2007 the Moscow government did not issue its usual annual decree extending residence registration for these refugees, and providing them with medical and social assistance. Instead, it created an Interagency Working Group to study the problems connected with the arrival of this group of people in Moscow. The Interagency Working Group never met and took no decisions. Without registration, former refugees face problems receiving medical assistance and social help etc.

It is necessary to apply to the Departments of Health and Social Assistance of Moscow, to the Pension Fund for each individual case of complaint of Baku refugees on the cessation of medical and social services, payment of pensions. Many now have problems with work and education. For example, 17-year old Gabriel Petrosyan who

¹ №153 «On affirming the Rules of issuance of the state housing certificates in order to carry out the sub-programme "Executing state obligations to provide the citizens in accordance with the federal legislation" of the Federal Programme "Accommodation" for 2002-2010.

won the young people's programme "Step into the Future" and received the possibility of attending Bayman's Moscow Technical University without entrance exams. The university committee told him that he required a registration document and medical insurance policy (which it is impossible to receive without registration). In order to solve this issue, it was necessary to apply to the Federal Service on control over education and science, which confirmed that the requirement of medical insurance and registration documents for admission to universities is illegal.

The problem of housing in the Moscow region for former refugees from Azerbaijan remains unsolved. But for the few who have been put on the housing lists by one of the regional departments (Marfyno) with their temporary registration documents, and those who had even a slighted perspective of solving this issues, - came under threat to lose this perspective due to the registration absence.

At the same time the owners of some of the hotels and hostels, who have long been looking for a way to get rid of the refugees, started to be active again. The administration of the Moscow Financial Academy recently required refugees to move out of their rooms for redecoration, without proposing alternative accommodation. Human Rights defenders intervened again – applying to the procurator who warned the university administration of the inadmissibility of the proposed eviction, and helped to avoid the refugees being put out on the street.

Owners of the hotel "Yushnaya" failed in their crude attempts to evict the Baku refugees in 2006, after turning off the water, electricity and heating over the New Year. At the beginning of 2008 the new owners decided to purchase alternative accommodation for them. However, they did not have enough funds to buy them accommodation in Moscow. The idea of leaving Moscow city after 18 years, and in the process losing work, friends and networks is not acceptable to the Baku refugees. Therefore resettlement will be impossible without the participation of the city authorities. Receiving no support from the authorities the hostel owners look for alternative ways to get rid of the refugees. Recently they proposed during renovations that the refugees move to a homeless hostel. Refugees, understandably suspicious that they would not be allowed to return back to their rooms, refused and wait to see what the landlord's next move will be.

It is hard to calculate the number of Baku refugees living in the private sector, renting accommodation at high prices and going without many things to avoid finding themselves on the street. Time goes on and people get older – they cannot work and find themselves in a position of complete hopelessness. Moscow categorically refuses to include them in the housing waiting lists.

There are other groups of internally displaced persons who moved to Russia in Soviet times include the Meskhetian Turks, Yezidi and other small ethnic groups, who left former soviet republics to settle in Krasnodar Kray

(region) - where there are frequent violations of human rights. If Baku refugees in Moscow and other regions were eventually recognised as Russian citizens in accordance with the RF law "On Citizenship" of 1991, because they arrived in Russia before the collapse of the USSR, the Krasnodar authorities will not recognise this legal position and will not issue Russian passports to the victims of pogroms and discrimination who resettled into the region. Although, we are talking about a group of people who bought houses there from the Tatars, who were leaving for Crimea. These people only needed registration and necessary documents. In addition, Turks, Yezidi and others suffer being chased out by the Kazaks, who are allowed to carry arms and from time to time as part of their national costumes. Meskhetian Turks living in Krasnodar Kray recently became a group accepted for resettlement to the USA. The programme was more successful than with the Baku refugees. However, there were still dozens of families left behind, who were refused resettlement for reasons they do not understand. These unfounded refusals were due to the fact that the American interviewers were unable to differentiate the truth from lies and were suspicious of people, but not the people who led them to confusion. Approaches from civil society organisations to the higher American authorities were not fruitful: Russian civil society organisations, with whom the Americans enjoyed good cooperation at the first stages of the programme, were not, it proved, considered as trustworthy sources of authoritative information in the conclusive stages of the programme.

Yezidi and other ethnic groups were refused inclusion into the resettlement programmes.

Amongst the most vulnerable are refugees from Abkhazia. Some of them have received national Georgian passports, the others remain with passports of the USSR (or no passports at all) and can be considered as stateless persons. Up until recently those with Georgian passports received annual visas from the Ministry of Foreign Affairs of the Russian Federation and were legally residing in Russia. At the end of 2008, after the withdrawal of Russian troops from Georgia, visas were no longer issued to these refugees, and this group of refugees now find themselves in Russia illegally. The adoption in 2002 of the law "On the Legal Position of Foreign Citizens" changed the status of refugees from Abkhazia, as well as other non-Russian citizens from countries of the former USSR residing in Russia, into illegal migrants. Civil society organisations therefore recommended that they prove the fact of their permanent residence in Russia through the courts with the aim of being included onto the migration register without visas and to receive permission for temporary residence. Some refugees followed this recommendation, with the help of lawyers from the "Migration Rights" network and were able to legalise their presence in Russia. However, at present the FMS position and that of the courts has made this method of legalisation for refugees from Abkhazia inaccessible: courts have ceased allowing Georgians to prove the fact of their permanent residence and those who have already proved it are not given permission for temporary

stay. The situation seems to be hopeless, and the roots of the problem are deeply political.

Some of the Abkhaz refugees try to use the simplified procedures for obtaining Russian citizenship (footnote needed), which exists in relation to the people of this unacknowledged republic. Either through middlemen or in person, at some risk to themselves, they apply for Russian citizenship in Sukhumi. During the process some documents disappear without trace, and the process of consideration of applications lasts for years. Questions asked to the Russian Ministry of Foreign Affairs shed some light on the situation: it was apparent that documents from Georgian applicants are held up primarily at the Federal Security Bureau where they are sent for standard checks. When we asked about several individual cases whose documents have been held by the FSB for a considerable time, we received a surprising answer: *"The applications which we received to the territorial security bureau were returned to the Ministry of Foreign Affairs in Sochi without review as the legal status of the applicants has not yet been determined by the authorities of the Republic of Abkhazia"*. This answer confirms suspicions that the FSB is holding up the documents of Abkhaz Georgians (primarily from the Gallsky region) on the basis that they all supposedly have Georgian citizenship and therefore do not have the right to apply for Russian citizenship as stateless persons. This is, of course, illegal: in a case where there is documentary proof of an applicant having Georgian citizenship, the Ministry of Foreign Affairs (but not the FSB) should and could officially refuse the person, but not hold his/her documents for an unspecified period of time, especially if this is motivated by presumptions due to ethnicity.

In recent times, obviously, due to the deterioration of the situation in the region, new refugees from Abkhazia have arrived in Moscow. It is difficult to say yet if these are individual cases or a tendency. 70-year-old Lea Kvaratskheliya lived until recently in the village of Leselidze in Gagrsky region in Abkhazia in her own house. Her relatives left long ago. She had good relations with her neighbours, but people started threatening her to leave. These threats and the lack of means of survival (she had no pension) drove her to leave for Russia to stay with her daughter who had a permanent residence permit in Moscow. At first the border Abkhaz border guards in the Psou region took her passport and documents. The old woman begged for a long time to get her documents back but to no avail. She came to an agreement with the train conductor and managed to reach Moscow without a passport. When she applied to the Ministry of Foreign Affairs in Moscow she received this reply: MID cannot apply to the authorities of Abkhazia as this republic is not officially recognised. There was no clear response from the Ministry of Defence. The FMS Russia also refused to examine the question of legalisation of L. Kvaratskheliya.

As they are illegal, refugees from Abkhazia have no access to medical assistance. Due to the ban on foreigners working in markets many have lost their jobs and cannot pay for their

medical treatment themselves, as they did before. There is a noticeable increase in requests for help from this group of people to civil society organisations. For example, Manana Torua, who is waiting for a decision on her citizenship application since 2005 was operated by a Moscow oncology clinic free of charge and then received follow up treatment after applying to the Moscow Health Committee.

Refugees from Central Asia, in particular from Uzbekistan, find themselves in the most difficult situation. The main danger from them is from the authorities of the Republic of Uzbekistan and the Uzbek security services who seem to operate with a decree of impunity on Russian territory. One could conclude that the services provided to them by the Russian Security services must be reciprocated in some way. In recent years there has been a battle over every refugee whose extradition is requested by Uzbekistan or Turkmenistan.

In April 2008 an important decision by the European Court of Human Rights was made. The court examined the application of 13 Uzbek refugees who were in detention in Ivanovo, the so-called "Ivanovo Uzbeks", and ruled to accept their complaint fully and accepted that systematic methods of torture were used and that there was an absence of independent judiciary in Uzbekistan. At the invitation of Memorial Human Rights Centre, lawyer Irina Sokolova led the case, which will set legal precedent. The success was a result of the close cooperation of the UNHCR, HR Centre Memorial, the Committee for Citizens' Assistance, Human Rights Watch and many other international human rights organisations.

In July the European Court of Human Rights (EctHR) ruled positively on another case of a citizen of Turkmenistan and related to the lack of guarantees of the applicant not being subjected to torture if returned to Turkmenistan. Another consultant for the Migrants' Rights Network, Olga Tsetlina, led this case.

In both cases the assurances of the authorities of the countries of origin that torture would not be used in relation to the refugees was not believed by the EctHR. The mechanism of the European Court is at present the only realistic means of assuring the protection for citizens of Uzbekistan, Turkmenistan and other countries, which are members of the Shanghai Cooperation Organisation.

Political refugees have been protected several times by the EctHR using rule 39 of the EctHR to delay extradition until a final court decision is reached.

However, in two cases the Russian authorities violated the EctHR ruling and extradited Uzbek refugees. This occurred in Moscow on 24 October 2006 when Rustam Muminov was extradited on the decision of the Federal Security Bureau of RF. This occurred not only in violation of the EctHR ruling, but also despite the refusal of the extradition request by the General Procurator of the Russian Federation.

It occurred again in Tumen on 5 December 2007 when Abdugani Kamaliev was handed back to Uzbekistan in violation of a rule 39 ruling by the EctHR. Negotiations were held up until the last minute with representatives of the Ministry of the Interior in Tumen and the Human Rights ombudsman of Russia. However, this did not help and Kamaliev was handed to the Uzbek authorities under the pretext of being deported for an administrative violation - of not being registered on the migration lists in Russia. Both Muminov and Kamaliev were sentenced in Uzbekistan and given sentence of 5.5 and 11 years detention respectively.

There are no positive developments so far in the situation for Afghan refugees. Their only hope is resettlement to a third country. It is possible that this situation will change now that positive cooperation has been fostered between the UNHCR and the FMS and the process of a review of applications of people, recognised as refugees by UNHCR but refused by the migration services, has begun.

A noticeable change in the FMS position on refugee determination occurred in the case of Atikulla Mohammed Tahir from Afghanistan. Atikulla was brought to the USSR as an adolescent with a group of child-orphan in 1986, and has since lost all ties with his home land. He is married to a Russian citizen and has two children, has bought a house in a village but is unable to legalise his presence in Russia. The Migration services of Moscow could not consider his refugee status application for several years, and then refused it as well as his application for temporary asylum. After consultations with the FMS and the Citizens Assistance Committee Atikulla applied to FMS Moscow for a third time and finally was recognised as a refugee.

Although the broadening of the practice of recognising refugee status and particularly temporary asylum is undoubtedly a positive development, it is necessary to note that the status of people with temporary asylum provides insufficient guarantees for internally displaced persons. In June of this year a 5-year saga of Asmik Chakalov from Georgia finished happily. She left for America where she received refugee status. Asmik arrived with only one kidney in Russia, and that did not function properly. She received temporary asylum for health reasons, but the status did not allow her to receive a pension, nor temporary housing, nor free medical assistance. Ill and alone, she would have died long ago had not the Citizen's Assistance Committee provide her with material assistance and the Moscow Department for Social Protection agree to provide her, as an exception, with housing intended for homeless Muscovites, and the Department for Health of Moscow agree to provide her with free, expensive medical treatment (dialysis) and medicines. The exceptional treatment provided for Asmik was several times threatened, and it took a lot of effort to negotiate for it to continue. Undoubtedly this assistance would have eventually have ceased and Asmik would have ended up on the streets without treatment and died.

The question of what happens to migrants whose applications for refugee status have been refused by UNHCR and FMS, and who cannot legalise their presence in Russia on other grounds, nor return home, remains unsolved. Abdul Asim Gafari from Afghanistan was refused recognition as a refugee by UNHCR because he had served in the security services of the pro-communist regime in Afghanistan. FMS Moscow and the courts refused him refugee status as well as temporary asylum. At the same time, due to events in Afghanistan, he is unable to return to his country of origin. Abdul Asim Gafari has three underage children and suffers from chronic diabetes. In order to survive, the whole family, except the five-year-old child made bead necklaces to sell for small sums of money. Abdul Gafari does not receive medical assistance. The NGO Citizens' Assistance provides him with humanitarian aid and managed to negotiate free medicines for him. But this does not solve the problem.

It is necessary to remember that the number of refugees increased in 2007 and continues to rise in 2008. A few dozen child-orphan were legalised, an important step as they all grew up in Russia, had families here, have a poor knowledge of their own language and were not able to return to their country of origin. It is hoped that these tendencies will develop in the future.

The Ossetians, former refugees from internal regions of Georgia, who were accepted by North Ossetia also face difficulties. Almost all of them now have Russian citizenship and the status of internally displaced persons.

According to statistics of the migration services of the Republic of North Ossetia-Alania, in May 2008 13,720 people were on the list of the migration services of North Ossetia, including 72 refugees and 13 648 idps. Many of these live in forty places of compact settlement in the town of Vladikavkaz and regions of the republic. According to official statistics officially only 1041 families live in these settlements.

The majority of compact settlements are dangerous to inhabit – some buildings have no or intermittent supplies of gas, there is no electricity or heating. The conditions in which children, old people are forced to live cause the development of chronic illnesses. Today, 1191 people live in conditions of physical danger. Almost all the places of compact settlement have big debts to pay to the local authorities and there have been court decisions to evict the inhabitants for many.

At the beginning of 2008 4297 people were on the housing waiting lists. In addition some 700 families, for various reasons such as absence of residence registration, are not included in the waiting lists but they too are in desperate need of housing.

North Ossetia agreed with the Ministry of Regional Development of Russia (now responsible for questions of housing) 30 living certificates in 2006, 792 in 2007 and

1000 in further years. However, the Ministry of Regional Development broke the agreement. Under the "Housing" programme in 2006 and 2007 only one family of idps received certificates to allow them to obtain housing. At this rate of financing the process of providing housing to all the idps in North Ossetia will take not 30 years, as in the rest of Russia, but two thousand years.

IDPs from Chechnya are as ever one of the significant groups of forced migrants in the Russian Federation.

Many of them return to the Chechen republic, not only because of the process of rebuilding, but also because of the discrimination and persecution they encountered in other regions of the Russian Federation. Their problems are linked with the lack of registration documents in their place of residence or any registration documents outside of Chechnya. For example: Zaurbek Akhmatkhano in Vladimir, where he is a university student and registered at his place of residence could not get a new internal passport for a long time on reaching the age of 20. He received a new passport only after the intervention of the Citizens' Assistance Committee. From December 2006 the law stipulates that a person can receive a passport in any region of the RF. If the applicant is registered as living there, this should be issued within 10 days, if not it can take up to two months. However, in relation to Chechens the migration authorities frequently fail to abide by this.

Hava Izhaeva brings up two children alone, one of whom is an invalid as a result of a broken spine. According to the law, she has the right to receive a small monthly allowance for each child (in Moscow it is a bigger sum) but she does not receive anything – in Chechnya because she does not really live there and in Moscow because she does not have a permanent registration there. Interventions with the Department of Social Protection of Moscow have not had any positive results.

Many complain that employers refuse to give them work when they understand they come from Chechnya.

The campaign of falsification of criminal cases against Chechens continues, which had a few high peaks but which has never ceased completely since the first conflict began.

A clear example of this is the case of Movsar Beksultanov. In 2005 he was sentenced for participating in illegal armed groups, despite the fact that a criminal case was opened into the illegal methods of interrogation used during his case. Movsar served his sentence in Prison colony no.2 in Voronezh, where he was repeatedly warned that they were trying to find a way to extend his sentence. This treatment of Chechens serving prison sentences is widespread in the penitentiary system, as often the people who work there have served in Chechnya during the conflicts and have not had sufficient rehabilitation following their military service.

On 16 June 2008, when Movsar should have been released from prison, his relatives came to meet him but

were detained in the department of internal affairs in Voronezh for no reason for three hours. A 15-year old girl was amongst those detained.

During this time plain clothed police met Movsar as he left prison, after which masked men in camouflage effectively kidnapped him: handcuffing Movsar, covering his head and forcing him into a car.

The kidnappers took Movsar from building to building, explaining his detention with dubious excuses: claiming that they had found a grenade amongst his things. Finally he was told that they had found drugs hidden in the Koran (!), which had been with the kidnappers all the time.

After this Movsar was taken to the ministry of the interior of Voronezh, where he was left with nothing to eat or drink until morning. Movsar was suffering from a stomach ulcer, and due to the unbearable pain, he tried to kill himself.

During the Court case on considering a possibility of detention as a preventive measure Beksultanov found out that he was apparently detained on 16 June at 23.00 near the prison colony for minor hooliganism and during a search he was found to have drugs on his person.

There are many contradictions and inconsistencies in case. In his decision, Judge Scherbinin of the Central Court of Voronezh, refused to allow Movsar to be detained further as the initial examination was illegal as *"there were no materials in the case of decisions of the heads of the Department of Combating the Organised Crime of the Ministry of Internal Affairs regarding a stop and search operation in relation to Beksultanov MV"*

It should be noted that it is very rare for a judge to refuse the detention of a suspect from a different town. Everything points to a fabricated case. There was media coverage of this and several applications to the procurator by human rights defenders. It seemed as though things had gone quiet and the case would be closed, but then the investigation was prolonged by a month. The battle continues but it is far from being a unique case known to human rights defenders in Russia.

At the beginning of 2008 all centres of accommodation of idps from Chechnya were closed down. The centres in Ingushetia were closed down in 2004, places of compact settlement in Ingushetia were declared unfit for human habitation in 2005. It was difficult for some of them to continue functioning to prevent people being turned out onto the street. All the centres of temporary accommodation in Central Russia are now closed; the last Chechen idps were forcibly evicted in July 2008.

The authorities advise even Russians to return to the Chechen republic. For example, in the court deciding if an old Chechen woman, Aliftina Ivanova Doronina was entitled to housing, the representative of the Moscow Housing Department recommended that she return to Chechnya

where, according to him, she would be provided with a flat in a new building. His conviction says a great deal about the lack of information of Russian officials on the issue and their absolute indifference to victims of the Chechen conflicts.

Three years ago Alifin Ivanova won a court case regarding her right to refuse her housing in Chechnya and received 120 000 roubles compensation for it – the average cost of four meters of living space. However, this is the maximum compensation, which is paid outside Chechnya for a family, however big it maybe. Several years ago the Supreme Court ruled this level of compensation was insufficient and the people who have received it are still not able to obtain housing. However, the government has not raised the level of compensation.

In Chechnya itself compensation for a destroyed home is approximately 300 thousand roubles, which does also not cover the building or purchase of new accommodation. However there is a big difference in the levels of compensation, which gives Russian extremists another reason for anti-Chechen agitation.

In Chechnya the points of temporary accommodation for idps have also ceased to function. First of all the status was changed, they were made hostels and responsibility for them handed to the local authorities (ie/ their costs were no longer covered by the Federal budget). The local authorities use the refurbished buildings at their discretion and evict idps from them.

Chechen president Ramzan Kadyrov started this campaign before he came to power. In April 2006 Kadyrov denounced points of temporary accommodation as *"nests of crime, drug abuse and prostitution"* and said that they needed closing down. It is possible that some of these things did occur in the accommodation centres but the majority of inhabitants of the points of temporary accommodation were made up of old people and families with many children, who often were without the father as a breadwinner. The process of closing the points of temporary accommodation and resettlement of idps is carried out with the participation of the military, which is in itself a means of exerting pressure on people.

In conclusion we should talk about a further group of idps – the Ingush from the Prigorodny region of North Ossetia, driven from there during the short but brutal active phase of the armed conflict of 1992.

In the last three years the Russian authorities have done a lot for the provision of housing for the Ingush and for their return to their homeland. Provisions have been much more generous than those given to inhabitants of Chechnya, who decided to return home: it was enough for them to prove in court the fact of having lived in a certain village. For the first time in Russia this replaced the requirement of a propiska – registration at place of residence. Compensation for abandoned housing is also of a different level than for inhabitants of Chechnya – families of Ingush who sign away

their rights to their old properties receive between 700 000 to two million roubles – which proves clearly that the authorities do understand the actual costs of housing at the present time.

Despite all the positive developments in the process of repairing the damage following the Ossetian-Ingush conflict it is necessary to note that it is still early to talk about the re-integration of Ingush into North Ossetia – the authorities are not in a position to assure the security of returnees. There are dozens of recorded cases of kidnapping and disappearance of Ingush people. Not one search has led to a positive result, and the criminal investigations that were launched were not investigated. The terrorist act in Beslan, although it had no relation at all to the conflict, acted as a catalyst for a new wave of anti-Ingush feeling in the Ossetian society, and this mood persists today.

SITUATION FOR REFUGEES, ASYLUM SEEKERS AND INTERNALLY DISPLACED PERSONS IN THE RUSSIAN FEDERATION : BARRIERS TO INTEGRATION

This publication includes 14 stories of refugees, asylum seekers, and internally displaced persons who fled to the Russian Federation in the hope of finding safety and security. ECRE's partner organisations in Russia interviewed over 30 people in many different regions ranging from Moscow and St Petersburg to the North Caucasus (Ingushetia and North Ossetia). The remaining stories can be found on the ECRE website.

ACCESS TO REFUGEE STATUS DETERMINATION PROCEDURE

Since the Russian Law "On Refugees" came into force in 1993, access to the status determination procedure has been very difficult for many asylum seekers and vulnerable migrants. Over the past decade, asylum seekers report that migration officials often refuse to hand out application forms, saying they do not have them. Refusals to accept documents are usually given verbally and therefore are difficult to prove and cannot be appealed. **Luisa** describes the difficulties she encountered as she tried to apply for protection from the migration services.

This has meant a large number of vulnerable people have been unable to legalize their presence in Russia, and spending many years in an effective "legal limbo" – deprived of the right to work; the right to walk around freely on the streets. Every day asylum seekers are detained on the streets, taken to police stations where they are often made to pay bribes and suffer cruel treatment from law enforcement officials.

It is understood that in 2008 access to the status determination procedure improved for newly arrived asylum seekers and refugees, as cases are being reviewed individually by the migration service, but there remains backlog of cases of people who arrived earlier which will take time to process.

Temporary Asylum: There are an estimated 100,000 Afghans living in Russia, amongst the majority have not received a clear status. Some 1,500 of them have temporary asylum, but this needs to be renewed every year and Afghans are increasingly having problems in renewing this status.

LACK OF PROTECTION: RETURNS OF REFUGEES FROM THE RUSSIAN FEDERATION TO COUNTRY OF ORIGIN OR OTHER COUNTRIES AND REPATRIATION

There is great concern recently over the increasing practice of illegal detention and deportation of asylum seekers, sometimes for apparent violations of the administrative procedures. Refugees and asylum seekers from Central Asia, and Korea are often not protected when

in the Russian Federation, and there are concerns over the degree of cooperation between foreign security services and the Russian Ministry of the Interior. The consequences of such policies are dramatically illustrated in **Yury's Story**, **Salim's Story** and **Osman's Story**.

DOCUMENTATION

Nearly all the refugees and internally displaced persons interviewed highlighted documentation as the principle barrier to integration.

The law "on the legal situation of foreigners" which came into force in 2007 introduced simpler registration procedures for foreign citizens. A foreigner, arriving legally to the territory of the Russian Federation should now inform the migration services within three days of arrival of his/her place of residence or work. However, this registration is only valid for 90 days or until the expiry date of the visa. After the expiry date the foreigner is required to leave Russia if he or she does not have other legal grounds to stay (for nationals of the countries, where visas are not required, this can be temporary residence application). Asylum seekers who arrive illegally in Russia are exempt from benefiting under the simplified registration procedures

In addition, the adoption of insufficient regional quotas for temporary residence permits at the end of November 2006 effectively cancelled out many of the achievements of the previous law and even weakened the law "On the legal situation of foreign citizens" of 2002.

Particular problems are faced by those people whose registration documents have expired, but who are married to Russian citizens or who have children with them and cannot leave Russia and return to the country of origin.

People holding 1974 USSR passports who cannot return to their countries of origin with these passports, nor apply for temporary residence in Russia are also caught in difficult situation. Most such people have been living in Russia for over 10 years and their children are often also without documents. Registration also continues to be the main problem for Chechens living in Russia. NGOs report that secret directives limiting registration for Chechens exist in all regions.

Without residence registration asylum seekers, refugees and IDPs do not enjoy the right to free healthcare, to receive allowances and pensions. Without registration it is hard to find a job and get children accepted into kindergarten. People are also frequently stopped by police and asked for registration documents and made to pay fines or detained if they do not have these.

A period of only three days¹ is given in which to appeal a refusal of temporary residence or residence registration, which is clearly not sufficient.

It is necessary for the Russian Federation to ensure all asylum seekers are issued with documents, which recognise their status and guarantee them the right to legally stay in Russia until their applications for refugee status have been considered, and they have had opportunity to exhaust all appeal stages

EMPLOYMENT.

Amendments to the Law "On the legal status of the foreign citizens"² were designed to simplify the procedures for foreign citizens to obtain work permits.

However, the Russian government also adopted a decree,³ which introduced quotas and stipulated that from 1st April 2007 foreign citizens in Russia on a temporary basis were prohibited from working in retail at markets, stalls and outside shops⁴.

In order to legally work in Russia, it is necessary to have residence registration documents and also a work permit, which is currently very difficult to obtain as regional quotas for 2008 were woefully insufficient. Thus, asylum seekers and those with temporary asylum in Russia are not able to work on the markets and as traders.

For many, the decree deprived them of the possibility of earning a living, and was widely interpreted as a xenophobic measure. This law also increased the penalties for employing irregular migrants.

Asylum seekers in Moscow and major cities suffered as the rate of document checks increased in market places, as described in **Ahmed's Story and Osman's Story**. The already complicated social situation for refugees deteriorated further as their monthly income reduced.

1 Paragraph 4, Art. 7 of the Law "On the Legal Status of Foreign Citizens"

2 This decree stipulates that a work permit is issued by the Federal Migration Service (FMS) of the Russian Federation or Regional Department of the Federal Migration Service after the applicant provides the following papers:

- 1) Application to be issued with a work permit; 2) Identity document; 3) Migration card with the Border Guards' stamp, certifying entry to the Russian Federation or the FMS stamp, certifying the issuance of the migration card to this person;
- 4) State duty receipt, certifying that this person has paid 1000 roubles for the work permit. A response should be provided within 10 working days and rejections can be appealed, which is a great improvement on the previous system. The number of foreign citizens, granted work permits increased several times in comparison with 2006.
- 3 15th November 2006 N 683 «On establishing quotas in 2007 for foreign employees, working in retail trade in the Russian Federation».
- 4 The decree forbade foreigners from selling alcohol including beer and pharmaceutical products. The quotas for foreign traders in markets, kiosks was set at no more than 40% and was to be reduced to 0% by April 2007.

Sara's Story also describes the routine discrimination, which refugees and asylum seekers come up against when looking for work.

Almost without exception, the refugees and asylum seekers interviewed claim that the most pressing need to improve their lives is for them to be provided with documentation and the right to work and provide for their families.

It is necessary that the Russian government ensures asylum seekers and refugees have full and unimpeded access to the labour market and that any discriminatory legislation or restrictions are removed.

HOUSING AND ACCOMMODATION

This is a barrier to integration which most groups of refugees and internally displaced persons face. **Lola's Story** poignantly describes one family's desperate search for shelter when they first arrived from Uzbekistan to the Russian Federation.

The increased passport checks at the place of residence, attempts by the state authorities to control the rental market, requirements that landlords legally register an official lease and pay income tax on rent, led to a doubling of rental costs in 2007-8. Fewer people are now willing to rent out apartments in large cities to refugees and other forced migrants. Many refugees have been forced to move to the outskirts of cities (which increased the travel costs to work and fines of the police on the way to work) or to share an apartment between a few families (which does not conform to any sanitary standards). Most of the people interviewed talked about housing as a major problem, and felt discriminated against and insecure where housing was concerned.

Taniel's Story illustrates the long battle for housing rights in the Moscow region which Baku Armenian refugees have faced for the last two decades.

In the North Caucasus, IDPs, registered with the FMS and in need of improved accommodation are losing hope of ever being rehoused. In **Rosa's Story**, she describes her long fight for compensation for loss of housing when her house burned down in Ingushetia in the Ingush-Ossetian ethnic conflicts. **Luisa's Story** illustrates the similarly challenging struggle experienced by one Chechen family as they moved from railway carriage to tent camp to temporary accommodation centre.

RACISM AND DISCRIMINATION

Foreigners, including refugees and asylum seekers, are routinely targeted for racist abuse in Russia on the basis of their physical appearance. Many of those interviewed raised the issue of racism, and racist attacks increasing worryingly in recent years⁵. This has reached frightening proportions

5 SOVA centre <http://xeno.sova-center.ru/6BA2468/6BB41EE/C4055C6>

as well-funded, well-armed fascist gangs operate in the big cities such as Moscow and St Petersburg¹.

Ahmed's Story describes the intolerable stress of living in fear of racist abuse and attack – not only from extremist groups but also from law enforcement officials.

Ethnic Chechen internally displaced persons also have great difficulty in living in many areas of Russia, as they encounter discrimination from law enforcement officials and the authorities, as well as the general public.

CITIZENSHIP

The legal situation of CIS citizens and stateless persons who arrived in Russia before the adoption of the new migration legislation² has not improved, however. They do not have a migration card and therefore are unable to neither regularise their status in Russia nor receive Russian citizenship.

Obtaining Russian citizenship remains a difficult problem for the majority of migrants. People arriving from the former Soviet Union and without Soviet citizenship can obtain Russian citizenship until 1 January 2008 through a simplified procedure provided they have permission for temporary residence. Many citizens received answers from the Commission for Citizenship saying that the decision on citizenship needed to be taken before arrival in the Russian Federation.

STATELESS PERSONS

There remains a category of people who have no documental proof of belonging to any state – stateless persons, without identity documents. These people can neither leave nor return to Russia, as they have no documents. **Lusa's Story** illustrates some of the problems faced by stateless persons.

EDUCATION

Although refugee children are now allowed to attend school in Russia, many refugees face financial difficulties in purchasing the required uniforms, schoolbooks and sports equipment. Pre-school children continue to face difficulties in accessing nursery education in Moscow.

ECRE would like to thank all the individuals, who shared their personal stories, and the following organisations for conducting the interviews with them:

reported preliminary statistics of 87 racially motivated murders and 378 attacks in 2008, across the Russian Federation, excluding the area of the North Caucasus.

- 1 For example: the hearing on the case of "Voyevodyna-Borovykova gang" in St. Petersburg, in which 19 people are accused of murder of antifascist expert N. Gyrenko and other foreign citizens, revealed that the accused have well organized criminal network, weapons and money to commit their crimes.
- 2 "On citizenship of the Russian Federation" and "On the legal status of foreign citizens"

Memorial Human Rights Centre "Migration Rights" Network;

EquiLibre-Solidarnost

**REFUGEE STORIES FROM THE
RUSSIAN FEDERATION**

ABDUL'S STORY

Themes: Russian Federation / refugee status determination procedure / documentation / language / racism

Abdul is from Afghanistan. He was a 10-year-old orphan living with an elder sister in Afghanistan when their house was destroyed during the fighting. Abdul and his brother were helped to escape to Iran to work. His sister remained in Afghanistan with her husband, and his other brother is somewhere in Russia. His elder brother fought against the Mujahadeen, and soldiers came to the house looking for him. They did not find him but killed Abdul's father.

Abdul lived for some time in Iran without documents before his elder brother came from Russia to find him. Abdul remembers their reunion **"He didn't recognise me, he said – "I've got a photo, I'm looking for my brother Abdul" – I said "I am Abdul" – we cried, and hugged."** My brother organised us visas for Russia and we went to join him. On arriving in Russia Abdul and his brother applied to the Migration Services who gave him an interview date for three months time. **"They refused me several times; told me to leave the country and go back to Afghanistan. I know people who bought the documents they needed, but I could not do this, nor could I return to Afghanistan Made to sign up for "voluntary" return"**.

Abdul had a Russian fiancée. One day he got a phone call saying his documents were ready for collection. When he got to the migration service offices he was given a paper saying he agreed to voluntarily return to Afghanistan.

"They showed me this paper and asked me to sign it, but I can't read Russian. They told me "either you sign this or you'll be collected in a police van and we'll take all your money from you and put you in such a bad place that you'll phone home yourself and ask for money to travel back with"... I signed - I had no choice. They told me that after this I could come back to my wife in Russia".

"When I signed the paper they took my wife into another room and asked her "Why do you need him – he's from Afghanistan, you live with him but he's not Russian. She was offended by this but we didn't write a complaint as the Migration official from the Department of Deportations told me that I could come back and live with my wife again".

Abdul bought tickets to Afghanistan and gave them to the Migration Services. **"I paid for them myself but they were taken by the Migration Services"**. He travelled to Moscow and the Migration Services called him again to check he was leaving, and again confirmed he could come back to Russia. He returned to Afghanistan and easily got a visa back to Russia with the invitation from his wife.

However, while he was in Afghanistan, on 24 September 2007 there was a suicide attack on a bus full of police

men, and Abdul was walking nearby and was knocked unconscious and received a head wound. Abdul left hospital early to travel back to Russia and meet his wife. After he had his stitches out he went to register his presence in Russia with the Ministry of the Interior Passport and Visa services (OVIR), where he applied for temporary residence. He got married officially on the Official celebration day of the Police forces – Abdul's wife is a policewoman.

At OVIR, Abdul was told he had to travel back to Afghanistan to get proof that he did not have any outstanding criminal convictions against him. Two weeks later Abdul's wife went to the passport service and was told that her husband was on the lists for deportation from Russia once again. Abdul did not understand as he had just been given permission to stay for 3 months. He was put on a list of "wanted persons", arrested and taken to the Police station number 76. There, his documents were checked and everything was found to be in order.

Abdul returned to the Migration Services and was interviewed again. He made another application for temporary asylum but was told by a migration service employee that he should not have returned back from Afghanistan. He was given documents registering his claim and told his claim would be refused.

Eventually the court of first instance ruled Abdul should be given temporary asylum. At the time of this interview, he is waiting for another court hearing as the migration service has appealed against the court ruling to grant him asylum¹.

Abdul finds it hard at the moment because he only has the documental evidence that he has an upcoming court hearing, and local police ask him frequently to show his migration card.

"The police really bother me, they want me to pay them or offer them money - they don't understand that I am legally here whilst my court case continues... they really bother me though, I'm even afraid to travel by the metro".

LANGUAGE BARRIER

Abdul feels his case was greatly hindered by the lack of proper interpretation. There was no interpreter present during his first interview at the migration services. **"If there had been an interpreter and I had understood that I had signed a paper relating to deportation I would have appealed to the courts against it. I didn't even know where to write my name"**. In fact, Abdul is illiterate, and regrets this: **"I wish I could study – if there is a school for people my age to study, I want to study very much"**.

¹ The Migration service appealed this decision to the second instance court, which upheld the appeal saying that as Abdul was deported from Russia he was in serious violation of the regulations when he returned, and the fact of his marriage to a Russian citizen was not a basis on which to grant him temporary asylum. The case has now been returned again to the court of the first instance, and Abdul continues to live without status in Russia, with his wife and brother.

DISCRIMINATION

Abdul is all too familiar with discrimination – he says he encounters unfriendly comments on the street, at the doctors, all the time. Once three people at Lomonosovsky metro station beat him without reason – he tried to report this incident to the police but was told that it was useless to try to find his attackers.

Abdul feels despondent about the future: ***“I am so stressed at the moment – my life was in danger in Afghanistan but here I’ve also had four years of problems with the migration services – it is not right to be treated like I was... I have nowhere to go, my family is here, my wife, brother... where can I go – it’d be easier to hang myself”.***

“I can’t explain it all – everything was a thousand times worse than I’m describing here – if I could express myself properly in Russian, or if you could speak Afghan, then you would cry to hear my story – it would take a long time to tell – several days”.

AHMED'S STORY

Themes: Russian Federation/ refugee status determination procedure/ racism/ documentation

Ahmed is from Sudan. He came to Russia in 1994 to study medicine. After the war broke out in Sudan in the year 2000, his relatives no longer had funds to pay for his education and he was forced to stop studying. He was told to leave the student accommodation, and had nowhere to live. He says the authorities tried to deport him but did not manage to as he paid a bribe.

Ahmed cannot return home, as he has been involved in a movement of Sudanese opposition to the current regime. One of his fellow students returned home and was arrested at the airport and imprisoned for 4 years.

STATUS DETERMINATION PROCEDURE

Ahmed applied to UNHCR to register as an asylum seeker, and since then says he has been trying to apply to the Russian migration services but that they would not accept his application as he has no passport or identity documents. Ahmed fought his case through the courts who ruled that their applications should be given substantive review. So Ahmed was told to wait for 3 years until his case could be examined. **"They said the same thing to some 40 000 other people"** he says, bitterly. After a three-year wait Ahmed's interview took place and his application was refused. He appealed the decision to court.

Future hopes **"My hopes are very confused... But I want to believe that everything will be all right. But I don't know how... it is very hard here, very hard"**.

RACISM

Ahmed says one of the most pressing things he has had to learn is **"How to defend yourself on the street from attacks. This has happened... also you need to defend yourself from the police, we have suffered a lot from them, they take all our money"**. He says that skinheads and nationalists have killed four foreign students recently in Moscow. Some of the victims were in his class and this affected him deeply. **"They just went out for bread... it was terrible... one was alive for a while..."**

" I have been beaten many times...one time I was taken to hospital. They took my money, my phone, everything I had.... Once I was taken to the police station and they took my fingerprints, they poured vodka on my face, they let me go at 5am onto the street... it is very hard".

Employment. Ahmed works in warehouses and markets. He never dreamed he would be doing this sort of work, loading produce in the cold winter at -20 degree temperatures. He earns enough to buy sausages and bread and milk.

Ahmed found work difficult because **"of the police. They come to our work place and ask – have you got a registration document? They get everyone together, then start beating them... they take everything you have in your pocket and then let you go, saying "You're free!" This happens every week – if you get your salary taken you go home without bread"**.

"I need to find a country where I can feel human... where I can have a future for me and my future children, whoever they will be. But here I can't live – I can't work. I am like a slave... I work for 18 hours for very little money.. I can't pay for rent and food and live on this money".

HOUSING

When he first lost his university accommodation Ahmed had no money for rent and lived **"here and there..."**, staying with friends and people he knows. **"The most important thing is to have my toothbrush and toothpaste in my pocket and my bag with me"**. Later, he rented a room in a hostel with other people, in order to cover the rent.

HEALTHCARE

Ahmed was hospitalised for 18 months for a serious condition that required stomach operations. He had to pay for his treatment, although the doctor helped him by operating even though he did not have medical insurance.

THE FUTURE

Ahmed is not optimistic about his future in Russia. He finds it hard to imagine settling.

"If I am honest, it is very hard to live here. Even my countrymen who have Russian citizenship find it really hard. There are many attacks, it is nerve-wracking - you never feel a real person here – you feel a permanently threatened".

"I can't live here"

Ahmed's recommendations to the authorities are to provide some help with accommodation for refugees, and to give them documentation to allow them to live and work and help themselves.

BORIS'S STORY

Themes: Russian Federation / housing / documentation /

Boris is an ethnic Ossetian – fled from Georgia in 1991 to S. Ossetia. He is married with two children.

Boris, an ethnic Ossetian, was born and raised in Tbilisi – and has good memories of a peaceful childhood where Ossetians, Russians, Armenians and Georgians lived together.

He remembers that after Gamsakhurdia came to power, the **“Georgians started saying that they were better than other ethnic groups”**. Boris has memories of life in Georgia as Russian, Ossetian and Armenians were gradually pushed out of the best jobs - this has a psychological effect over the years: **“You start thinking - us Osetians –we are nobody”**.

When Boris served his military service in Georgia, he found deep divisions between the Ossetians and the Georgians. After his military service, in 1991, *Jaba Iosseliani's* forces, the Mkhedrioni, were recruiting those who had finished their military service. Despite the fact that Boris does not have a Georgian surname, they tried to recruit him, offering him legal and financial assistance. **“But I knew their line of activity was stealing, murder and banditism”**... Boris told them he would think about it and discuss it with his parents – but he did not join them. Some time afterwards, some of the Mkhedrioni soldiers came to live in their house : **“ It is hard to believe when a person comes in to your house and sits down, brings out a drink and something to eat and tells you “We live here now”... they have weapons and you can't say anything to them – your parents are old and there is a crowd of them... “**. Boris and his parents hired a car, gathered a few clothes, documents and left in the direction of South Ossetia.

“The flat is ours – they said – it is Georgian soil, a Georgian building – there are no flats for Osetians here. Go back to your land... and find yourselves a flat there”

Boris registered with the migration service, as an internally displaced person. They were given documents. The family lived with relatives. Boris found work, hoping to buy a place to live, but his father's health deteriorated and his earnings went on medical treatment. His father died some time later.

Boris is married with two children. He now lives with his parents-in-law. They are on a waiting list for housing since 1992. Boris finds the bureaucratic demands of regulating his stay in Ossetia and his housing request difficult:

“ What do you do when an official tells you to get a paper and you bring it..., and she looks at it and says... “You need to bring another certificate.” You get that certificate and she says, “You know, you also need this certificate”... and you say, “Why didn't you tell me all the

certificates I need to bring you”. She says, **“Do you know how many refugees I have to work with?” And all these certificates – ... take time to get, and nervous energy”**.

Boris feels grateful to Ossetia for accepting him – **“No one asks us – why did you come here...I am grateful for that. But apart from that, we haven't received much concrete help from the migration service nor the authorities”**. He feels comfortable in Ossetia, that he is in his homeland and with his people.

Boris does not imagine now returning to Georgia and feels bitter about past events– **“Georgia was such a hospitable, peaceful, friendly nation... And now? Now ... it is such a jealous nation of back stabbing... Even with these events in South Ossetia – they knew where there were huge groups of women and children and they bombed precisely these places – even a wild animal would not do this”**.

FATMA'S STORY

Themes: Russian Federation/ integration/ education/ documentation/ employment

their countries calms down. So they can live here freely, without hiding from the police.... They have small children too, that they need to feed and cloth.... So I only have one recommendation: let us refugees find work. "

Fatma arrived in Russia from Afghanistan with her family in 1989 when she was only 2 years old. The family arrived to join their father, who was studying in a military academy in the Soviet Union. Shortly afterwards the war began and they stayed in Russia – as “**sur place**” refugees.

When the family's visa expired after two years, they encountered many problems – without documents they found it hard to work, to study, to attend nursery school. They applied to UNHCR and got some temporary documentation. Later they applied to the migration services – and eventually got temporary asylum.

EDUCATION

In order to get a place at school in the early 1990's Fatma explains, ***“We had to do so, not through our documents but through relatives...or by paying. My father went to the school and sorted it out with them somehow”.***

FEELING SETTLED

Fatma studied and then went to medical college, and is now working for UNHCR as a nurse, and also as a translator for an NGO and for the migration services. She feels settled in Russia, has lived her for 19 years, knows the language well, has many friends.

“I feel it is my country, as if I am not from Afghanistan, sometimes I feel like that. I feel like a Moscovite, as if I was born here. Of course I am proud of being Afghani, but as I grew up in Moscow it all feels far away. I don't know if I could have got such an education in another country – I feel good”.

Moscow gave me a lot – very much indeed. In Afghanistan I don't know if I could have received such a good education”.

DOCUMENTATION

Fatma is only worried about her documents. The family are currently renewing their temporary asylum papers and if they are not accepted she knows without documents she will lose her job.

Fatma's recommendations to the Russian authorities are to allow people to work.

“All refugees who arrive here, wherever they come from... did not just come here to observe, they fled some kind of danger, threat to life, persecution. ... They all need help. I wish they would be given some kind of work, some kind of documents until the situation in

ISMAIL'S STORY

Themes: Russian Federation / employment / education / housing

Ismail is 52 and an ethnic Ingush, born in Kazakhstan. Whilst living in Kazakhstan his family dreamt of returning to their homeland, the Prigorodny region of North Ossetia. His family did go back but their return did not turn out as they had dreamt. Ismail became a refugee in 1992. His life and the lives of his family were in danger because of their ethnicity when tensions broke out in the region. At first they organized refugee camps in North Ossetia but they did not feel safe there and felt that they would have no protection from Russian forces. They were forced to leave. Ismail and around 25 members of his extended family managed to flee by paying Russian soldiers to take them away in an armoured personnel carrier (APC). Ismail went to live with relatives in Ingushetia. He did not think much about the future when he first arrived.

“To be honest I didn’t have any expectations. After what happened there.... There were no expectations. You’re uncomfortable, that you’re running away, saving yourself. That you are a man, a lad, and you are running. You are ashamed in front of the people you are staying with and you can’t do anything. I didn’t have a gun, nothing. I somehow believed in my subconscious, I thought that the Soviet Union, the communists, that... to be honest I thought that something like that couldn’t happen in the 20th Century, I swear it’s true. I didn’t think that it could happen like that. I knew what had happened in the Tsar’s time, and that during the communists’ times, and Yeltsin – we have always been outcasts. And now it is exactly the same today. I don’t think there is any difference between what happened in 1994, 1992 or 2008. It is even worse now.”

Ismail stayed at his uncle’s house for around 2 months. There were around 27 people living in 7 rooms. At first everyone thought it was a temporary arrangement and that they would be able to go home. As winter turned to spring, they realised that the situation would not sort itself out any time soon. Ismail and others in his situation became uncomfortable living on the good will of relatives. They started to try out wagons, tents.

“It was very difficult at my uncle’s. There were a lot of people. Half of his house was reinforced concrete, that is he had just built it out of concrete. There was one ring to prepare food. You took one pan off and had to put the next one on straightaway. Hardly anyone had any money, there was no bread. At that time you had to queue for bread at 6am in Kantyshevo, there was a scrum, fight near the shop. You got up at 6am and you could get 4 or 6 loaves of white bread. The only thing that I remember is the warmth of relations, despite the loss. Our uncle was crushed, our sister too. But, from what I saw the only good thing that stayed with me was the relations. Despite the

sadness, it was how they welcomed us and how well we got on.”

As there was no work in Ingushetia at that time (it was shortly after the break up of the Soviet Union), Ismail left for Kyrgyzstan and worked there until 1996. But there was also unemployment in Kyrgyzia and all the Russian specialists left. His first family, including his son, stayed there. When he came back, Ismail didn’t apply for forced migrant status.

“I have never asked them and I never will. I don’t want to ask this government for anything. I don’t want to debase myself in front of them. How much have they insulted me, degraded me, evicted me, driven me out”

EMPLOYMENT

When he got back to Ingushetia it was impossible to find work. Ismail specialises in working with concrete and has a qualification in car mechanics. However, he would be happy for any work. The main problem in Ingushetia is that you have to have friends, family connections or money to get a job. Money being the main thing.

“I would not be ashamed to work anywhere. I would be happy to do any work. Physical or any work I could do with my education. I have been to the job centre. They told me that there are a lot of people like me, with a degree and without. At that time several dozen mini buses had arrived at the car park. They showed them on the tv. They gave me directions to the car park. When I got there the personnel department sent me to see a man. It was the first time he had ever seen me and I was very surprised, because I could have been anyone... He said to me “bring 35-37,000 Roubles and the job is yours. Do you have money with you? If not, then bring it tomorrow. Get the car ready. Choose any minibus”. The minibuses were all in a row. 7 or 8 of them. I said that they wouldn’t rot, it was snowing, you showed them on the tv, well, I’ve come etc etc. I asked him if I could work a while and pay it off in stages, but they said no. He saw me for the first time and wasn’t afraid to say that I had to pay 35-37,000 Roubles. 2 days working, 2 days off. If you want, pay 70,000 and you can work every day. That was 2-3 years ago.”

Ismail doesn’t think discrimination had anything to do with him not getting work. Anyone could have had the job if they had had the money.

INTEGRATION

He now has a family with four children in Ingushetia His youngest is 2 years old. They live in a train compartment. He paid 26 or 27,000 Roubles¹ for it. It is parked on land that belonged to the brother of his second wife. The train compartment is at least 25 years old. It is covered in tin plate and has been used for many things by refugees over the past few years: a dining room, a store house for food,

¹ About 625 Euros as at January 2009.

a kitchen. Ismail has been living in it for 6 years. The floor leaks. It is hot in summer and cold in winter. He has dug a 3m deep well in his yard. He has to buy in water. He has a few chickens and spends his days looking after them, doing general repairs to the wagon and looking for work.

He also has problems with health care in that you have to pay, even for services that are supposedly free. There is no discrimination in that everyone has to pay, but migrants may have to pay more. He does not think getting forced migrant status would make any difference to this.

“So if you are a migrant from there then you will have to pay more. For example, for me to get good service I have to give 100 Roubles. But if I am from the Prigorodnyi region then I have to pay 200 Roubles. Because they will say that you are from another Republic, start to tell you about all the problems they will have if they help someone who is not from this Republic. That’s how it is here.”

EDUCATION

Ismail has the same problems getting his children into school. As he is from a village his children can’t go to school in Magas unless he pays \$100-\$200 and then there won’t be a problem.

“So, for example, where my daughter goes to school, it works in 4 shifts. They are sitting in school, wrapped up, but it is cold. Can you imagine, have you ever heard anything like it, they asked every child to bring no less than 10 Roubles to do up the school. So, they might buy paint, for example, lime to paint the classrooms, and you have to give 300 Roubles. Although we are supposed to have free education here. They said that anyone who couldn’t manage 100 Roubles, could give 50. Their mother gave 100 so that the children didn’t suffer”.

THE FUTURE

In order to feel integrated Ismail would need to feel safe and that isn’t the case at the moment. He feels that danger is in the air around him all the time, as you hear constant rumours about conflicts in the region. He would also need to be able to feed his family. At the moment his wife works and they get some benefits for the children, but they have to feed 6 people on 4,000 Roubles a month.

Ismail sees no future at all for him in the Republic and would leave to go anywhere else, preferably Kyrgystan where he knows people, but he would go anywhere in Russia to get away from the North Caucasus, if he could afford the ticket. He feels that no one in Ingushetia cares about his problems, as he is from a different Republic (North Ossetia) even though he is ethnic Ingush.

“It is true that in Russia they called people who aren’t ethnic Russians, animals. I have been to Irkutsk, and I was in Moscow last year. They look at us so badly, call us animals. I went to our government in Ingushetia, and they

told me there that I wasn’t one of them. That I had my own government back in North Ossetia”

Ismail doesn’t think that the situation will improve for people like him any time soon because of political reasons. He thinks that the government wants there to be stability in the North Caucasus so no one is allowed to mention any problems.

What kind of integration can there be? Who feels [integrated] here? Life in this Russia, in Ingushetia, it isn’t worth a brass farthing, as they say. The most suprising this is that I am adult now, but I don’t even see a future for my children. Me, I don’t care, but my children.... I can see how they are growing up. In a train compartment.....”

LOLA'S STORY

Themes: Russian Federation / housing / documentation / racism / integration

Lola is from Uzbekistan. She fled to Russia in 2006 after many years of persecution following the opening of a criminal case of treason against her brother-in-law, a highly placed member of the Uzbek Ministry of Internal Affairs. The family were forbidden to leave Uzbekistan, and Lola lost her job as a university lecturer; her son was refused entry to military college. Eventually, the persecution got too much and Lola fled with her brother-in-law's family, mother and her two sons. They left all their belongings behind and travelled via Kazan to Moscow where they applied to the UNHCR for protection.

Lola still feels angry at being branded a traitor by Uzbekistan ***"I don't accept that we are traitors to our country... Even my mother, who wrote textbooks for schools, who taught for 42 years and who was given an award for her outstanding teaching in Uzbekistan is no, in her old age, an enemy of the people"***.

FEAR OF RETURN

On arrival in Moscow in winter 2006, Lola and her family (including her older mother and young nieces and nephews) found temporary accommodation in an empty children's summer camp where they were able to rent a room. The room for the eight-person family was cold and damp without glass in the windows, toilets or water and Lola says ***"it was as though we had moved from hell to another hell... but we were glad we were not sleeping in the railway station"***

The centre where Lola and her family lived for the first winter was closed down after an FMS visit. Lola says that landlords in Russia often refuse to let accommodation to people who look Central Asian. From May to October 2007 the family lived on the building site where her son works in a caravan, then for 19 days on Kazan station, paying a small bribe to the policeman every day. With the help of the NGO Civic Assistance, they eventually were able to rent a room in a hostel through the winter. ***"I won't say the room was wonderful – but it had windows and the door closed, and there was cold water...we survived until summer"***.

They are currently living with friends on the outskirts of Moscow, looking after an old man in exchange for rent.

STATUS DETERMINATION PROCEDURE

Lola and her family had documents telling them to apply to FMS Russia, but they were hesitant. ***"We knew that in Russia we had to have a special work permit and we were afraid to apply to the FMS as we'd heard lots of refugees from Uzbekistan get extradited once they apply there... we were very scared. We did not go out... we thought we'd die there in the wood, alone"***.

The only protection they had was from the UNHCR "blue book" [UNHCR mandate refugee status] – but there were still times when they were stopped on the trains by the police, and detained, taunted with racial insults and asked to pay bribes. Lola's 18-year-old son proved a source of strength and support "He said ***"Just because [the police] wear a uniform it does not mean they are cleverer or better than you"***....

Finally, the family applied to the FMS.

"I don't know how FMS employees talk to other refugees, but with people arriving from Uzbekistan they are very impolite. The first words are not "Hello" or "Goodbye" but: "Why did you come to Moscow, what do you need here – who told you to come here?"... They told us "You don't have any war there, we will not give you refugee status, we have enough problems of our own". Then they told us to wait.... Even the FMS officials told us that they have an agreement with Uzbekistan to extradite Uzbek refugees back home at the request of the Uzbek authorities."

In the two years that Lola and her family have been in Russia she says they have not received any help from any government agency.

"We are always thought to be migrant workers or local people ... but no one thinks we could be refugees – we are transparent ghosts – obliged to come here but not needed at all."

PSYCHOLOGICAL STRESS

Lola explains that the suffering of other Uzbek refugees in Russia is more than a question of where to sleep and what to eat. ***"Arriving here they find themselves in another stressful situation, there is not one to give them psychological help – these people often simply break. You are always hearing someone say "I want to hang myself... I want to die". They are not allowed to stay here and yet cannot return home - in order to be resettled to a third country you have to wait for years. Some people have been here for 10 or 15 years – I feel so sorry for them"***.

Lola feels that if people registered with UNHCR were able to work then they would be able to look after themselves more effectively.

HOSTILITY TOWARDS REFUGEES

Although Lola finds some local people very kind, the majority are hostile towards refugees. ***"Then there are the skinheads who beat and kill and refugees have no protection from them"***.

Lola's son was returning on the train from work at midnight one night when he was set upon by five or six youths. They beat him up very badly, and were it not for the intervention of two old ladies who threatened to call the police, he is sure he would have been killed.

Lola feels very guilty for her children ***“That I could have bought [my children] here, where they have no schools, no friends, where they live in such awful conditions – I blame myself”.***

DETENTION OF A MINOR

On 12 January Lola had left her 12-year-old son with his grandmother and gone to the UNHCR offices. It was winter, and the boy had a cold. At midday he went out to buy a newspaper in a kiosk about 50 meters from their home when he was detained by the police and taken to a police station. They rang Lola and asked her to bring her documents as her son had been found wandering the streets without any responsible adult. When Lola went to the police station they detained her until 8pm asking to see her registration documents. In the end the NGO Citizens' Assistance intervened to secure their release. Lola is convinced that the reason her son was arrested is that he has dark hair and skin.

FAMILY TIES WITH RUSSIA

When Lola and her family came to Russia they did not plan to apply for resettlement – Lola's grandmother is from Kazan and they wanted to return to her birthplace.

“When we applied to the FMS we told them – we are a family of teachers, we have all been through higher education – we can speak Russian well and think of Russia as our historic motherland – we know its culture and traditions... of course we were told that we were neither Uzbeks, nor Russians and that we had to sort our problems out by ourselves”.

LOOKING AHEAD

They were accepted for resettlement to the USA in summer 2008 but still are finding it difficult to secure an exit visa. They were advised by a well-known international organization to apply to the Uzbek embassy for passport verification before being allowed to leave Russia legally. ***“This is absurd – we can't send our documents or go to the embassy because we fled Uzbekistan... we have applied to OSCE, Memorial, HRW, BBC, and therefore we are considered as traitors of our homeland and will face at least 10 or 15 years in prison if we return.”***

Lola says she would rather have stayed in Russia than resettle to America – as they are more familiar with life in Russia.

Lola is concerned at their current position – they cannot leave Russia, cannot return home and have been refused refugee status and have no documents, which permit them to stay in Russia. She is afraid that her sons or brother will be detained without documents and extradited back to Uzbekistan at any moment.

LUISA'S STORY

Themes: Russian Federation / internal displacement / housing / documentation / employment

Luisa is divorced with two children. She fled Chechnya in 1999 to Ingushetia, and currently lives in the place of compact settlement Semenavod.

Luisa says her refugee story would be about the exodus from Chechnya and what happened to people. She first left Chechnya in 1996 during the first conflict when she was wounded, but when she returned back in 1999 the second wave of the war began. At this time the roads were closed into Chechnya and she had to wait a month to be allowed to return home to rejoin her children. On 1 November the border point was opened for three days and Luisa travelled as far as Assinovka. She spent 4 days in Assinovka, with her son and daughter.

THE PANIC OF FLIGHT

"From Assinovka there was a line of cars, leaving Chechnya – on each side of the road while military vehicles, tanks etc, went down the middle... people sat wherever they could, lighting campfires. I remember 5 November was the first day when they started to allow people to leave Chechnya ... and by the border to Ingushetia the cars were so crushed they could not move... I didn't see it myself, but near Chernorechie there was a long line of cars and it was impossible to move, and people were admitted to Ingushetia in groups. It was very disorganized and spontaneous; there were holes on both sides of the check posts, which were filled with barbed wire. My own legs were in shreds. I remember that on the first day two people died – one wounded man on a stretcher who fell into the hole and a grandmother who was pushed there by the panicking crowd when they started letting people through."

They gathered people from 10 o'clock – those who had paid – others were driven away by the soldiers and were crying... people stood for hours then the point opened, let a group of people through and closed again.

As they opened the gates, "baboom", these two people were killed – it was very hard. The exodus started on 5 November and we only got out on 8 November. I paid a soldier 500 dollars. You can't describe it in words, it needs to be filmed – the pain, the cries, children crying, cars which were everywhere. And, in the evening, after 6 hours of being on the road, Russian soldiers fired at this road as they were afraid it might be used by insurgents. It lasted until the morning and in the morning it became silent. We got there on the 8th, but our trip started on the 1st."

Luisa also remembers the first Chechen conflict in 1994-6, in Grozny, the capital city of Chechnya. She was wounded

as she ran across the street in Grozny on 24 August 1996, as firing came from the canning factory and wounded her in the chest. *"At that time it was still possible to hide in the cellars. I left because I was wounded in the chest by a splinter.. and because they took away my flat by force, I was beaten and it was a miracle that I lived, so I did not return..."*

Luisa's flat was taken away from her by force by masked men who she suspects she knew.

"Seven masked men knocked on the door, they knew my name and surname. It is rare that our people can pronounce my name perfectly – so I thought it must be people I knew. I thought it was a joke at first, but when they started to pull me by the hair and kick me down the stairs from the fifth floor, I knew it was not. They threw me onto the road and beat me half to death. My cheekbone was broken so was my collarbone. They didn't bother to shoot me because people were living on the first floor who could have come out and seen them, and they already thought I was dead...I am lucky, it is a miracle I am still alive. My Russian neighbours found me in the morning... and took me to hospital. From that day I went into hiding and never went back to my flat."

Luisa fled to Ingushetia from Chechnya to survive, to protect her children. *"There was cross-fire, planes with bombs constantly... there was no break in the fighting and so we left"*

When asked about her expectations on leaving Chechnya, Luisa says she only wanted to find peace *"that the things happening in Chechnya would not be happening... but it was scary to move into the unknown, a new republic... how will we live here, will we be accepted?"*

STARTING AGAIN

On arriving in Ingushetia in 1999 Luisa lived in a railway carriage opposite the tent camp Bat for two years. They had beds and mattresses, but no cooking utensils. Luisa arrived *"in my coat and boots, with my documents, that's all"*. It was very cold at night in the railway carriages, there were problems with the heating for so many people. The local people gave them food *"we can't complain about that - we were given meat, potatoes and bread... they fed us for a month or two"*.

At first the local police would come to the carriages and order them around, and ask for documents. After they were registered with the Migration services and a guard post set up, this ceased.

... AND AGAIN

Luisa recalls that they were then told they had to leave and that a tent camp had been set up for them. *"You have to give them their due – not one tent had been set up and*

they had decided to evict us... we took several buses and went to see the former President... he saw us.. and said that we could stay until the tent camp was set up... so we were allowed to stay until May when we moved to the tent camp "Bella"."

Luisa was glad to leave the railway carriage despite the cold in the tent **"Even though it was only a tent, it was still our tent and we were alone there"**.

"All those 4 years when we were living in a tent, I always used to dream of leaning against the wall, there you couldn't do this –you would fall into the street"....

... AND AGAIN

Some 8,000 people lived in the "Bella" camp until May 2004, when the camp was closed and people either went back to Grozny, or else sent to the places of compact settlement, individual homes. Luisa moved to the settlement of Barkni, and some years later to Sleptsovske.

EMPLOYMENT

Although people have now begun to return to the Chechen republic, Luisa remains in Ingushetia. She says that no attention is paid to those who have not returned, despite the fact that they are often the most vulnerable amongst the displaced. **"I have nowhere to go, why would I change a place in the accommodation centre here for one in Chechnya... it makes no difference to me"**. Luisa now works as a cook – receiving 170 roubles per month (equivalent of about 5 euros). She also receives 3000 roubles per month allocations, which she tries to save to help her son. Luisa works from 10am and gets home at 10 at night, but prefers this to sitting in the courtyard all day. She has one day off a month. When asked if this suits her she answers, **" You know, not sitting at home suits me. I sat at home for 4 years without work and it was very hard, so this suits me now"**.

"The hard thing is coming home... seeing the entrances to other people's flats always plays on my mind.. I so want to go home, to my own corner and know that now I'm at home for ever, that I won't be thrown out or told to leave the building.... I am nostalgic for that".

STATUS AND DOCUMENTATION

"A person without documents is halfway between earth and sky"...

Luisa applied for IDP status repeatedly: **"They just laughed at us, said we were forced migrants and this status was not for us... we applied in 2001, 2002 and 2003"**.

She says her first application was thrown back at her. Six months later, she went back with a group of people **"clever people"**. The head of the migration service refused to see

them, they tried again in 2002 but were unable to explain their request properly. Luisa says she knows people who bought their status for 350 dollars in 2003-4 from the same migration service offices and went abroad.

When asked if she was given full information about the status determination procedure, Luisa laughs: **"Even the secretary of the head of the Migration Service would not let us in... if we said why we wanted to meet him we were never allowed in... the secretary told us that refugees from the Chechen republic were not supposed to get refugee status. When we asked why, she said that if you are internally displaced persons, you are not refugees... that's all she explained to us"**.

When asked if she could return to Chechnya, Luisa says she could not – that she would have problems with lack of documentation, following a fire in the tent camp in 2002. She was given a temporary registration certificate, which she still has – but her internal passport was destroyed in the fire and has not yet been replaced, despite her frequent applications to the passport and visa services. A passport was prepared for her but then she was accused of aiding fighters to flee abroad and a criminal investigation was begun. This was dropped after two months, after the intervention of Memorial Human Rights centre, but she still has not received her passport. Due to this, Luisa does not have the right to receive medical insurance, unemployment benefit, apply for a pension. She finds this morally difficult.

Medical help: Without a medical insurance Luisa says that the hospitals refused to treat them – even in emergency cases **"we have to pay the doctors to treat us... for births etc"**. Luisa does not have medical insurance as she does not have the correct documentation -

FUTURE HOPES

Of her future in Ingushetia Luisa says, **"I would really like to stay here... I have heard of cases, some foreign firms, building two room cottages with a kitchen... good brick cottages... if possible I would love to stay here - I don't want to go back home, I can't live there anymore – I can't be quiet if I see inequality"**.

Luisa hopes to get internally displaced status, which will make her life easier – and give her a chance to get a cottage to live in.

RECOMMENDATION TO THE AUTHORITIES

Luisa's feels that the authorities **"think of refugees as second-class people, as if they aren't really people... I would just like to ask for a humane approach"**.

LUSA'S STORY

Themes: Russian Federation / statelessness / documentation / housing / employment

Lusa came to Russia from Uzbekistan originally although she is not a citizen of Uzbekistan. She is stateless: without documents due to events linked to her brother. She fled to the Russian Federation in search of rights and security for her and her children.

"I am a stateless person, I never had a passport or any documents... in our country you get your passport from the mothers' side – so it meant that my children would never have got a registration certificate or a passport, nothing. No rights. This means: no school, no education, no work, nothing. ... That was one of the main reasons I left home – for my children"

Lusa travelled by taxi across the Uzbek border and through Kazakstan. She was apprehensive about the journey due to her status of stateless person. She remembers the journey.

"It was very dangerous – I knew what I was doing – if I was stopped on the way in Kazakstan, Russia or Uzbekistan, I would be no one. They would put me in prison and no one would know about it. I would simply disappear... I would be somewhere, but would disappear. ... but I had no choice. It was a case of "Nothing ventured, nothing gained - I risked it and thank god it worked out. Thanks to good people – I only met good people on the journey"

After a perilous journey by taxi and bus, Lusa arrived in Russia ***"I got out of the bus and walked around this town thinking what I should do. Who should I talk to? How could I continue?"***

ACCOMMODATION

Eventually Lusa arrived in Moscow, to join her husband and children who were living in a run-down accommodation centre outside Moscow. Lusa recalls the conditions as ***"Dreadful! It wasn't really housing – just a roof. There was no light, water, electricity... It was far from the shops and everywhere. It was very difficult to live there with children... but I said "this is only temporary"***

For the first three months, Lusa says the family were not given any assistance. She and her family tried to leave the centre to find a flat to rent, but found it difficult because they did not have a registration permit, meaning that many landlords were suspicious of them. ***"Housing is the most important thing. When you have accommodation, you want to work, you want to study. But when there is no accommodation, you just think about this...and nothing else. It is hard to find housing – very hard"***

STATUS DETERMINATION PROCEDURE

Lusa applied to the Moscow migration service and was refused at first. She was later given temporary asylum after receiving help from lawyers of "Citizens' Assistance". ***"If we hadn't had a lawyer, we wouldn't have got anywhere with our application – they really helped us"***. They are now waiting for the result of their application for refugee status to the migration authorities, and expect to hear the answer in three months time.

EMPLOYMENT

Lusa was trained as a primary school teacher, but cannot work in Moscow due to her lack of documents. This is, she says, the biggest single obstacle to the family settling and integrating.

"My education didn't help me to find work. When I got here I saw that I wouldn't be accepted for the kind of work I wanted, so I went where they would take me. And this work is usually on the black market, hard work, and badly paid. I found out about the new law on migration, that you need a work permit. I can work better and harder than others.. but they don't care about this - they want to see a work permit. This is not fair"

When asked how she managed to keep going, Lusa attributes it to her state of mind: ***"I had decided that I wouldn't think about bad things, I had decided that everything would work out for me"***. Lusa feels partly integrated in Russia. ***" I don't feel completely settled here, but I do partly. I work a bit, my husband works, the children go to school. We have settled a bit... at home we also had to struggle to live so life is not that much different here."***

DOCUMENTATION AND RECOMMENDATIONS

Lusa's advice to the Russian migration services, it would be to provide asylum seekers with the documentation to facilitate their independence and integration from the start:

"The authorities need to solve the problems of documentation. If these are solved, then people can earn their own bread. The right to work, to housing, that there is some kind of guarantee for landlords. Then there is the police – I think this is again a question of documentation. If quick decisions are taken and a valid document issued... people will find their own housing and food"

OSMAN'S STORY

Themes: Russian Federation / illegal detention / extradition

Osman left Uzbekistan for Kazakstan in order to find work. When he rang home he was told that the security services in Tashkent were asking for him – that they had searched his house and confiscated his religious books. Osman was afraid although he did not realise what they were trying to do. He left Astana (the capital of Kazakstan) and in 2007 travelled to Moscow legally.

On arriving in Moscow he lived with other Uzbeks in a cellar. Osman applied to a firm that advertised work permits and registration documents, and paid for them – 3,500 roubles for a work permit (approximately 150 USD) and 1000 for his registration permit. The Federal Migration Service has since told him that these documents are false. ***“I didn't want to hide – but wanted to live here legally”.***

Osman intended to live in Russia permanently, as it was not possible to return to Uzbekistan where a criminal investigation had been opened against him. He found the telephone number of the NGO “Citizens' Assistance” and met with a representative who spent several hours listening to his story. The representative advised him to apply to UNHCR for protection. But the refugee centre was closed for three days due to a bank holiday – and in this time Osman was arrested by the Uzbek security services, and he was no longer able to apply to the UNHCR. He was told he was on the list of wanted persons, and was detained in Krasnogorsk detention centre. Osman had no means of telephoning for help. He went on hunger strike for 10 days before he was allowed to telephone “Civic Assistance” and explain his predicament.

Osman was arrested by the Uzbek security services – without the intervention of Russian police. A Russian officer asked them why he was detained, and the Uzbeks answered that Osman was a dangerous criminal. Osman claims that the Uzbek security services declared him to be a wanted person only after his arrest, backdating the date of the arrest warrant. Osman overheard the Russian police officers asking for a bribe in order for them to turn a blind eye to the fabrication. When on hunger strike Osman was asked to sign a form saying the Russian police had arrested him, but he refused to do this. They changed the wording somewhat and then he signed.

Later it was established in court that Osman had been illegally detained by the Uzbek authorities on the territory of the Russian Federation, without the agreement of Russian law-enforcement officials.

Osman was transferred to a prison in Mozhaisk, and he was told that the Procurator would review his extradition back to Uzbekistan. One of Osman's friends rang Civic Assistance to inform them of his arrest. Citizens' Assistance took up his case with the Procurator, and found him a lawyer.

Osman was held in Mozhaisk prison for a year while court cases were held. Krasnogorsky court ruled he could be held for two months in detention, but his detention after this could neither be prolonged nor he could be released, so he further remained in arbitrary detention. Osman applied to the migration service for refugee status. He appealed to Mozhaisk court, disputing the length of his detention. The court ruled that Russian legislation does not allow for a person to be detained for more than two months without trial, and referred the case to Tversky Regional court, Moscow. ***“I wrote to them every month and then I received an answer that they would not review the case and I needed to apply to Mozhaisk court”.***

The Migration Services reviewed Osman's refugee claim for six months and representatives of UNHCR visited him and interviewed him. His request for refugee status was denied by the Russian migration services, as were his subsequent appeals against the refusals.

“I was in detention for nearly a year - without court hearing, investigation... there should be a defined period of detention... or was this life imprisonment?”

Eventually the Mozhaisk court ruled that Osman was being detained illegally and that he should be released. However, he was not released until the Procurator appealed against the court's decision. The Procurator's appeal was denied, and after this the Procurator refused the extradition request for Osman to Uzbekistan, and wrote to the prison authorities asking them to release him from detention. ***“As if it was not the court, but the Procurator who had freed me... however, I was still not free, that was the problem”.***

“One day I was sitting in the cell and they came in and said “Quick, quick, leave quickly”... I told them to ring my lawyer and then I will leave...on the count of three they grabbed me by the arms and legs and carried me out of the prison (laughs)... in the courtyard there were five people, of the ministry for internal affairs of Mozhaisk. They took me in the car to another detention centre”

Osman was met by migration service officials who gave him a document saying he was illegally on the territory of Russia before his arrest. He was then taken to court, where he met his lawyer who had luckily found out what was going on. He was charged with the administrative crime of being in Russia illegally. However, as over a year had passed since the crime was committed he was immune from prosecution on this case. The judge told him to pay a fine and he was released.

Osman was released in summer 2008, and is appealing the refusal to give him refugee status through the courts. He has also applied for temporary asylum. He now plans to move to a third country and has been accepted for resettlement by Sweden. He needs to collect the necessary documents, his passport was lost while he was in detention and he cannot apply to the Uzbek embassy to get a new one. In Russia he no longer feels safe ***“Today I was detained***

and made to pay a fine...– I live in constant fear of being kidnapped”.

Osman feels caught in a hopeless situation and is vulnerable to being made to pay fines for being in breach of administrative regulations on residence registration in Russia.

“How can I find myself a place in this situation, or work? Or register my place of residence if I don’t have a passport. I lost my passport because of them.... Now they make me pay fines because I have not registered my presence – how can I do this without a passport? ... They’ve thought up a really interesting system where it is impossible not to break the laws”

“It is unfair. They lost my passport, and they require me to leave Russia, as I don’t have the right to be here for longer than a year, This year I have been in prison and after my release I don’t have the papers to leave the country... and most importantly, amongst the officers who made me pay a fine today was one of the people who drew up my document on release from prison. ... There was a court hearing, he was there... and today he fined me without court sanction”.

“They constantly follow me – mainly from the migration services, as if I bother them somehow. They are probably under pressure from the Federal Security Bureau to get me somehow...”

ROZA'S STORY

Themes: Russian federation/ internal displacement / housing

Roza is an ethnic Ossetian, she studied veterinary science in Nazran in Ingushetia and later worked in Grozny, Chechnya. She got married and had four children. In 1973 there were demonstrations for independence and Roza returned to Ossetia, to live in Beslan and then Kurtat. They lived with another Ossetian family and worked as vets. Roza's husband was killed in a car accident in 1985. And in 1992 the conflict began again and their house was burned by Ingush youths, armed with guns.

Roza remembers how the armed men tried to take her boys as hostages, and how she pleaded with one of them, whose mother she had helped to give birth

"I said to him" You can't take your own brother... I helped your own brother be born and as your mother did not have milk I fed him for two weeks myself..." and the others asked him "What is she talking about – is he your brother" and he answered that "She saved my mother and fed my brother" So they left us alone".

Roza is still traumatised by the memories of being vulnerable and undressed (she left the burning house not properly dressed) in front of the group of soldiers. The family fled to the neighbour's house ***"My children went out without proper clothes, barefoot. We never imagined we would be shamed in such a way"***. The family members split up and went to stay with relatives across Ossetia, in order not to be too much of a burden on one family. Roza waited for six months, and then went to the local authorities to ask for help finding a place for her family. She was given a deserted Ingush flat.

COMPENSATION FOR LOST HOUSING

In 1995 Roza says she was given written confirmation on her refugee document as if she had received 1,417,000 roubles in compensation for their destroyed housing. ***"We were stupid to believe them...not only me, there were eight other households destroyed... I never saw this money – we have now applied to court and the procurator..."*** Roza never received the promised money. Roza was offered a house built only with sand and cement. At first she refused, but as there was not much choice, she accepted it and started gradually rebuilding and refurbishing the rooms with her sons. Roza is unhappy about the work of the migration services in the region ***"They lined their pockets with our money – why didn't I receive the money? I am a pensioner and I should be sitting in my own home now looking after my grandchildren, but I am working to get my children back on their feet"***.

Roza and her eldest son are working on rebuilding their old home.

The recent conflict in South Ossetia caused Roza's family to relieve the experience of flight – her youngest son hired a truck and drove to South Ossetia to help refugees flee from the fighting. ***"My children say, "we don't need to be rich, we just need to rebuild our house so we're like people again"... If it weren't for my children, I would have died long ago – they help me and support me"***.

Some of the people in the group that burned Roza's house down have now come back to live in the same town again: ***It is hard to live next to them, but we suffer it, what can we do? We have no other choice"***.

SALIM'S STORY

Themes: Russian Federation / extradition / illegal detention / documentation /

Salim is an engineer by profession. He left Uzbekistan after being persecuted for his religious practices¹. He was watched and interrogated by the Uzbek security forces, who unjustly, he says, accused him of terrorist activities. He was arrested and fined on a pretext of trading US dollars illegally, but fearing this was not the real reason for his arrest, Salim left for Tashkent where he went into hiding. In March 2003 he travelled to Russia, via Saransk to Moscow. The following year, Salim was put on the international list of people wanted by Uzbekistan in connection with crimes against the state.

On arrival in Moscow, Salim worked on a building site before returning to Saransk to work in the markets. His brother arrived from Uzbekistan and told him that his photo had been shown on television as a wanted person.

Salim married a Russian woman in 2005. He was working in Saransk market when in November 2005, Russian police rounded up the Uzbeks working at the market, took away their passports and questioned them, to find out whether they were illegally in Russia and if they had any connection with political opposition in Uzbekistan. Salim was luckily working as a loader on this day so was not arrested, but he heard that the police had been asking about his whereabouts. Salim went to Moscow. He stayed with friends who had work renovating an apartment through the winter, hiding from the landlord when he came by. Later, he moved to Penza.

Salim heard from his wife in Saransk that the security services had been to visit her and ask questions about him, saying he was a wanted man. She had been taken to the police station and questioned by various officers of the ministry of interior affairs and the secret services. Their flat was searched and a copy of the Koran and other religious materials confiscated.

Salim's wife joined him in Penza, where he worked on the markets. When legislation restricting the rights of foreign workers to trade was introduced, Salim lost his livelihood. He appealed for help to NGOs and UNHCR and made an appointment to have an interview. However, before the interview took place armed plain clothed police officers came to Salim's flat at 7pm and kicked down the door. They did not show any identification **"we thought they were thugs at first"** and told them to lie on the floor. They searched the flat and took some discs etc **"I told them they were not forbidden disks, as I'd bought them on Prospekt**

¹ HRW Report on Events of 2007 - Uzbekistan: Religious Persecution. Uzbek authorities continue campaign of unlawful arrest, torture, and imprisonment of Muslims who practice their faith outside state controls or who belong to unregistered religious organizations. Peaceful religious believers are often branded as "religious extremists." Dozens were arrested or convicted in 2007 on charges related to religious "extremism."

mira" (street in Moscow). Salim was arrested and taken to the police station. He was questioned, particularly in relation to his false registration papers for Moscow. (He had purchased a false registration for Moscow in order to visit NGOs and UNHCR to ask for protection². Salim admitted the papers were false and signed a statement to this effect. He was held in detention from July 2007 until July 2008 – some of this time sanctioned by the procurator, some of the time illegally. Salim was not charged with a crime in connection with his false registration papers, but instead was informed two months after his arrest that the Uzbek authorities were looking for him in connection with trading foreign currency illegally, as well as challenging governmental authority and extremist activities. On 27 December the Russian procurator General ruled that Salim could be extradited to Uzbekistan³.

The Russian NGO Civic Assistance and other NGOs actively lobbied the media and appointed a lawyer to represent Salim. After several unsuccessful appeals against his extradition, the Supreme Court ruled in May 2008 to release him from detention. Salim was told about the decision on 5 June, the day of his release.

On the day after returning to Saransk, Salim and his wife went to register their presence at the local passport office to avoid further problems with the police. As they were queuing, they were tapped on the shoulder by officers, taken to the police station and interrogated further by members of the Security services, **"They started saying that if the Uzbeks were accusing me of things there was something to be guilty about... I told them that I am a law-abiding muslim, I am religious, I never refute my religion"**.

Salim was held for three days, despite interventions of Civic Assistance on his behalf. **"I was very scared, they could have created problems for me and deported me at any time (for administrative reasons)"**. Eventually the security services were convinced to let him go, but when Salim left the department of internal affairs he asked for the names of his interrogators. **"They answered: "Why do you need our names... We will meet again – see you soon". They were threatening me"**.

Salim was told he should apply to the FMS department to complete the registration of his documents. On getting

² Research undertaken by The Open Society Justice Initiative demonstrated that Moscow police disproportionately stopped and searched non-Slavs. Those without correct documentation are often subject to arrest, fines and detention.

³ Amnesty International "The State of the World's Human Rights" 2008 reports that "Individuals who were detained under deportation or extradition proceedings, were denied access to a meaningful asylum procedure and were vulnerable to arbitrary actions by law enforcement agencies. Amnesty International was aware of at least three cases of forcible return to countries (in these cases Uzbekistan and China), where they faced a high risk of serious human rights violations including torture, in violation of the principle of non-refoulement. In one case, an individual was returned over 24 hours after the European Court of Human Rights had issued an order to stay the deportation. In May, the head of a detention centre for foreigners in Moscow was convicted of exceeding official authority for his participation in the October 2006 deportation of Uzbekistani national Rustam Muminov, in violation of Russian and international law."

to their offices, he was told these would not be ready until Monday. As it was late on Friday, he and his wife were too frightened to go home, and so hid for the weekend with friends in Saransk. By Monday morning, Civic Assistance had managed to send an official letter and convince the migration authorities to give him a temporary registration card, valid for three months.

“I applied for refugee status... I was refused once but appealed. And today we went to the FMS again to try to sort out extending my documents and registration... what other adventures await us, we can only imagine”.

Salim and his wife currently live with their in-laws; they cannot work ***“We hang heavy around their necks at the moment... [but]if I work now without a permit it would be suicide, not to mention that the Security services could simply kidnap me illegally”.***

SARA'S STORY

Themes: Russian Federation / documentation / employment / education / integration

Sara is 28 years old. She is married with two children and originates from Afghanistan. She is an ethnic Tadjik and a Muslim. She is a recognised refugee in Moscow where she has lived 14 years with her family.

Sara's refugee story *"Is one of sadness and grief."*

"Our life was comfortable, we were not really well off. My father was in the army and my mother was a housewife, I went to school, my brothers and sisters too. Then war started in the country and with the coup they arrested my father as he was in the military. They detained him, for three days, he had a friend there who helped him escape. On the day he escaped we all had to leave Kabul and go North". The family moved over Afghanistan in hiding until they realised ***"we couldn't carry on running from one town to another in constant fear."***

The family obtained Russian visas and left for Russia by train.

STATUS DETERMINATION

After 6 or 7 months they applied to the migration service and were recognised as refugees.

In 2001 the family received a Russian passport on presidential decree. Sara was too young to remember the initial interviews with the migration services, but she remembers the blue booklet issued to them by UNHCR as mandate refugees. "There was a blue book, I will never forget it because when we were stopped by the police they looked and even said "excuse me", and that was really nice to hear!"

DOCUMENTATION

Sara remembers that they were frequently stopped by the police and asked to show their documents.

"There was only one time, when we needed to extend these documents when the police stopped us - me and my brother and sister - we all had identical papers, but we only had photocopies of them. They said very bad words which I won't repeat and said "Let's go to the station" We said we would follow in a taxi ... we insisted and they said "We won't argue with you, you must have some kind of document as you seem so sure of yourselves"...And they let us go. Thank god! We have lived here for 14 years but have never been to the police station - never!"

EDUCATION

Sara remembers that they did not go to school, as their mother was ill. ***"We had no documents to allow us to go to***

school, and it must have been very hard for us."

Later, when she was grown Sara studied when her children started nursery school. ***"I wanted to learn myself when I saw that there were problems everywhere with language, and that one had to try to solve everything oneself."***

EMPLOYMENT

When they arrived in Russia, Sara remembers that her brothers worked on the markets – selling what they could and then carrying everything back up to the 13th floor every evening. They still work at the market.

Sara now works at a refugee-assisting NGO. She is pleased to have nice colleagues. ***"I like the team here, where I work for the first time in a team with Russian people."***

Sara recalls how she had once tried to find work but believes she was discriminated against.

"My father and my husband don't know this, but I tried! It was very difficult for my husband - he used to have a better job and things were ok for us, then he was operated on and could not work. It was very difficult for him and I had to find work - I went to "Detsky Mir" (Children's Toy shop) next to my house. I didn't have an employment card, I didn't even know what an employment card was - I thought "I have a passport, so therefore I can work!" I applied and they watched me working, handing clothes up, for about four hours. We finished at 5pm I think and they told me "Sara, you can go". ..I don't understand what happened. It wasn't because of my Russian. It was not a difficult job, just a simple job. The language didn't affect my chances. I myself think that it was simply because I am.... I had a passport, its not written on my face that I'm... dark eyes, dark hair - that's what I think!"

HEALTHCARE

Sara and her family have health insurance as they have Russian citizenship. However, her husband is not a Russian citizen and he has to pay when he requires medical treatment.

INTEGRATION

As they have citizenship Sara says she and her children find life easier. They get social allowances from the state... ***"before it was 900 roubles and in June the law changed and now the eldest gets 2000 and the youngest 1000. We don't have problems with the police any longer. This is the most important thing. And we have the right to try to find work and to get medical treatment. We have the right to study, we don't have the same problems as many others..."*** Sara and her family have managed to buy their flat in Moscow. She knows that they are very lucky, and that many other refugees never manage to do this.

Sara feels that the future for her children in Russia will also depend on them, and how they behave in Russia.

Sara's recommendation to the authorities is that ***"The most important thing for a refugee, as I remember for myself and my brothers, the most important thing here is documents."***

TANIEL'S STORY

Themes: Russian Federation / housing / documentation

Taniel is an ethnic Armenian who was born in Baku in 1954 and served his military service in the Soviet Army – then began to work there. In 1986, as the conflict between Azerbaijanis and Armenians began, Taniel was called to deal with the aftermath of the Chernobyl nuclear power disaster. Seven months later he returned and learned about the pogroms against Armenians, and was forced to leave his house. He fled with nothing, not able to sell his flat before he left.

FLIGHT

Taniel travelled to Moscow by train, wearing his army uniform. His neighbours helped him flee, by paying the train conductor a bribe to keep him hidden until they crossed the border. He had already witnessed Armenians being caught, beaten and killed, and was very scared. The rest of his family stayed temporarily in Baku, living with friends, before being moved to Armenia.

On arriving in Moscow, Taniel reported to the military office and was registered. He lived with a fellow Armenian for a while, and found a job in a Soviet building company, which he later lost, as he did not have a registration document. Then the Soviet Union dissolved "... **the country crumbled**".

HOUSING

In May 1990 Taniel, along with 200 other Baku Armenians, was given a room in a Moscow state hostel, on order of the Moscow government. **"Many of them have left now, for the States, many have died – from hopelessness, from loneliness, from suffering and from nervous disorders..."**

Taniel remembers that the staff of the hostel was not happy with their new guests, and was hostile, saying they were living for nothing. There were constant disputes.

There are now 32 people left in the hostel, 12 families. Taniel says the owners of the hostel are still intent on evicting them, threatening to bribe all the officials necessary to get the eviction orders signed.

As an ex-military man who won a medal for bravery for service in the Chernobyl disaster zone, Taniel has rights by Russian legislation to state housing regardless of his place of residence registration¹. However, this does not convince the Moscow authorities to let him stay in the city, as they claim he has lived there for less than 10 years. In fact, Taniel has lived in Moscow for 18 years, but he explains that by the time he won his court case establishing this fact, new housing legislation was introduced which removed the rights and support for those who had served in the Chernobyl disaster

zone. **"I have been banging my head against a brick wall for 18 years"**, he says, bitterly. He is now on the general waiting list for housing, and expects to have to wait 20 years for accommodation to be allocated to him. **"I don't want a golden statue to me after my death, I'd just like to have somewhere to live now"**.

Taniel feels cheated **"I defended my country... I undertook my duties to the state and now I'm being kicked around by bureaucrats like a football..."** Taniel asks to be registered at his place of actual residence but is told this cannot happen without the landlord's agreement. The hostel has been sold three times in the 18 years Taniel has lived there². The new landlords are bankers and very strict – in order to invite a friend into the hostel Taniel has to apply in writing for permission to the hostel director.

Periodically, the authorities try to move the remaining residents - they were proposed alternative accommodation in a homeless centre, but refused. Taniel tells how over New Year 2005 the landlords locked the hostel gates and turned off the gas and water supplies. They lived like this until 18 January, unable to leave their homes, with temperatures of minus 30 outside. When the residents called the police, they were told that the police were powerless as the landlords had the legal rights. **"When I showed them the court decision allowing me to live there, the policeman told me it was old... do I have to go to court every year to establish my rights?"**

Taniel knows that other Baku Armenians in Moscow hostels have managed to establish their rights to live and be registered in Moscow through lengthy court appeals. He feels this is the only route open to him, but is frustrated at the obstinacy of the local authorities in the region where he lives. Having won cases on registration with the city and regional courts, the decisions were overturned by the Moscow City Court. Taniel has now appealed to the European Court of Human Rights to intervene in his case.

Taniel feels he lives in limbo now **"it is as if I live in the air... where I live, who should I apply to... I don't know"**. He feels at the end of his tether, and has already tried to commit suicide in protest at the violation of his rights. He is determined to remain living in the hostel until he is provided with adequate alternative accommodation.

Taniel is not able to work, as he does not have a residence permit. **"I say that I am a Russian citizen... and refer to the legislation. They say – "ha, you're a lawyer are you? We don't need any of those here"**.

"Russian citizens should simply have a note in their passport saying – you're registered there, and that's it. This is how the law works. But in reality – you need to display three or four generations of your family tree to prove that you are not a camel".

1 Article 14.3 "To provide with accommodation without taking into account a place of permanent registration"

2 Taniel's lawyer notes that the Moscow authorities were acting illegally when they sold the hostel to another party with sitting tenants in residence.

YURY'S STORY

Themes: Russian Federation / illegal detention / extradition

Yury is an ethnic Russian who came to Russia from Turkmenistan as a forced migrant, where he was a national sports manager. He believes he was persecuted on grounds of ethnicity, as Russians were no longer allowed to hold high-ranking posts in Turkmenistan after the collapse of the Soviet Union. Before leaving Turkmenistan, he had applied to the Russian embassy for Russian citizenship, but no decision had been made on his case when he arrived in Russia.

Yury left Turkmenistan because life had become too dangerous – he had been involved in identifying and accusing high-ranking officials from the Turkmen Ministry of Finance of bribe-taking. After the first court hearing, which was held in Turkmen, a language that Yury cannot understand, the case was returned for further investigation. Yury began to receive death threats from the family of one of the accused who was in detention, and also by the other man accused who remained free on bail. He was told to withdraw his statement to the court, or else he would have a bad car accident or worse. Yury decided to leave the country. He later heard from his wife that she and their children had received death threats, and told him he should not return.

Yury arrived in Russia with a visa. When he applied to the migration authorities he was told they could not work out if he was a forced migrant or simply a voluntary migrant – so they did not accept his documents. He applied again in writing but was told he was “a wanted person” in Turkmenistan, and so, consequently, in Russia. He was refused asylum on these grounds, and appealed the decision to the court.

Yury then received a letter informing him that his request for citizenship had been reviewed, and asking him to come to Zakharevskaya st, 10. He went there with his brother, and was arrested and detained and told he was on the international wanted lists. A court hearing took place on the question of his detention – where he clearly said he had applied for refugee status and Russian citizenship and that decisions had not yet been made. He was kept in detention, in a cell intended for 10 people, which held 17 to 20 people. The cell held a toilet, covered by a cloth, and the detainees had also to eat in their cells.

“I was lucky – I had a lawyer who appealed to the European Court of Human Rights and then the really interesting things began happening in prison.. three days after my appeal to the European Court a commission with a doctor visited the prison. I was questioned about my health and the next day I was moved to a different cell with more room. I was filmed in this new cell, as though I was being held there. But on the very same day I was sent back to the old cell”.

Yury was held in the cell for 20 days, before being transferred back to the “new” cell for good. The cell had six places, and five people were held there. In total Yury was held in detention for a year and 18 days. During this time his lawyer was appealing against his detention, but despite the indication from the European Court that the length of detention should not exceed norms indicated in Russian legislation, the Procurator ruled that this issue is not determined in Russian legislation.

“This was all killing me of course, as I didn’t know how long I’d have to stay in prison –it is easy to lose your mind- eternally like Count Monte Christo.”

During his time in detention, Yury had an infected wound in his finger, which was operated on without anaesthetic, as there was none in the prison hospital.

Eventually, thanks to his lawyer’s interventions with national and international bodies, Yury was freed once the period of admissible detention under Russian law had passed. In total he spent one year in detention without court sanction on the prolonging of detention period, which is in violation of the European Convention on Human Rights and Fundamental Freedoms.

At the court hearing prior to his release the judge told him ***“ You should understand, that but for the intervention of the European Court of Human Rights you would have been extradited to Turkmenistan long ago.. that’s why you were held in detention for such a long time”.***

Despite requests from the Procurator to extend the period of detention, the court ruled that according to the European Convention on Human Rights and Fundamental Freedoms, it was not possible to hold Yury for any longer in detention and closed the case.

“In court, as my lawyer was speaking, the Procurator intervened again to challenge the decision to release me and say that I should be held “in indefinite detention”... When asked by the Judge why the detention should be indefinite the procurator replied “Let him sit in prison for ever!””

After his release Yury was again summoned to the local ministry of internal affairs. He sent his brother and lawyer instead, who reported that he would be arrested again if he went there in person.

Yury was given for temporary asylum, as he was refused refugee status. The European Court of Human Rights ruled in his favour that he would be at risk of torture if extradited to Turkmenistan, that his year long detention awaiting extradition was illegal and that the process of extradition was carried out in violation of Article 5 of the European Convention on Human Rights and Fundamental Freedoms.

Yury feels despondent about the future:

“My family is still back there (Turkmenistan) and I don’t get any help at all. The European Court ruled that I cannot be returned, but I also can’t settle here. I can’t get citizenship. I applied again for citizenship but said that my documents had been lost. They told me to reapply with new documents, but I can’t because for that I will have to ask the Turkmen authorities, which is too dangerous. I have no documents, or housing. I live in a monastery at the moment.”

“I have nothing – I can’t return to Turkmenistan – I will be tortured, and here – I am no one!”

UKRAINE

**SITUATION FOR REFUGEES AND ASYLUM SEEKERS IN
UKRAINE — BARRIERS TO INTEGRATION**

SITUATION FOR REFUGEES AND ASYLUM SEEKERS IN UKRAINE – BARRIERS TO INTEGRATION

This publication includes 14 stories of refugees and asylum seekers, who arrived in Ukraine in order to find safety and a better life for themselves and their families. They were interviewed by ECRE's partner NGOs in the different regions of Ukraine: the East (Donetsk, Kharkiv), Central region (Kyiv), the South (Odessa) and the West (Mukachevo).

Despite the lamentable trend of increased racism and xenophobia over the past few years, which has affected and worried some of the people interviewed, most indicated that the main problem they face in Ukraine is the lack of local integration perspective.

The recognition rates in Ukraine remain very low, - 3% over last 5 years - resulting in many asylum seekers spending years in legally precarious situations, which does not, of course, facilitate their integration prospects in Ukraine.

Refugee status recognition rates¹

Number of applications received					
2003	2004	2005	2006	2007	2003-2007
1367	1364	1765	2101	2272	8869
Refugee status given					
2003	2004	2005	2006	2007	2003-2007
56	80	49	76	33	294
Recognition rate					
2003-2007				3%	

Attempts to integrate refugees in Ukraine generally have not been coordinated and do not have a

national impact. They are also often hindered by the absence of implementing provisions or by-laws. Refugees do not always enjoy access to documentation or even basic information on their rights. Ukraine has not envisaged adopting a comprehensive "Integration act" or programme in order to efficiently manage the integration process.²

Even those refugees, who have been living in Ukraine for years and speak Russian or Ukrainian fluently, are not treated equally by employers, state officials and sometimes by local society. Without state language courses or any state integration programme it is difficult for refugees to obtain Ukrainian citizenship, as conversational knowledge of Ukrainian (together with three years of unbroken citizenship) is a prerequisite for obtaining the citizenship.³

Most of the people interviewed said that they have to rely only on themselves, as the government does not make adequate efforts to assist them.

There is no government funded accommodation or access to subsidised housing allocated to refugees, except temporary accommodation centres for asylum seekers in Odessa and Zakarpattya where the most vulnerable refugees can find housing on a temporary basis. A facility to accommodate asylum seekers in the Kyiv region has been under construction for the past few years and is not yet operational. There are no resources for relief even for the most extreme cases of shelter problems. Few refugees own apartments and many struggle to find appropriate housing officially, as few landlords wish to be seen as renting for tax reasons and many refuse to rent to foreigners at all.

The majority of refugees live in poor and substandard conditions and cannot afford better accommodation. Refugees are also often forced to pay higher rent than those paid by local citizens. However, most refugees have no choice but to pay what landlords ask. Particularly large families find it difficult to secure sufficient accommodation for themselves. Some refugees share accommodation with other individuals or families, and in some cases more than 10 people are forced to share a one-bedroom apartment.⁴

Another problem commonly faced by refugees and asylum seekers is the lack of proper documentation. The necessity to extend refugee documents annually and the existence of different types of documents during the refugee status procedure make it nearly impossible for refugees to get loans from the banks and to gain proper employment. Furthermore, refugees have difficulties in finding employment because the government does not pursue a policy to promote refugee employment.

Any higher educational background a refugee may have is generally disregarded, as there is no help available to prove it through the Diploma defence procedure, restoration of a lost Diploma or streamlined courses for refugees. The Law On Refugees obliges the migration authorities to assist refugees with accessing employment but owing to their heavy workload and absence of experts in this field the obligation has not been implemented.⁵

Due to the high rental and living costs the majority of refugee families cannot make any savings. Few savings can

by the European Commission.

1 <http://soderkoping.org.ua/page12484.html>

2 The Local Integration of Refugees in the Republic of Belarus, the Republic of Moldova and Ukraine – "A Strategy for Action", Cross-Border Cooperation/Söderköping Process in cooperation with UNCHR, the International Organization for Migration and the Swedish Migration Board, funded by the European Commission, 2008.

3 Country reports 2007: Belarus, Moldova, Russian Federation and Ukraine - Situation for refugees, asylum seekers and internally displaced persons (IDPs), European Council on Refugees and Exiles (ECRE), funded

4 The Local Integration of Refugees in the Republic of Belarus, the Republic of Moldova and Ukraine – "A Strategy for Action", Cross-Border Cooperation/Söderköping Process in cooperation with UNCHR, the International Organization for Migration and the Swedish Migration Board, funded by the European Commission, 2008.

5 Country reports 2007: Belarus, Moldova, Russian Federation and Ukraine - Situation for refugees, asylum seekers and internally displaced persons (IDPs), European Council on Refugees and Exiles (ECRE), funded by the European Commission.

be made on their accommodation and savings on food risk their health. Often shared, overcrowded housing, poor insulation and sanitation among other things have led to some critical social situations. Even refugees who have relatively sufficient salaries hardly make ends meet and any serious health problem or an accident may result in losing their income and ending up in serious financial problems.

Ukrainian law guarantees refugees the same rights to social benefits as Ukrainian citizens, on condition that they submit all the necessary documents to the local social protection departments¹. Therefore, theoretically, refugees are entitled to such social benefits as pregnancy allowance, nursing, single mother allowances, and additional support for large families with three or more children, minimum pensions and disability benefits. In practice, however, it is very complicated or nearly impossible to obtain these benefits. Only a few refugees have managed to get access to them with assistance from a legal counsellor.²

A large number of refugees seek to acquire the Ukrainian citizenship and in this way gain full civic rights. So far, Ukraine has granted citizenship to nearly 1,000 refugees. However, refugees who have applied for citizenship have often found the naturalisation process unpredictable, discriminatory and lacking transparency. Some have been advised not to apply for citizenship but for permanent residence permits instead. Others have been forced to continue to attempt to apply for citizenship for several years, although this should not take longer than the prescribed 6 to 12 months. Sometimes the problems with the application procedures have, however, been local since some refugees have obtained citizenship with a minimum level of difficulty.³

Racist and xenophobic attacks have increased at an alarming rate in Ukraine in recent years. Foreign citizens, refugees and asylum seekers living in Ukraine have frequently fallen victim to racist violence, and in some cases even murder, by local neo-Nazis as well as racist offences by law enforcement officials during frequent documents checks. Nevertheless, official statistics of racist crimes are not kept⁴ and most such attacks are classified as simple hooliganism.

The refugee stories in this publication demonstrate the hopes, aspirations and difficulties asylum seekers and

refugees face in Ukraine as well as their recommendations to the Ukrainian authorities in order to change their complicated situation in Ukraine. For confidentiality reasons the real names of the interviewees were substituted by pseudonyms.

ECRE would like to thank all the individuals, who shared their personal stories, and the following organisations for conducting the interviews with them:

The Donetsk Foundation of Social Security and Mercy

The Kharkiv city public organisation for refugees and immigrants of Afghanistan “Khurassan”

NEEKA

ROKADA

The South Ukrainian Centre of Young Lawyers

1 Human Rights Watch report 2005: Ukraine: On the Margins, <http://www.hrw.org/en/node/11521/section/7>

2 The Local Integration of Refugees in the Republic of Belarus, the Republic of Moldova and Ukraine – “A Strategy for Action”, Cross-Border Cooperation/Söderköping Process in cooperation with UNCHR, the International Organization for Migration and the Swedish Migration Board, funded by the European Commission, 2008.

3 The Local Integration of Refugees in the Republic of Belarus, the Republic of Moldova and Ukraine – “A Strategy for Action”, Cross-Border Cooperation/Söderköping Process in cooperation with UNCHR, the International Organization for Migration and the Swedish Migration Board, funded by the European Commission, 2008.

4 Amnesty International report: “Ukraine: Government must act to stop the racial discrimination”, 10 July 2008; p.17, <http://www.amnesty.org/en/library/asset/EUR50/005/2008/en/836170ae-4392-11dd-a1d1-2fa8cc41ebbd/eur500052008eng.pdf>

REFUGEE STORIES
FROM UKRAINE

ADA'S STORY

Themes: Ukraine / documentation / language / abkhaz war refugees

Note: The interview shows an example of successful integration. Ada noted the absence of problems with the authorities, the fact they had work and accommodation and the same problems that Ukrainian citizens face.

Ada left Abkhazia with her family and husband in 1992 because of the military action. Her memories of the tragic events seem unreal to her. The problems settling in Ukraine have already been forgotten. In Ukraine they got a lot of tangible help from relatives, who gave a great deal of material assistance and helped them get accommodation.

RUSSIAN LANGUAGE

As Ada remarks, apart from her relatives help in solving their problems with accommodation, another important reason for her successful integration was her knowledge of the language.

"The key factor strangely enough was probably knowing Russian, because I spoke Russian fluently. So when I came here I had none of the language problems that happen when two people talk and don't understand each other. I could basically say everything I wanted to and everyone understood me. I think that the language barrier is the most difficult thing usually."

Ada's own active attitude also played a key role in her successful integration.

"I think that we did things in our own way. We only had to hear that you could get something we needed sorted out in a particular place and we would go there, speak to the people who were able to explain things to us, to help, tell us things – like which laws had come out. We basically did everything ourselves like that."

After arriving in Ukraine Ada had problems typical of refugees from the war in Abkhazia.

"Well of course, the laws weren't taken for our situation and we lived here as though we were illegal, and it was impossible to get an official job, and we had no permanent status. But now, touch wood..."

DOCUMENTATION

Ada describes the problems they had finding money to continually renew their Georgian passports:

"It's a black mark for our government, because they didn't do anything for refugees, and the passports cost a lot of money. We had to save up a long time to be able to pay for those Georgian passports. They issued them and didn't take into account that we lived abroad and that

we were getting Georgian passports for people abroad [rather than internal ID documents, also called passports]. And they issued them for a year, for two years, five years maximum. And when they ran out you needed a lot of money to renew it or get one of the new type [post-USSR]. Now there are new people in power the type of passport you need is constantly changing and you have to pay a lot of money to get a new one each time."

Ada's family didn't have any problems getting temporary permits, she thinks because they brought all their documents with them from Georgia.

"You see, I knew when I left Sukhumi that it was going to be very difficult to live without any documents, so the first thing that I took with me, was my documents. That is why I didn't really have any problems. But if we hadn't had any documents, then I understand some people weren't even able to get on the register because they couldn't show any ID at all. "

At the end of the interview Ada gives recommendations based on her own experiences on how to help solve the problem of integration for "Abkhaz war refugees".

"I would say that you need to be a lot more sympathetic towards people who have suffered from such difficult events. These are people who as a rule, are lost, they need moral support and so you need a lot more patience to work with them, to pay them more attention. And first and foremost, persistent, this means you have to give them documents so that they can sort their lives out here, without breaking the government's laws, so that they can get permanent status. So that there are no conflicts with the authorities about this and so that everything is legal."

ADGUR'S STORY

Themes: Ukraine / documentation / health / abkhaz war refugees

The members of Kardava's family do not consider themselves integrated in Ukraine because they have no permanent status here, although they have been living here since 1994.

Adgur left Abkhazia with his wife and two children in 1994, and spoke with pain about what they had been through. The family arrived in Ukraine in 1994 and went to his wife's brother's. The support of this relative and others was very important at the beginning, as there were no government programmes envisaged to assist "war refugees".

"Well, when we got here, we relied most of all on our brother, because he had already been living here for a long time. When we came in 1994, he helped us, of course. He did as much as he could. It was very difficult for us to do anything independently for ourselves here. That was because, first of all, we didn't know the Ukrainian language, and then it was not easy to find work. But you know I am somehow grateful to the Ukrainian people. Not just Ukrainians but the whole population, everyone who lives here, because they treated us with consideration. With care. Do you understand? I can't say that we starved here even at the beginning. Of course not. People helped as much as they could. I think that this was a decision by people who understood other people's pain as if it were their own. That makes it easier for those people who have had to leave their native land."

DOCUMENTATION

The members of the family received their temporary permits in 1998.

They did not have any problem in obtaining or extending their temporary permits although there was mention of problems in extending registration at the passport office. Adgur stressed several times that he had been successful in defending his rights and that his registration had never expired. He also stressed the importance of the help that he had received from the Red Cross.

Adgur spoke about the serious problems his family had after Resolution № 674 from 26.06.1996 by the Cabinet of Ministers of Ukraine was abolished. This had regulated the issuing of temporary permits to "war refugees" from Abkhazia and set out their guaranteed rights.

"Of course, when they abolished the temporary permits, this had a big effect on us. Why? Because not every one who works for the authorities understands the difference between them being abolished and extended... We were explained that our permit, which we got before 2005, is our document and proof that we so have some kind of permit. I don't know if it is still valid or not but we

were told that we have to keep it until a new resolution has been passed. We have to keep this document, it is ours, something that we can show. But unfortunately not everyone understands. It says that it is valid until 2005 and everyone says that it has run out and we can throw it away, but we haven't thrown it away because the authorities told us that we have to keep it without fail. If we don't have this, then we won't have any documents at all."

Although the validity of the temporary permits has been extended three times since Resolution № 674 from 26.06.1996 by the Cabinet of Ministers of Ukraine was repealed, there is no procedure for extending the temporary permits so when the family needs to extend their registration and when they interact with official institutions, then they use the temporary permits that they received before 2005. They have problems because of this, as only legal specialists know that the Cabinet of Ministers of Ukraine has extended the validity of these temporary permits until 01.05.2009.

ACCESS TO HEALTHCARE

As Adgur has serious health problems, he stressed that his access to free medical assistance was getting worse.

"I often have to stay in hospital. I have had three heart attacks here in Ukraine. I suffer from diabetes. And hypertension since I was young. I have to go to hospital twice a year. Of course they treat me well. I can't say anything against that. But recently I have started to have to pay. This obviously affects us a lot because we don't have the kind of income that means we can pay for medicines and for me to stay in hospital. They started asking me to pay last year – when I went into hospital I was told I had to pay 60 Grivnya a day, and when my daughter gave birth she was told the same thing"

EDUCATION

Adgur's daughter cannot finish her education in the higher education institution because of the cancellation of the above mentioned Resolution.

INTEGRATION

Adgur does not feel integrated in Ukraine due to the absence of any permanent status.

"Not until we have permanent residence (vid na zhitel'stvo), citizenship. If we get this, then I'll feel like I have really settled here and will live here until the end of my days. But at the moment, that possibility doesn't exist."

AT THE END OF THE INTERVIEW HE APPEALS TO THE UKRAINIAN AUTHORITIES

"First of all I would like to tell the Ukrainian authorities to solve the refugee problem. That means they need to

allow refugees to live in Ukraine legally. My family and I want to stay here. The way back is already closed to us. I believe we are here for life now. But we have no guarantee that we will be able to stay here to live. We don't have any documents confirming that we are allowed to live here. Understand? There is one thing I want to ask for, to beg for even. Permanent residence (vid na zhitel'stvo). Permanent residence first and foremost. So we are able to live here legally. I don't want to live here illegally, to live every moment in fear. I want to live here normally, legally. I want documents for myself and my family to show that we are really living here legally. That is what I want to ask for."

ASHUR'S STORY

Themes: Ukraine / documentation / housing / integration

Ashur is a journalist of Kurdish ethnic origin who left Syria due to constant intimidation by the police and the State. He arrived to Ukraine in March 2005 and applied for asylum. He has now received his refugee status and is living in Odessa in the Centre for temporary accommodation. Of the three years he waited to receive his papers from the appeal he remembers most the day at the Court when they approved his status. **"That day I will never forget"**, he says smiling.

Ashur left Syria in search a peaceful life. Being a journalist he wrote about Kurds and in Kurdish, with aim of reviving the culture and the language. The state fiercely opposed this and after much intimidation by the state police Ashur decided to leave Syria. He describes his experience of a Kurd living in Syria. **"The Kurdish people are forbidden to do anything that livens up their culture, language and history. We are constantly intimidated, imprisoned and in general not left alone, simply for being Kurds. It is not very nice to live like that."** Therefore, he says, they feel like refugees in their own country let alone out of their country.

Upon leaving Syria he wanted to go to Europe, to any country where he could get papers and live in peace. He has travelled from Syria, through Iraq, Turkey and Russia and before reaching Ukraine. He spent some time in Russia where he learned that there are many Kurds in Ukraine. Ashur also learned that in Russian there is a lot of racism from Skinheads groups who have been known to murder black people. The trip took a long time and cost him a lot of his savings. **"It was all organised via unofficial streams. I am tired of moving and I have lost a lot of money during this trip."**

He describes the difficulties of leaving one's country.

"When a man leaves his own country he loses a lot: morally, his friends, history, it is all very difficult"

ADAPTING TO A NEW LIFE

After waiting for three years Ashur finally obtained refugee status and Ukrainian nationality papers, for which he is grateful! **I live in peace now. Nobody bothers me.** However there are other problems faced by refugees such as health and general survival in a foreign country.

"We are not like Ukrainians. We don't have documents, our language skills are poor, and we don't own a home. Now we are battling with such problems."

Ashur says accommodation is the greatest problem that refugees face in Ukraine. The state does not help them in any way to obtain living space. Ashur is still living at the Accommodation centre, known as the "Punkt", where he

was housed when he submitted his asylum application. **"The Punkt is peaceful. Nobody interferes with my life. We are allowed to come and go as we like, and although it is quite far at least we are free. That is important."** However life inside the centre is quite crowded and the toilet and kitchen are shared amongst many people, **"like a dormitory in a hostel. It is only a temporary solution and we need help with finding proper accommodation where we can settle and live a normal life."** This, in his opinion, is the most important recommendation to send to the Ukrainian authorities.

Otherwise there are no differences in treatment of Ukrainians and refugees. **"We all have jobs, pensions. In Ukraine we are all the same"**, he says smiling.

Ashur says in his experience racism in Odessa is scarce; it depends on the individual, unlike Russia where organised Skinheads have committed racially motivated murders in the past.

"I don't feel as if I'm in another country, like I'm different. Odessa has all nationalities...only the police sometimes check the black people thinking they don't have the right documents. But that is all. I have thought about the police stopping me, and I think it is probably because they want money."

During the years while waiting for a status Ashur learned some basic Russian, which helped him to integrate. He thinks that language is the most important tool to integrate into a society. **"In this way you can communicate with people, learn about the culture and be able to go on about your life independently."**

APPLYING FOR ASYLUM

Ashur did not come across too many difficulties while applying for asylum. Upon arrival at the Migration Office (MO) in Odessa he was given a temporary document for two weeks after which he got a valid photo ID – **a spravka**. However with the **spravka** it is not possible to do much. **"One can work a bit and walk around. But with the certificate of refugee status one can work legally. It is a whole different thing."**

He was interviewed at the MO a couple of days after submitting his application. The interview was done in a room, and although there were other people, he felt comfortable. **"The MO helped me find a translator. At the interview they asked me a lot of questions. But I understand that is a normal procedure. The MO officer told me straight that in Ukraine, except for documents, I will not be offered any other help, unlike in other countries."** He says that this is the reason why some refugees leave Ukraine and go to other European states where there is better social assistance offered to refugees.

He learned about the right to apply for asylum protection and other practicalities through friends back in

Syria and acquaintances he met in Russia. At the Punkt for temporary accommodation for refugees, where he lives, his neighbours told him that he could receive free legal help from the SUCYL.

Ashur was refused refugee status by the MO and he appealed this decision to court. After a long wait his case was processed, Ashur was confident that he would receive refugee status. He said, **"I knew that the judge would be just. I trusted him."** Overall his experience at the court was positive, and except for changing a lawyer due to technicalities, everything went smoothly. The court decided in his favour and after four or five months he received his refugee status document.

When asked what he hopes for in the future he explains that it is so uncertain and fraught with problems, such as where to find accommodation, and work. Therefore Ashur tries not to think about it. **"Thus the best thing to do is to think how to live today in the best possible way. Today I don't want to think because if I do think seriously about the future – it is all unclear."**

BENEDICTO'S STORY

Themes: Ukraine / racism / housing / language

In the early 1990s a civil war was raging in Angola, in which Benedicto's father and wife were killed. He was left with a three-year old daughter.

Benedicto lived on the river separating Zaire and Angola in a town called Soyo. Benedicto worked as a boatman ferrying people across the river. One time, Unita soldiers forced him to take them across the water. When soldiers of the MPLA party saw the boat was full of soldiers and not passengers they started shooting. After this Unita took charge of Soyo but six months later the town changed hands again and Benedicto was forced to flee, as the MPLA soldiers thought he was a traitor working for Unita.

FIVE COATS

Benedicto travelled to Ukraine via Moscow in 1993. He found life difficult at first as he didn't speak the language and there was no information available in his own language. He found the climate very hard to adjust to **"The clothes I were in were useless. I got given clothes as humanitarian aid... I had to wear about five coats before I felt ok"**.

He received emergency assistance and food from several organizations.

FEAR FOR HIS DAUGHTER

Benedicto was detained by police for a month, leaving his daughter to be cared for by his friends.

"I had only gone out of the hostel to buy bread... my daughter was left at home in the room... took me away – it was on 17 May 1993. The police asked to see my documents – Which documents? ...I was detained in Darnitsa for a month. My child was at home in the room. It was... I tried to explain, but I didn't know the language... I kept saying "baby... baby at home" but they didn't understand... There was no telephone.. No one knew I was there".

He recalls that the conditions of detention were terrible: they slept on wooden boards and were bitten by insects. The food was awful and they were not allowed to wash. More importantly there was no opportunity to contact a lawyer or organization, which could help him. He was detained twice but **"After that I went everywhere with my daughter because when the police see you with the child they don't touch you"**.

MORAL IMPROVEMENT

He explains how at first they had to rent flats from alcoholics, which were always very dirty, and fraught with problems. **"We would rent the flat from the husband in the**

morning and in the evening the wife would come home and say – its my flat, get out.... But we paid money, we had paid money! And we lost the money".

In 1997 he was granted refugee status quite quickly, but had problems getting residence registration, and housing registration. Even with refugee status the police still required to see registration documents, which took a long time to obtain and needed to be renewed every three months. However, Benedicto acknowledges that **"It was easier morally"**.

ALWAYS LOOKING OVER HIS SHOULDER

The main concern Benedicto has in Ukraine is of the increasing racism. He has been attacked a few times and now is afraid to go out after 8p.m **"You can't go around in peace any more... even on transport.. People point at you and laugh – it is not comfortable to live this way"**.

"The first time, there were three of us walking, me and my friends. We were going along Prospekt Pobedi, suddenly someone hit me with something from behind – maybe a hammer... I don't know what. They kicked us. I fell over immediately, luckily – I thank God for that... They ran away. The ambulance came and I was taken to hospital. The next day I had terrible pains in my head.. I had stitches. I started being frightened after this...Now when I am walking I look behind me, and to the left and right... I am not free"

" I have been living here for 17 years... in 1995 or 1993 everything was ok.. you could even walk around at night.... I understand that there are racists everywhere... in France, America, everywhere. But to demonstrate it as now in Ukraine!!...The Ministry of Internal Affairs is responsible for this – they do not protect anyone... the police know where the racists and fascists are. I know where I cannot go. I can't go to Maydan Nezhalezhnosti or Sevastopolska square after 8pm...I don't feel free. What if I had work on Maydan – what would I do?"

Benedicto works as a loader in the market and earns a small salary. His rent is high therefore he shares a flat with three other people and his daughter. He earns 300 dollars salary a month and the rent for his flat is 500 dollars.

In principle, Benedicto can work anywhere in Ukraine now that he has refugee status **"I have status – no limits. I can work anywhere, provided the boss is not racist"**.

Benedicto says he learned Ukrainian through his daughter, who goes to school and helps him to learn it. He does not have the possibility to attend language lessons but would like to.

Of his chances of integrating in Ukraine, Benedicto says:

"I think I could integrate in this country if the salary were sufficient for me and my child ... and the racism here

is wild now. Because there are no laws here, people are not afraid of the law."

Benedicto's message to the authorities is one of thanks – but also a plea for them to help other migrants who need help renting a place to stay, and who are frequently detained by the police.

DAVID'S STORY

Themes: Ukraine / documents / housing / racism /

David's refugee story is one of suffering : ***"I would like to highlight the pain I and all black people pass through just because of selfish interest, just because of some selfish man, because of power, because of money, some certain people take another's life, innocent fathers, mothers, little children - thousands made homeless, there are so many victims..."*** David was born in Monrovia, Liberia in a wealthy family. Most of the Liberian population was not educated at that time because of the crisis. David's father wanted him to have an education and it became David's own dream.

When he was only 10 years old David saw his father killed by rebels in front of him. His mother was traveled to the most dangerous places of warring Liberia to sell things to survive. She disappeared on her last journey. Before the death of his father David attended school when his parents were killed the little boy was taken by the Red Cross. First he was taken to the camp in Monrovia, Liberia then he was sent to another Red Cross camp in Nigeria. David stayed in Nigeria for two years. He ran away from the camp and met a boy who became his friend and who took care of him. This boy was almost a brother but he left David one day. ***"I felt as if I was dead, it was pain. There I felt the worst pain of my life. When my brother was there, I was very happy, I believed I could have my old life back. I was barely 12 years old...I woke up one morning, I never saw him again. Then I knew he had left me to suffer"***.

Some time later David crossed the desert to reach Libya where he lived for 9 years. It was like a second home to him, but there were a lot of racists. David decided to try his fate and look for better life. He stowed away on board a ship and went God knows where ***"I had no knowledge about the places where I can go and live a good life"***.

A UKRAINIAN SOLUTION?

In this way, David came to Ukraine. He hoped to go to Italy, but the ship went to Ukraine. David disembarked in Odessa. It was winter and very cold. He spent two days at the railway station waiting to see someone with black skin. He met one and that man told him go to Kyiv and bought a ticket on train. In Kyiv again waiting in the railway station until he met a black man who took him on Shulavka market, where a lot of black men trade ***"I was very happy. It was one of the happiest days in Ukraine. I was very happy. I remember that day I thought the problems are over...But little did I know it was just the beginning of them"***.

DREAMS OF EQUALITY

In Ukraine, David most fears racism, brutality, and problems with documents. Also the problem of accommodation. David now lives with 6 French-speaking asylum seekers in a two-room apartment. He does not

pay rent because he has no money. He wants to work but he wants to use his brain ***"I have one dream in life to go to school and became a lawyer...I don't care about money...I want justice, I want my father's brothers to have rights"***.

David received identity documents as an asylum seeker but he is afraid that the migration services will confiscate these and that then the police could take him. He is afraid of going to the hospital because he sees the attitude of people on the street and in transport.

David is also tired of giving interviews ***"All the time they ask the same questions, tragic questions. It's painful, you know. If I had a knife I could have stabbed you... because you are killing me!"***

But he also is afraid that he will not get refugee status, and says that only 5% of black men in Ukraine have status.

"The black people living in Ukraine... Ukraine never gives them a chance. Give them a chance to contribute to the economy of Ukraine. They don't come here to thieve, they live here because they want to be here, and they are here because of the circumstances. There's no place like home. Why make them suffer because of documents? Give them documents so they can work...Give them a chance. Don't make them run on the streets hiding from police because they don't have documents"

When David thinks of the future he is clear about what he hopes for, but not sure he will be able to achieve it in Ukraine.

"This is a place for those who want to hide, those who want to hide from so many things, not for those that want to live a life. I don't want to hide. I just want to live a good life, have a family of my own, have children, tell them stories about myself. Not hang around sleeping in the corner every time, having to share the room with somebody."

ISABELLE'S STORY

Themes: Ukraine / housing / employment, racism

Isabelle is 47. She came to USSR from Congo to study in 1988. She continued her studies in Leningrad. In 1994 after finishing her education Isabelle moved to Kiev to her husband. Then the war in DRC started and Isabelle and her husband applied for asylum in Ukraine. They had a child who is now 13 years old. Isabelle says she did not experience any difficulties in procedure of receiving the status of refugee:

«I arrived here to study. It was in 1988. And I finished in 1994. I moved to Kiev to the husband. At this time at home the war started and we decided to stay here. Then we heard that it is possible to get... the refugee status and travel document... We didn't have any difficulties. It was quick. We received very quickly. I remember. Approximately in one month. That we have difficulties and we can't depart... We were waiting approximately one month. They phoned us and told that we may come and take the document».

Isabelle applied for asylum in 1997. Isabelle remembers the kind staff of the migration service: *«Fine. Very good. Her name was Larisa I remember. She was very kind».*

Isabelle remembers how she felt at first about Ukraine: *«Yes, Feelings were wonderful. People very kind...»*

RACISM

However, now Isabelle feels disappointed because she doesn't feel safe because of racism, lack of work and lack of housing:

«When I am at home I am calm, happy. But when I walk on the streets I constantly hear "Monkey"; "Black woman". But I am used to it and don't take any notice of them....)

We have experienced discrimination – as I told you we are constantly taunted on the street. Especially my son. He went to the kindergarten and the children called him «monkey», "monkey"... He frequently tells me about this. «Mother, I was called, I was told that, that, that...».

INTEGRATION

Because of these problems Isabelle doesn't feel integrated in Ukrainian society:

«I can say that I do not, because conditions for me are very bad. Until now I do not have a house, I do not have work. ... I think that integration... integration (thinks).... Integration if the person has conditions, has his own flat and work. ...The most important thing is work. Because it is too hard without work. Too hard...Barrier may be it is... it is racism, I think so. Yeah racism... racism...»

EMPLOYMENT

Now Isabelle does not have a permanent job and she sometimes works from home as a manicurist. She was trained as an economist and her dream it is to find a job in a bank:

"That was my dream... a long time ago (voice become quiet) It was my dream, that is why I choose the financial economic Institute."

If Isabelle could give one piece of advice to the staff of migration service, it would be to help her resettle to another country:

"I would tell them, please, help me to depart from here. Because, I can't live here. Here I do not imagine my life. It is very hard here now. It becomes worse and worse every day. I remember that it was better eight years ago. Now it becomes worse, worse, worse every day"

JAFFAR'S STORY

Themes: Ukraine / documentation / refugee status determination procedure

Jaffar came to Ukraine with his family 8 years ago. They left home due to conflict between different groups of Muslims. They come from the Shia and had experienced persecution and intimidation. Jaffar's cousins were murdered, his father was taken away and when he returned his teeth were broken with a machine gun. **"We just wanted a peaceful life that is why we left."** When leaving home they did not choose where to go. **"We just expected things to be better and they are."**

However Jaffar and his family are still facing daily hardship due to the fact that their status is not yet determined. Talking about his daily life he says: **"My working day starts at 2 or 3am and finishes at 4 or 5pm. This doesn't allow me much time to do else."**

Jaffar and his family travelled for a very long time through countries, not knowing where they were. They were arrested by the police and taken to their embassy after which they found out they were in Kiev, Ukraine. At the embassy they were sent to the Migration Office (MO) in Odessa and found accommodation at the Punkt (Temporary Accommodation Centre) for refugees. They have been living there for the last four years. Life in the Punkt is a little unsettling as things get stolen, however there is no violence or racism. The food that they receive helps them survive, although it is not enough to feed the whole family.

FEELING LOST AND CONFUSED

On arriving in Ukraine Jaffar and his family came across many difficulties because they did not understand the asylum procedure and they did not have any money with which to hire a translator or even get their photographs done for the application. **"It's been eight years since we first applied for refugee status because while at interview we are not able to understand what was required of us."**

Before their arrival to Ukraine they knew nothing about the asylum procedure. **"Like foreigners in a foreign land we were clueless! After we were accommodated at the Punkt we were told by some afghan men what we should do. But still we had great problems finding a translator, until one day at the MO a translator offered to help us for free."** At the interview him and his family replied mechanically to questions posed and the interviewer seemed objective.

They learnt a bit about the asylum procedure from some other asylum seekers. **"Otherwise we only found out about the law and the procedure from a lawyer at the SUCYL. But this only happened after we were refused status from the MO."**

They waited for the first reply for a long time. When the refusal came they felt lost and confused. **"We did not**

understand what had happened and why some other people received their status after 2 or 3 months, while we have been living here for so long and cannot get status."

Upon refusal for refugee status they were told that they could be sent back home for free and nothing was mentioned about the possibility of appealing the decision with free legal help. It was again other asylum seekers who told them. **"We insisted that we couldn't go home, as there was still a war. We just wanted to live in peace."** So finally they were told to go and see SUCYL.

THE FUTURE: DOCUMENTS ARE KEY

When Jaffar talks about the future his main hope is to obtain documents and refugee status. **"Without documents we can't do anything. My brother finished his 9th grade but he cannot receive his diploma without a valid document. The same with getting work – documents are the key."**

"The day that we receive documents will be a very happy day! My mother will go to visit her parents and we will be able to work peacefully, go to school, to the hospital. Without documents it's impossible to go or do anything."

JACQUELINE'S STORY

Themes: Ukraine / housing / employment / racism

Jacqueline arrived in Russia from Congo in 1993 to study. She had no intention of applying for asylum but in 1997 the political situation in Congo changed and an interethnic conflict began in the south of the country, where she lived.

Jacqueline is now 40 years old now and says that her only hope is her children. She hopes that they can finish school and graduate from university. She herself was not able to do this as her country paid for her education at first but stopped when the conflict began.

REFUGEE STATUS PROCEDURE

Jacqueline and her husband came to Kyiv in 1997 and applied for refugee status. In Kharkiv, where they lived, there was no Migration Service. They later found out that their case was sent to the newly established MS in Kharkiv, meaning that they had to wait two or three years to get status. It was a difficult time for the family as they needed to go to Kyiv to be interviewed and they lived in uncertainty all this time.

EMPLOYMENT PROSPECTS

Jacqueline thinks it is very difficult for a female refugee to get a job. In 2003 UNHCR financed her to follow a cookery course and she graduated as a "cook-confectioner". However, she could not find proper job though. She was offered night work, but this was difficult as she has two children. Her husband works in Crimea as a barman as this is the best option he could find in Ukraine.

Jacqueline studied Ukrainian with her Ukrainian friends and attended free classes, organised by Caritas in Kharkiv.

PREJUDICE AGAINST FOREIGNERS

Jacqueline's family had to change their flat three times and when potential landlords realized they were foreigners they often refused to let their property to them. Their living standards are very low – they often they don't have enough money to buy food. ***"It is very tough. God help us if the landlord hears a foreigner's voice, they never accept us. We have to go through friends... or sometimes they help us because we have two children"***.

RECOMMENDATION TO UKRAINE

Jacqueline thinks that Ukraine needs ***"to communicate with the countries that host refugees for a long time to understand how these countries help refugees. Ukraine needs this experience"***.

JEAN'S STORY

Themes: Ukraine / refugee status determination procedure

DOCUMENTATION

Jean left the Democratic Republic of Congo (then Zaire) to study abroad. As a young man he joined an opposition political party and consequently when the civil war broke out he became a political refugee. ***I was young then, a student, he says, I used to be against everything...I used to believe in the party's aims.*** He arrived to Ukraine, via Moscow, many years ago when he spoke exactly three words of Russian: "Net" (No), tovarish (Comrade) and Pravda (Justice, from the Pravda newspaper). He lived in Ukraine without any financial help from his family, which was hard. There are three reasons he chose to go to Ukraine. ***"Firstly because my friend was here, secondly because it was easy to reach all USSR states but also because my father had a liking for communism."***

Jean had no intention of staying in Ukraine until the civil war broke out. Then he realised that he could not return and, after some incidents took place in Zaire, he applied for refugee status. At first his application was refused with the Migration Office (MO) informing him that nationals of Zaire could not get asylum. Two or three years later he applied again, when he realised there was a danger he would be asked to return home. He could not do this due to his political views.

During Jean's time in Ukraine he was always helped by his countrymen who were the main source of information and told him about his rights and what procedures he has to follow in order to apply for refugee protection. Upon his arrival to Ukraine he had trouble finding accommodation, as there were no accommodation centres then.

STATUS DETERMINATION PROCEDURE: FEELING STUPID

When he went back to the MO to apply for asylum again he was not given a translator during the interview, despite the fact that his Russian was still not very good. He felt uncomfortable at the interview: ***I felt that by repeating my answers at the request of the officer made me look stupid, and I didn't want to be stupid. The MO officer appeared to be having pleasure from the situation.*** Although this is a subjective view it points to the vulnerability of the refugees and how the process can affect their self-esteem. ***"If they made the procedure faster the benefit would be twofold: for the state and for the refugees"***. From the moment Jean submitted his claim he got a reply within a month, but then it took 3-4 years to obtain status. The final reply from the court took months to come.

REFUSAL: "CRYING IS NO SOLUTION"

Upon receiving his first refusal Jean was not told of a

possibility to appeal nor was he directed by the MO to seek free legal advice. He felt disappointed but he knew that there was no point in despairing: ***I am not used to crying. I know that when something isn't the way I wish I must think of how to make it better.*** So he went to a private lawyer after which he was told by his friends to seek advice from the SUCYL. He found out about free legal help from others who had already gone through the process.

Jean feels the procedure is not only slow but also unjust. He feels as if the whole process is a scam. He explains that to him the most negative feeling is that it appears as if the MO takes applications for asylum while in fact it knows that they will be refused. And, ironically, the best thing was that the MO accepted applications at all, he says with a laugh.

A PERSON LIKE ANY OTHER

Jean feels that the procedure has not had any impact on his integration, because he became integrated of his own accord. ***Now I work and live here and have my brother as my family... and like every other human being I have good and bad moments. I am no different to other people just because I'm a refugee.***

KAMA'S STORY

Themes: Ukraine / documentation / health / employment / abhaz war refugees

Kama was forced to leave Abkhazia for Georgia in 1993 along with her sister's family. The difficult situation in Georgia made the sisters leave the country together with children and small grandchildren, for Ukraine where they had good friends. To start off with there were no problems. All the members of the family were provided with a place to live and work in one of the villages in the Dneproetrovskii Region. They all had permanent registration at place of abode. The grandchildren had no problem with education. Then the situation got worse for agriculture and the collective farms broke up.

People were left without work and they were forced to move to look for other ways of earning money. Despite the fact that they had received temporary permits in 1998, once they moved they could not get permanent registration at their new place of abode, as they had done previously. Then there was a problem with their registration generally. They were refused registration outright as in 1999-2000 USSR passports became invalid for Georgian citizens, and new Georgian passports were needed in order to register. They ended up in a vicious circle: to get a passport they needed money, but to earn money they had to have documents.

The male members of the family are of working age but they have not been able to find any work in the village where the family live. They have found bits of odd work here and there on the side but have not been able to earn enough even to afford the basics – coal for heating, food and the medicines they need. The electricity had been cut off in the house for over a year due to non-payment of bills. The men do not dare to travel to work in the nearest regional centre as previous cases of being detained mean that they panic about going out of the village without documents. At the present time the family is in a very difficult material situation, which is made worse by the fact that Kama's sister has lost her pension certificate and USSR passport, which means that they have lost their only stable income (she has not been able to get new documents to get her pension for 9 months already).

Kama's situation is desperate now.

"My life now. I don't know. They say that if you believe in God you go to heaven, and if you don't you go to hell. I don't think it will be any worse in hell than it is now. I can't remember the last time I had a full stomach."

Kama thinks she can only solve her problems by getting identity and other documents. She suffers from breast cancer but the hospital will not treat her without documents, and she does not have money to pay for treatment. She feels despondent ***"What good am I to anyone?"***

Kama feels a failure for being in such a difficult situation is as follows, saying of the other Abkhaz refugees ***"They are probably smarter than us. We didn't try. I don't know what to say. Someone must have taught them what to do, but nobody told us"***

KENE'S STORY

Themes: Ukraine / documentation / employment / housing / racism / integration

Kene left Ethiopia in August 1987, for the former Soviet Union. He spent three days in Moscow and then transferred to Odessa, Ukraine, where he joined Odessa Higher Military Combined Air Defense Command and Engineering Academy. In 1992 he graduated as an engineering specialist.

After graduation, Kene did not return back to Ethiopia, because in 1991 the regime has changed and it was dangerous for him to return. In January 1994, Kene was recognized by UNHCR office in Moscow as a mandate refugee.

PROBLEMS WITH PAPERS

In August 1996, Kene applied to the Ukrainian Migration Service for asylum. He was recognized as refugee by the Ukrainian government. However, he found it almost impossible to get registration on the refugee certificate from Visa and Registration Department of the ministry of interior affairs (OVIR), because of absence of residence registration (Footnote: in order to obtain residence registration asylum seekers and refugees were required to present a letter of agreement from the landlord, which landlords were reluctant to give due to tax implications). Kene was often detained by police and fined for not having registration.

He recalls that one time his refugee certificate was confiscated by one police department at Baumana, ***"The worst happened to me on that day: the police released me from that police station in the middle of the night without documents or papers that confirm my identity. The duty police kicked me out, told me go home. This was a kind of punishment, the police knew that in the middle night there is no public transport and I have no money for a taxi. That night was terrible...very cold, no cars, no one on the street. With help of God I arrived home."***

Kene explains that the situation improved after interventions by UNHCR office and Human Rights defenders, when the legislation was amended and OVIR start issuing registration in a more simplified manner. Kene's refugee certificate was renewed on a yearly basis. He still found himself a target for police harassment.

NO WORK: NO STATE SUPPORT

Kene has worked for over 14 years in Ukraine, for NGOs and different companies. He has come across prejudice often – saying that ***"Company directors are not willing to hire me. The main factor is, my color and my legal status."***

Kene is well informed of his rights but frustrated that they are not implemented ***"Article 20 of the Ukrainian Law "On Refugees" stated person recognized as refugee has***

equal rights with the citizen of Ukraine for: work, freedom of choice of place of residence, freedom of leaving the territory of Ukraine. And paragraph 3. Of the same article stated the recognized refugee has the right access to medicinal, healthcare, right for rest and education. This law is just acting as paper tiger, nothing more"

Kene approached many employment companies to ask for work and was often laughed out of their offices. ***"They told me "we have no job for you", others said " you are refugee our company is only employs citizens of Ukraine" when I said that I am government recognized refugee and have equal right as Ukrainian citizen for employment, they are often abusive and tell me to leave the office"***. Kene says some companies ask for a labour book (trudovaya knishka). However the places he used to work did not issue him with a labour book and therefore he finds he cannot validate his past work experience. This means that he has no right to social assistance or pension ***"That is some kind of life punishment"***.

FEELING ASHAMED (HOUSING)

"I have no problem with qualifications or language. But due to my external appearance I never integrated in the Ukrainian society...It is so shameful that after 14 years work experience and 13 years having status of refugee, I seek accommodation in the asylum reception center."

One of the biggest problems for Kene and his family in Kiev is housing. He rented a one room (studio) 30 m², for his wife and two children, paying \$ 500 USD per month. (about 4500 UAH per month). Kene earned 2000-2500 UAH per month working as an electrician in a building company, his wife did not work. She received social welfare for her children of 140 UAH (\$15.5 USD per month.).

Even when Kene was working, it was hard to cover the rent, and now he has lost his job due to the recent economic crisis, which is hitting enterprises in Ukraine. He explains ***"They used to say "black work is for black people", but now that black work is given to the native Ukrainians."***

The family are finding it hard to survive and are planning to move to Lviv to stay in the asylum reception centre, as without work Kene cannot pay the rent. Kene knows he is not alone ***"We know that it is impossible to change shelter problem in Ukraine for the coming half century. Tens of thousands of Ukrainians are also homeless; millions are jobless, this number growing every day."***

"We do not need mixed blood in our country...Ukraine is only for Ukrainians."

Kene says he encounters racism everywhere, and limits his life to avoid these dangers ***"I do not go out in the evening, do not use the underground or public toilets, do not go to bars or cafés and never drink beer on the street, in park and other public areas where drinking alcohol and beer is allowed, I never visit the casino."*** He is careful never

to say his address to a police officer if there is a crowd of people around. He is aware of the growth in recent years of young sympathizers with Ukrainian nationalist parties.

Kene's last job involved working in different offices and he had problems with many of the young people working in various offices. "They said **"Look! A Negro is working"**. Some of them approached him and looked at him and then said **"See how this monkey is working"** ..

Kene says that he tried to work with his Ukrainian colleague to limit these dangers and others such as building materials being dropped or thrown at him. **"The development of racism at working place has biological, social, national character."**

" I was speaking with one racist at work once, he said he considered me to be a person who had still not completed evolution, he based his argument on my external appearance - , my face, nose, lip and hair. He thought that I did not perform my job independently. He always asked me "How can a monkey do a job without an instructor?" I replied "Who is the ape? you or me? I speak your language; I am doing what you are doing, I am thinking as you think. I have similar blood groups as you or white people have. My brain is thinking like you, I am not working with reflection or instincts. But if you try to teach ape or chimpanzee it never become like human being". He was so angry, and he threw a screw driver at me and ran away"

Kene says that some racists tell him to leave the country and take his **"half-caste"** children with him. **"They say: We do not need mixed blood in our country...Ukraine is only for Ukrainians."** Of this, Kene says: **"I wish, God guidance to the Ukrainian people and government."**

Kene feels bitter about this deep-rooted racism and as a result thinks real possibilities of integration for him and his children are unthinkable. **"I am just surviving I do not know what will happen to my children and me. We are praying to God."**

Kene feels frustrated at the lack of state support for his integration process: **"I have lived in Ukraine for more than 20 years; I was recognized as a refugee in 1996; I have children with a Ukrainian national, and I still do not believe that I will be integrated; ... there is no integration mechanism. The existing laws are not active."**

Kene now feels very despondent about the future **"I believe that I will not get job any more in Ukraine; this is the end of my survival"**

Kene advises the Ukrainian authorities **"to respect rule of the law and transparency today, as if you do not, tomorrow your nation will become refugees or immigrants like me, and for this, you will be responsible"**

NAZIRA'S STORY

Themes: Ukraine / documentation / education / abkhaz war refugees

Nazira and her family represent the group of "war refugees" from Abkhazia, who have made the most effort to integrate into Ukrainian society. Things are working for them, although they haven't been able to integrate fully for reasons beyond their control (they cannot get permanent status in Ukraine).

Nazira was in her 8th month of pregnancy when she had to leave her native village with her husband, mother, and one-year-old child because of the bombing.

"What did we take from home? Slippers, a dressing gown and our child in our arms. What should I have taken, from where? We didn't take anything."

"You left and they wrote «Abkhazia» in the sky with a gun. That was it. On the third day our house was bombed to pieces. There is nothing there anymore."

They went to Georgia.

"We lived in Georgia for 18 days. There wasn't even bread to eat. 7 months' pregnant and a one year old child in our arms. And my mother and I went round to get whatever anyone would give us."

From there they went to Sochi, then Ukraine, to the town of Makeevka in the Donetsk Region, where Nazira's brother had lived for the past 30 years. She had a second child there. First of all they lived at her brother's, who helped them a lot, then they rented their own flat. The lack of accommodation or hope of getting any, including the lack of any permanent status, was one of the main problems for this family.

"The only problem is that we don't have accommodation. Apart from that I am happy in Ukraine. I love everyone, everyone respects me and I respect everyone."

This family rents an apartment. They are trying to solve their accommodation problem by getting a flat from the virtually empty government housing fund.

"Our accommodation is good but we pay a lot for it – 500 Grivnya for the water, light and everything. 700-650 Grivnya goes on it every month. There are so many abandoned flats around. It would be better if I could get one of those. I would do it up and everything."

Nazira had no problems with getting a temporary permit or registration because both she and her husband had a passport. At the moment they both have Georgian passports and are registered until May 2009. This has made it possible for Nazira to work. She is a private entrepreneur.

"No one would give us a job anyway, so we work on the market. My husband works but I had small children and was ill. Now whether I am ill or not I go to work. I got a container in and work. What can you do? I sell a few vegetables here and there."

"Well, I gave my passport and everything. They filled in the forms for the container in my name and that was it. "

The interviewee did not have any problems with access to medical services.

"No problems at all. I have always gone to all the polyclinics without a problem. If anything they have just asked me to show my passport."

Nazira is happy with the way she and her children have been treated.

"Both my sons have had operations, both of them twice. At Gorlovka, at the surgical department there. I think it was Alexandr Boev, the main surgeon, such a wonderful man. I didn't pay a kopeck for the medicine. He did it all himself. "

As far as education is concerned there have also been no problems so far. (Her two sons are at school are bright children who should do well). However, without permanent residence they will not be able to get their diplomas.

"Permanent residence, that is the most important thing for us now, permanent residence, so that we can live in peace and not worry. Our children are finishing 11th Class now but they won't be able to get their certificates. No one will give them that. They need permanent residence for the school to issue it."

Getting permanent residence is the aim of this family now. This would help them to fully integrate in Ukraine.

NILA'S STORY

Themes: Ukraine / education / housing / racism / integration

Nila and her family were in Russia when in 1993 the Taliban came to power in Afghanistan

Her father could not return due to his political opinion: he was a member of the Communist party. In Afghanistan he lectured at the Kabul University and worked in the Ministry of Education. Since 1982 he studied for a PHD in Russia.

Soon they moved to Ukraine, applied for a refugee status, which they received only in 2002. In 1993, when they applied for refugee status in Ukraine, the migration authorities were being reformed. The Migration department changed fourteen times and Nila's family did not know what to do and who to talk to. They had to bribe the authorities to get their visas extended and it was very difficult and expensive for her family.

Nila came to Ukraine in the age of seven. She went to school in Ukraine, then graduated from University, got a job, and says she did not experience major problems apart from routine ones.

Her father needed to provide for his family and the salary he was offered at the University was not enough to rent an apartment and buy food and clothes. To this day he works on the market "Barabashovo" and this work is physically very demanding – as he needs to sell goods outside even when the temperatures fall to -40 C.

It was difficult to find an apartment to rent in Ukraine, because nobody wanted to rent out an apartment to the family with 4 children. The family had to say that they had only two children and keep the other two hidden from the landlords. Even now it's very difficult for a foreigner to find accommodation and the state does not provide refugees with accommodation.

At the moment Nila works for an NGO that protects human rights of the Ukrainian migrants.

She says she never had problems with professors or students while studying. The only problem was that the local authorities did not understand who refugees were and did not know much about refugee documents.

"I never had problems with police, but my mother and brother were detained many times. Usually people have to pay 20 UAH to a policeman to avoid detention"

THE FUTURE IS HERE

Nila's family sees their future as being in Ukraine as they have lived here for 15 years. They plan to apply for Ukrainian citizenship, though life in Ukraine is becoming

more expensive and it is difficult to live without proper accommodation and state support.

The citizenship procedure is very bureaucratic and the state authorities require a lot of documents, as well as requiring applicants to pass a Ukrainian language exam. Nila speaks Ukrainian as she studied in Ukraine. She thinks though, that it must be very difficult for other foreigners to pass the exam as there are no state Ukrainian language courses.

INCREASING FEAR

Xenophobic and racist attacks started in Ukraine a year or so ago. ***"If you walk down the main street in Kharkiv – Sumska street, you will see that a lot of walls are painted with swastikas. Every old lady tells you that "you are black" and you need to go back to your home country"***

FEELING AT HOME

Despite all the problems Nila thinks that her family is nearly integrated into the Ukrainian society, however the integration for her is ***"to feel internal comfort and equality"***, which is not always maintained. She thinks that the Ukrainian society is not ready to host foreigners as only a small percentage of the Ukrainian population understands what migration is and who refugees are.

Nila's recommendation to the Ukrainian authorities is: ***"Please study your own laws!"*** She thinks that there should be a state integration programme for refugees in Ukraine, which does not exist at the moment.

NB After the interviews was recorded Nila was selected to attend a seminar "Being a young refugee", organised by the Council of Europe in France. However she was refused a Schengen visa as the French embassy thought she was planning not to return to Ukraine. Another reason was that EU Member States do not always recognise refugee travel documents, issued by Ukraine.

VIOLETTA'S STORY

Themes: Ukraine / documentation / education / abkhaz war refugees

Violetta and her family came to Ukraine from Georgia. They had fled to save their lives after the conflict in Abkhazia. Violetta gave birth to her youngest daughter in Georgia, who was very ill. According to Violetta, if they had stayed in Georgia her daughter would have died as you could not get the necessary treatment there. The four-month-old baby underwent intensive treatment in Ukraine, which saved her life.

NOT EVEN A CRUST OF BREAD

The family suffered from terrible privations. The main problems were a lack of documentation and material difficulties. Violetta underlined that there was often nothing to feed the children and that they could not go to school as there was no clothing or shoes for them.

"(Sighs) We suffered so much. Okay we got through it but it would be good for people to understand the problems we had. You can't sleep at night because you think they might come tomorrow and you have no passport or documents. What's more the country is a foreign one and tomorrow you'll get up and not know what you can feed your children. There isn't even a crust of bread. Because you have no passport. No documents. At least later there was work, when it was, what do you call it, perestroika, there was no work, no money, nothing. Especially for us. Who wanted to give us work? Anything, a kopeck, something to trade for bread, for sugar – if there was enough. You couldn't do that before."

DOCUMENTATION

A lack of documentation led to it being impossible for them to get any official status, frequent detention, problems with the police and it being impossible to get work.

In order to get legal status and to solve their problems, they had to get a Georgian passport and it took several years for them to save up the money.

"Well, when we first arrived the children were very small. When they got older, they had to have a passport but we didn't have the money to pay for passports for them. And to go to Kiev, and this.... And then, it was such hard work. Then in 2002 first one of our sons, then a second one and my husband, all got passports. Then we got refugee status straight away [she means a temporary permit here] and they [the children] started to get registration."

Violetta's and her two other children's passports stayed in the Georgian embassy for 4 years because they could not afford to pay for the travel to Kyiv and the 603 Grivnya fee. Violetta's daughter was ill, she explains, and she spent her time either at work or at the hospital.

"I borrowed \$200. We paid back the money a little at a time for two years. We had to pay interest too. That's how the first three got their documents. Then we got together and last year Manana and I got ours. There is just my son now who hasn't been able to pick his up. Without a passport he can't get work anywhere. He is doing a bit here and there with his father on a building site. He is young. He needs clothes and shoes. He doesn't have money for a passport to do this [pay]. I have a sister who went through the same thing. She didn't have a passport either, or that. Then she got a passport. Her husband was killed in the war in Abkhazia, she was left with two children."

EDUCATION

When they arrived, Violetta's family did not have the financial means to send her children to school. *"We didn't have anything, we had nothing. No status, nothing. And no one helped us with anything. If we had had refugee status. Perhaps we could have got help with clothes, with these. We were literally on the breadline."*

Violetta talks about her children's battle to attend school.

"They didn't even let the children into school. Because of this. My son, he is 22 already. He went to the neighbour, an educated woman and said «Grandma Nelya, I want to go to school, but mum won't let me». Honestly. He was crying. And my nephew too. They begged. She told them to come round to her place, to bring some paper and a pen and that she would teach them to read and write a little. He was already 9. He should have gone into 5th Class but we put him in 3rd Class because she had taught him to write. Then my nephew joined him. They should have been in Class 5 but they were in 3rd Class. There are small children in Class 3 and they were already big. They were embarrassed but they still wanted to learn. They finished 9 years, then went to college for a bit. They did that there. That. That's how it was. My daughter didn't go to school at all. If she hears anyone talk about it, she cries. She has cried so many times. "Mum, why didn't you let me go to school? Even if we had nothing, you could at least have let me go!"

STATUS

It is this desire to get permanent status that Violetta picks up on in her recommendation to the authorities.

"As I said, give us all the documents so that we can get permanent residence. As we are already here, give us permanent residence. That is all we want."

Violetta sees her future and that of her children in Ukraine. She feels the biggest obstacle to her integration is documentation, that they have settled in Ukraine but that in order to fully integrate they need permanent status.



"We need a genuine document that gives us equal rights."

"A person without documents is halfway between earth and sky..."

"I don't want a golden statue to me after my death, I'd just like to have somewhere to live now."

"We are transparent ghosts – obliged to come here but not needed at all."

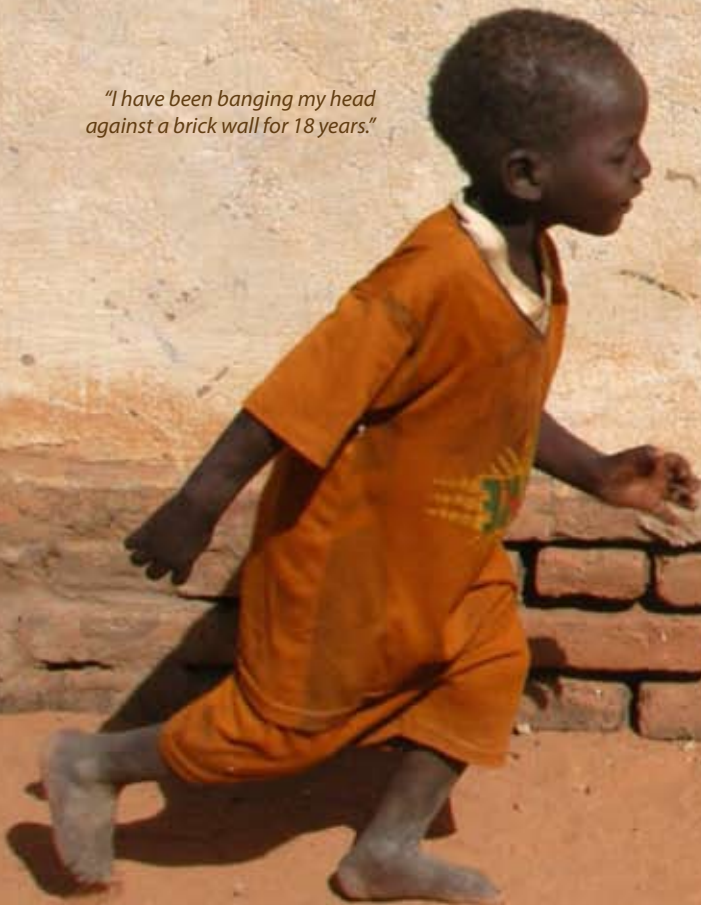
"I have been banging my head against a brick wall for 18 years."

"I only have one recommendation: let us refugees find work."

"The day that we receive documents will be a very happy day!"

"They say: "We don't let flats to blacks... that's how it is here!""

"The police really bother me ... they don't understand that I am legally here whilst my court case continues... they really bother me though, I'm even afraid to travel by the metro."



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