

‘This is a really splendid addition to the Law in Context series. Agnieszka Kubal has done us all a great service by showing, with meticulous socio-legal methodology, that Russian legality is much more complex than often supposed. In particular, immigration and refugee law, even in this authoritarian state, is not an empty shell, but can make a real difference through the activity of passionate and courageous advocates and activists – and even, on occasion, judges.’

**Bill Bowring, Professor of Law, Director LL/M/MA Human Rights,
Birkbeck College, University of London**

‘We know too little about how law is experienced by the powerless. Kubal’s book shines a welcome light on a corner of the Russian legal system that has been neglected for too long. She succeeds in capturing multiple points of view and weaves these empirical narratives together in a way that is reminiscent of Ewick and Silbey’s *Common Place of Law*. Kubal’s book does an admirable job of capturing the day-to-day reality of Russian courts and deserves to be read by anyone interested in comparative legal systems.’

**Kathryn Hendley, William Voss-Bascom Professor of Law and Political
Science, University of Wisconsin–Madison**

‘In this engaging, insightful and well-crafted ethnography, Kubal sheds light on the critical impact that the scarce resource of access to justice and to dedicated lawyers can make in immigrants’ lives – in Russia and elsewhere. Highly recommended for academics and practitioners alike.’

**Cecilia Menjivar, Professor and Dorothy L. Meier Social Equities Chair,
Department of Sociology, UCLA**

‘Migration is one of the most pressing challenges that Europe faces now. Kubal produces a methodologically sound and empirically impressive study of contemporary Russian experience in this area. Looking beyond stereotypes and legislative texts, she tells the stories of people affected – above all, migrants and those who try to defend them from the system.’

**Dr Sergey Golubok, Human Rights lawyer, member of the St Petersburg Bar
Association and the European Criminal Bar Association**

‘This book – because Russia is one of the major but still under-researched immigration countries – is hugely important in three ways: it addresses a crucial research gap in migration studies, it is an excellent contribution to the study of policy implementation and it is an important case study on Russian politics in general.’

**Franck Düvell, Head of Migration Department, German Centre for
Integration and Migration Research, Berlin**

‘A fascinating and nuanced ethnographic account of the legal experiences of migrants in Russia, along with the struggles of their lawyers, migration officials and judges hearing their cases. Many migrants suffered from the application of laws aimed at their control, if only because of the fetishization of legal documents or the quasi-criminalization of minor violations. Yet the noble efforts of the (usually female) lawyers helping migrants and the judges’ occasional acceptance of human rights arguments led to happy endings for others. While the regulation of migration in Russia resembled practices found in other countries, its social

meaning made the Russian amalgam unique, a conclusion illustrated by vivid personal stories.’

Peter H. Solomon, Jr, Emeritus Professor of Political Science, Law and Criminology, The Munk School of Global Affairs and Public Policy, University of Toronto

‘There are two ways to look at the operation of the Russian judiciary. One is to focus on miscarriages of justice in salient and often politically motivated cases. The other is to dismiss such cases and to argue that, in day-to-day enforcement, the rule of law is being maintained. This compelling account demonstrates how the Russian administration and judiciary practise arbitrariness against vulnerable migrants on a daily basis. While the study is limited to immigration, the situation in other fields of public law is no different, so this work should generate a broad interest.’

Krill Koroteev, Legal Director, Human Rights Centre ‘Memorial’, Moscow, Russia

‘This book constitutes a unique resource of immigration and asylum law and its enforcement in Russia; it is empirically rich and analytically nuanced. Kubal reveals who migrants and asylum seekers in Russia are, why they keep coming to the country and how the authorities deal with them. Sometimes, these are stories of life and survival; sometimes, the stories of broken hopes and disappointments on immigration trails. I highly recommend Kubal’s work as essential to read for academics and migration policy-makers, but also – given its engaging style – the book should be of interest to a general audience.’

Olga Gulina, Ph.D. in Law, Ph.D. in Migration Studies, founder and CEO of the RUSMPI UG – Institute on Migration Policy

Immigration and Refugee Law in Russia

Immigration and Refugee Law in Russia confronts the issue of access to justice and the realization of human rights for migrants and refugees in Russia. It focuses on everyday experiences of immigration and refugee laws and how they work ‘in action’ in Russia. This investigation presupposes that the reality is much more complex than is generally assumed, as it is mediated by people’s varied positionalities.

Agnieszka Kubal’s primary focus is on people, their stories and experiences: migrants, asylum seekers, refugees, immigration lawyers, Russian judges and Federal Migration Service officers. These actors speak with different voices, profess different ideologies and hold opposite worldviews; what they hold in common is their importance to our understanding of how law works in everyday life. By this focus on individual views and opinions, Kubal highlights the complexity and nuance of everyday experiences of the law, breaking away from the portrayal of Russia as a legal and ideological monolith.

Agnieszka Kubal is a lecturer at the Department of Social Sciences, University College London. She is a sociologist and migration studies scholar. She was educated in Kraków, Exeter and Oxford, with a postdoctoral spell at Harvard. Her DPhil looked at Polish migrants’ experiences of the British legal environment post-2004 EU Enlargement and was later published. Agnieszka’s most recent research projects focused on human rights and access to justice for migrants and refugees in Russia, one of the largest destinations for migrants globally. She is a member of the Socio-Legal Studies Association and author of numerous publications in high-ranking journals, such as *Law and Society Review*, *Law and Social Inquiry* and *Migration Studies*.

The Law in Context Series

Editors: William Twining (*University College London*),
Maksymilian Del Mar (*Queen Mary, University of London*) and
Bronwen Morgan (*University of New South Wales*).

Since 1970 the Law in Context series has been at the forefront of the movement to broaden the study of law. It has been a vehicle for the publication of innovative scholarly books that treat law and legal phenomena critically in their social, political and economic contexts from a variety of perspectives. The series particularly aims to publish scholarly legal writing that brings fresh perspectives to bear on new and existing areas of law taught in universities. A contextual approach involves treating legal subjects broadly, using materials from other social sciences, and from any other discipline that helps to explain the operation in practice of the subject under discussion. It is hoped that this orientation is at once more stimulating and more realistic than the bare exposition of legal rules. The series includes original books that have a different emphasis from traditional legal textbooks, while maintaining the same high standards of scholarship. They are written primarily for undergraduate and graduate students of law and of other disciplines, but will also appeal to a wider readership. In the past, most books in the series have focused on English law, but recent publications include books on European law, globalisation, transnational legal processes, and comparative law.

Books in the Series

- Acosta: *The National versus the Foreigner in South America*
Ali: *Modern Challenges to Islamic Law*
Alyagon Darr: *Plausible Crime Stories: The Legal History of Sexual Offences in Mandate Palestine*
Anderson, Schum & Twining: *Analysis of Evidence*
Ashworth: *Sentencing and Criminal Justice*
Barton & Douglas: *Law and Parenthood*
Beecher-Monas: *Evaluating Scientific Evidence: An Interdisciplinary Framework for Intellectual Due Process*
Bell: *French Legal Cultures*
Bercusson: *European Labour Law*
Birkinshaw: *European Public Law*
Birkinshaw: *Freedom of Information: The Law, the Practice and the Ideal*
Brownsword & Goodwin: *Law and the Technologies of the Twenty-First Century: Text and Materials*
Cane & Goudkamp: *Atiyah's Accidents, Compensation and the Law*
Clarke & Kohler: *Property Law: Commentary and Materials*
Collins: *The Law of Contract*
Collins, Ewing & McColgan: *Labour Law*
Cowan: *Housing Law and Policy*
Cranston: *Legal Foundations of the Welfare State*

- Darian-Smith: *Laws and Societies in Global Contexts: Contemporary Approaches*
 Dauvergne: *Making People Illegal: What Globalisation Means for Immigration and Law*
 Davies: *Perspectives on Labour Law*
 Dembour: *Who Believes in Human Rights?: Reflections on the European Convention*
 de Sousa Santos: *Toward a New Legal Common Sense*
 Diduck: *Law's Families*
 Estella: *Legal Foundations of EU Economic Governance*
 Fortin: *Children's Rights and the Developing Law*
 Ghai & Woodman: *Practising Self-Government: A Comparative Study of Autonomous Regions*
 Glover-Thomas: *Reconstructing Mental Health Law and Policy*
 Gobert & Punch: *Rethinking Corporate Crime*
 Goldman: *Globalisation and the Western Legal Tradition: Recurring Patterns of Law and Authority*
 Haack: *Evidence Matters: Science, Proof, and Truth in the Law*
 Harlow & Rawlings: *Law and Administration*
 Harris: *An Introduction to Law*
 Harris, Campbell & Halson: *Remedies in Contract and Tort*
 Harvey: *Seeking Asylum in the UK: Problems and Prospects*
 Hervey & McHale: *European Union Health Law: Themes and Implications*
 Hervey & McHale: *Health Law and the European Union*
 Holder & Lee: *Environmental Protection, Law and Policy: Text and Materials*
 Jackson & Summers: *The Internationalisation of Criminal Evidence: Beyond the Common Law and Civil Law Traditions*
 Kostakopoulou: *The Future Governance of Citizenship*
 Lewis: *Choice and the Legal Order: Rising above Politics*
 Likosky: *Transnational Legal Processes: Globalisation and Power Disparities*
 Likosky: *Law, Infrastructure and Human Rights*
 Lunney: *A History of Australian Tort Law 1901–1945: England's Obedient Servant?*
 Maughan & Webb: *Lawyering Skills and the Legal Process*
 McGlynn: *Families and the European Union: Law, Politics and Pluralism*
 Moffat: *Trusts Law: Text and Materials*
 Monti: *EC Competition Law*
 Morgan: *Contract Law Minimalism: A Formalist Restatement of Commercial Contract Law*
 Morgan & Yeung: *An Introduction to Law and Regulation: Text and Materials*
 Nicola & Davies: *EU Law Stories: Contextual and Critical Histories of European Jurisprudence*
 Norrie: *Crime, Reason and History: A Critical Introduction to Criminal Law*
 O'Dair: *Legal Ethics: Text and Materials*
 Oliver: *Common Values and the Public–Private Divide*
 Oliver & Drewry: *The Law and Parliament*
 Picciotto: *International Business Taxation*
 Probert: *The Changing Legal Regulation of Cohabitation, 1600–2010*
 Reed: *Internet Law: Text and Materials*
 Richardson: *Law, Process and Custody*
 Roberts & Palmer: *Dispute Processes: ADR and the Primary Forms of Decision-Making*

Rowbottom: *Democracy Distorted: Wealth, Influence and Democratic Politics*
Sauter: *Public Services in EU Law*
Scott & Black: *Cranston's Consumers and the Law*
Seneviratne: *Ombudsmen: Public Services and Administrative Justice*
Seppänen: *Ideological Conflict and the Rule of Law in Contemporary China*
Siems: *Comparative Law, 2nd Edition*
Stapleton: *Product Liability*
Stewart: *Gender, Law and Justice in a Global Market*
Tamanaha: *Law as a Means to an End: Threat to the Rule of Law*
Turpin & Tomkins: *British Government and the Constitution: Text and Materials*
Twining: *Globalisation and Legal Theory*
Twining: *Rethinking Evidence: Exploratory Essays*
Twining: *General Jurisprudence: Understanding Law from a Global Perspective*
Twining: *Human Rights, Southern Voices: Francis Deng, Abdullahi An-Na'im, Yash Ghai and Upendra Baxi*
Twining: *Jurist in Context*
Twining & Miers: *How to Do Things with Rules*
Ward: *A Critical Introduction to European Law*
Ward: *Law, Text, Terror*
Ward: *Shakespeare and Legal Imagination*
Wells & Quick: *Lacey, Wells and Quick: Reconstructing Criminal Law*
Zander: *Cases and Materials on the English Legal System*
Zander: *The Law-Making Process*

**International Journal of Law in Context: A Global Forum for
Interdisciplinary Legal Studies**

The *International Journal of Law in Context* is the companion journal to the Law in Context book series and provides a forum for interdisciplinary legal studies and offers intellectual space for ground-breaking critical research. It publishes contextual work about law and its relationship with other disciplines including but not limited to science, literature, humanities, philosophy, sociology, psychology, ethics, history and geography. More information about the journal and how to submit an article can be found at <http://journals.cambridge.org/ijc>

Immigration and Refugee Law in Russia

Socio-Legal Perspectives

AGNIESZKA KUBAL

University College London



CAMBRIDGE
UNIVERSITY PRESS

CAMBRIDGE UNIVERSITY PRESS

University Printing House, Cambridge CB2 8BS, United Kingdom

One Liberty Plaza, 20th Floor, New York, NY 10006, USA

477 Williamstown Road, Port Melbourne, VIC 3207, Australia

314–321, 3rd Floor, Plot 3, Splendor Forum, Jasola District Centre, New Delhi – 110025, India

79 Anson Road, #06–04/06, Singapore 079906

Cambridge University Press is part of the University of Cambridge.

It furthers the University's mission by disseminating knowledge in the pursuit of education, learning, and research at the highest international levels of excellence.

www.cambridge.org

Information on this title: www.cambridge.org/9781108417891

DOI: 10.1017/9781108283656

© Agnieszka Kubal 2019

This publication is in copyright. Subject to statutory exception and to the provisions of relevant collective licensing agreements, no reproduction of any part may take place without the written permission of Cambridge University Press.

First published 2019

Printed and bound in Great Britain by Clays Ltd, Elcograf S.p.A.

A catalogue record for this publication is available from the British Library.

Library of Congress Cataloging-in-Publication Data

Names: Kubal, Agnieszka, 1983- author.

Title: Immigration and refugee law in Russia : socio-legal perspectives / Agnieszka Kubal, University College London.

Description: Cambridge, United Kingdom ; New York, NY, USA : Cambridge University Press, 2019. | Series: The law in context series | Includes bibliographical references and index.

Identifiers: LCCN 2018042758 | ISBN 9781108417891 (hardback : alk. paper)

Subjects: LCSH: Emigration and immigration law--Russia (Federation). | Refugees--Legal status, laws, etc.--Russia (Federation).

Classification: LCC KLB3023 .K83 2019 | DDC 342.4708/2--dc23

LC record available at <https://lcn.loc.gov/2018042758>

ISBN 978-1-108-41789-1 Hardback

Cambridge University Press has no responsibility for the persistence or accuracy of URLs for external or third-party internet websites referred to in this publication and does not guarantee that any content on such websites is, or will remain, accurate or appropriate.

Cambridge University Press
978-1-108-41789-1 – Immigration and Refugee Law in Russia
Agnieszka Kubal
Frontmatter
[More Information](#)

*To Ashish, Stefan and Eleanor
With Love*

Cambridge University Press
978-1-108-41789-1 – Immigration and Refugee Law in Russia
Agnieszka Kubal
Frontmatter
[More Information](#)

Contents

List of Figures	<i>page</i> xii
List of Tables	xiii
Acknowledgements	xiv
Note on Transliteration	xvi
List of Acronyms	xvii
Table of Laws and Cases	xviii
1 Socio-Legal Perspectives on Immigration and Refugee Law in Russia	1
2 Immigration and Refugee Law in Russia: An Overview of the Legal Environment	15
3 Immigration and Refugee Lawyers as Cause-Lawyers: Cause-Lawyering with the Grain?	34
4 Everyday Experiences of Russian Immigration Law: The Entry Bar Case Study	60
5 Tracing the Case File: Culture of Materiality in Immigration and Refugee Law	78
6 The Use of Human Rights in Russian Courts: Analysis of Judgments in Immigration and Refugee Law Cases	102
7 Who Are the Humans Behind the Human Rights Cases? Migration Cases from Russia to the European Court of Human Rights	135
Conclusions	167
Appendices	174
References	179
Index	197

Figures

2.1 Refugees recognized in Russia each year under the Law on Refugees, 1997–2018	<i>page</i> 21
2.2 Immigration law cases in district courts in Russia, 2007–2017	29
3.1 Lawyer speaking to Russian and international media about the Kurdish-Syrian family case after a court hearing. Source: R. Magomedova Facebook archives, 2015	53
4.1 Entry bars issued in Russia to foreign nationals between 2009 and 2017 (cumulative)	64
7.1 <i>Garabayev</i> group of cases before the ECtHR, 2014–2018	137

Tables

2.1 Refugees, forcibly displaced persons, and persons with temporary asylum in Russia by country of origin (as of April 2018)	<i>page 23</i>
6.1 De facto stateless persons in long-term detention in Russia (as of April 2018)	124

Acknowledgements

First and foremost, I am grateful to Marina Kurkchiyan, my mentor, the most meticulous reader and first critic of the manuscript for this book. I am thankful for her attention to detail, honesty and friendship. This book project hugely benefited from discussions at a seminar in December 2015 at the Centre for Socio-Legal Studies, University of Oxford, and helpful comments by Kathryn Hendley, Peter H. Solomon Jr. and Lauren A. McCarthy. I would like to thank Jeffrey Kahn, who provided detailed and invaluable comments on Chapter 6. Another part of this book was developed during my Visiting Fellowship at Davis Center for Russian and Eurasian Studies, Harvard University in 2016, where I benefited from comments at the Fellows' Seminar by Timothy J. Colton and Kelly O'Neill, as well as informal discussions with colleagues. I am grateful to Dan Healey, Paul Chaisty and Nicolette Makovicky for their encouragement upon presenting this work at a seminar at the Russian and East European Studies Centre at Wolfson College in September 2017, and for their hospitality during my departmental lectureship at the School of Interdisciplinary Area Studies, University of Oxford. My warm and extended thanks go to Margaret O'Brien and Claire Cameron at the Department of Social Science, University College London, for their gentle methodological encouragement of making this book more about people and less about law. Collecting data for this manuscript would not have been possible without the generous funding of the British Academy Post-doctoral Fellowship hosted at the Centre for Socio-Legal Studies, University of Oxford (2013–2017), and the John Fell OUP Fund small awards grant.

My special thanks go to my fieldwork hosts in Moscow and St. Petersburg: Svetlana Alekseevna Gannushkina, the chairwoman of the Civic Assistance Committee and a nine-time nominee to the Nobel Peace Prize, as well as personally one of the most inspiring women I know. I am immensely grateful to the late Elena Ryabinina for her kindness and exemplary sense of duty and for putting me in touch, just before her death in 2014, with her *Three Musketeers* – human rights lawyers, who continue her great work – Daria Trenina, Nadezhda Ermolayeva, Eleonora Davidyan and Kirill Zharinov. I am grateful to all the migrants, asylum seekers and refugees in Moscow who welcomed me into their lives and generously shared their incredible, often

painful, sometimes uplifting and hopeful stories of ‘dealing with the law’. I am indebted to a number of other human rights, immigration and refugee lawyers: Olga Tseytlina, Natalya Golovanchuk, Roza Magomedova, Irina Biryukova, Kirill Koroteev, Maxim Krupsky, Illarion Vasilyev, Ekaterina Raeva and Sergey Golubok for the interviews and for allowing me to observe their work. My special thanks go to Elena Burtina for her openness and trust, Leila Rogozina, Marina Lexina, Evgeniya Lyozova, Stasya Denisova and Konstantin Troitskiy; the translators: Muiz Aldzhadil, Basel Haj Ismail, Naser Nahim, Fahim Qazizada; and my fellow volunteers: Agnès Blais and Sarah Moode. I would like to thank the anonymous Federal Migration Service lawyers who introduced me to a perspective from ‘the other side of the barricade’, and to various Russian judges whose cases I could observe. Finally, my profound thanks go to Valentina Chupik, a fearless *pro bono* lawyer with a bottomless heart. May this book be my humble testimony to all your important work.

Note on Transliteration

Transliteration of Russian language follows the Library of Congress system, with the exception of spellings that are common in English-language sources.

Acronyms

AEDPA	Antiterrorism and Effective Death Penalty Act
CAO	Code of Administrative Offences
CIS	Commonwealth of Independent States
ECHR	European Convention of Human Rights
ECtHR	European Court of Human Rights (Strasbourg Court)
FMS	Federal Migration Service (Federal'naya Migratsionnaya Sluzhba)
FSB	Federal Security Service (Federal'naia Sluzhba Bezopasnosti)
GUVM	Main Directorate for Migration of the Ministry of Interior of Russia (Glavnoye Upravleniye po Voprosam Migratsii MVD Rossii)
IIRIRA	Illegal Immigration Reform and Immigrant Responsibility Act
INA	Immigration and Nationality Act
MVD	Ministry of Interior (Ministerstvo Vnutrennikh del)
NGO	non-governmental organization
RF	Russian Federation
Rosstat	Federal State Statistical Service (Federal'naia Sluzhba Gosudarstvennoi Statistiki)
RVP	Temporary Residence Permit (Razresheniye na vremennoye prozhivaniye)
UNHCR	United Nations High Commissioner for Refugees
VnZh	Permanent Residence Permit (Vid na zhitel'stvo)

Table of Laws and Cases

International Conventions

CIS Convention on Legal Aid and Legal Relations in Civil, Family and Criminal Matters (Minsk Convention, 1993),	141, 149, 155–156
Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984),	15, 112–113, 157, 172
Convention on the Status of Refugees 1951 and Its 1967 Protocol (Refugee Convention),	15, 20, 22, 34, 36, 47, 50, 52
European Convention on Human Rights (signed 1950, ratified 1953),	13, 15, 34, 47, 54, 67, 95, 102, 108–109, 112–114, 122, 135, 172
International Covenant on Civil and Political Rights (1966),	15, 112–113, 172

ECtHR Cases

Abdulkhakov <i>v.</i> Russia, no. 14743/11, judgment of 2 October 2012,	156, 162, 164
Akram Karimov <i>v.</i> Russia, no. 62892/12, judgment of 28 May 2014,	119, 157
Aleksey Borisov <i>v.</i> Russia, no. 12008/06, judgment of 16 July 2015,	122
Anchugov and Gladkov <i>v.</i> Russia, no. 11157/04 and 15162/05, judgment of 4 July 2013,	104–106
Aoulmi <i>v.</i> France no. 50278/99, judgment of 17 January 2006,	165
Azimov <i>v.</i> Russia, no 67474/11, judgment of 18 April 2013,	157–159, 162
Ben Khemais <i>v.</i> Italy, no. 246/07, judgment of 24 February 2009,	165
Burdov <i>v.</i> Russia (no. 2), no. 33509/04, judgment of 15 January 2009,	106
Burdov <i>v.</i> Russia, no. 59498/00, judgment of 7 May 2002,	106
Dzhurayev <i>v.</i> Russia, no. 38124/07, judgment of 17 December 2009,	155
Egamberdiyev <i>v.</i> Russia no. 34742/13, judgment of 26 June 2014,	119
Ermakov <i>v.</i> Russia no. 43165/10, judgment of 7 November 2013,	162, 164
Eshonkulov <i>v.</i> Russia no. 68900/13, judgment of 15 January 2015,	119

Firth and Others <i>v.</i> United Kingdom, nos. 47784/09, 47806/09, 47812/09, 47818/09, 47829/09, 49001/09, 49007/09, 49018/09, 49033/09 and 49036/09, judgment of 12 August 2014,	105
Gaforov <i>v.</i> Russia, no. 25404/09, judgment of 21 October 2010,	155–156
Guzzardi <i>v.</i> Italy, no. 7367/76, judgment of 6 November 1980,	122
Hirst <i>v.</i> United Kingdom (no. 2) (2005),	105
I.U. <i>v.</i> Russia, no. 48917/15, judgment of 10 January 2017,	158
Isakov Abdulazhon <i>v.</i> Russia, no. 14049/08, judgment of 8 July 2010,	162
Iskandarov <i>v.</i> Russia no. 17185/05, judgment of 23 September 2010,	162, 164
Ismailov <i>v.</i> Russia no. 20110/13, judgment of 17 April 2014,	119
Kalashnikov <i>v.</i> Russia, no. 47095/99, judgment of 15 July 2002,	106
Kamaliyevy <i>v.</i> Russia, no. 52812/07, judgment of 3 June 2010,	162
Kasymakhunov <i>v.</i> Russia, no. 29604/12, judgment of 14 November 2013,	162, 164
Kemmache <i>v.</i> France, nos. 12325/86 14992/89, judgment of 24 November 1994,	122
Khalikov <i>v.</i> Russia no. 6673/13, judgment of 26 February 2015,	119
Khodzayev <i>v.</i> Russia, no 52466/08, judgment of 12 May 2010,	155
Khoroshenko <i>v.</i> Russia, no. 41418/04, judgment of 30 June 2015,	108
Kim <i>v.</i> Russia, no. 44260/13, judgment of 17 July 2014,	110, 122–123, 159
Konstantin Markin <i>v.</i> Russia, no. 30078/06, judgment of 22 March 2012,	106
Kurt <i>v.</i> Turkey, no. 24276/94, judgment of 25 May 1998,	122
Labsi <i>v.</i> Slovakia no. 33809/08, judgment of 15 May 2012,	165
Latipov <i>v.</i> Russia, no. 77658/11, judgment of 12 December 2013,	162
L.M. and Others <i>v.</i> Russia, nos. 40081/14, 40088/14 and 40127/14, judgment of 15 October 2015,	9, 110, 119, 126–127, 131–132, 154 AND pp. 126–131
Malevanaya and Sadyrkulov <i>v.</i> Ukraine, no. 18603/12, pending,	165
Makhmudzhan Ergashev <i>v.</i> Russia, no. 49747/11, judgment of 16 October 2012,	117
Mamazhonov <i>v.</i> Russia, no. 17239/13, judgment of 23 October 2014,	162, 164
Mikhaylova <i>v.</i> Russia, no. 46998/08, judgment of 2 May 2016,	76, 108
Mskhiladze <i>v.</i> Russia, no. 47741/16, judgment of 13 February 2018,	120, 159, AND pp. 119–123
Mukhitdinov <i>v.</i> Russia, no. 20999/14, judgment of 21 May 2015,	162
Muminov <i>v.</i> Russia, no. 42502/06, judgment of 11 December 2008,	162
Musayev and Others <i>v.</i> Russia, no. 57941/00, 58699/00 and 60403/00, judgment of 26 July 2007,	104
Nasrulloev <i>v.</i> Russia, no. 656/06, judgment of 11 October 2007,	155

Nizamov and Others v. Russia, nos. 22636/13, 24034/13, 24334/13, 24528/13, judgment of 7 May 2014,	113, 157
Nizomkhon Dzhurayev v. Russia, no. 31890/11, judgment of 3 October 2013,	162, 164
O.O v. Russia, no. 36321/16, pending,	157, 160–162
Rakhmonov v. Russia, no. 50031/11, judgment of 16 October 2012,	156–157
S.S. v. Russia, no. 2236/16, pending,	161
Savridin Dzhurayev v. Russia, no. 71386/10, judgment of 25 April 2013,	16, 139, 156, 162–164
Sivanathan v. the United Kingdom, no. 38108/07, judgment of 3 February 2009,	165
Tadzhibayev v. Russia, no. 17724/14, judgment of 1 December 2015,	117, 156
Trabelsi v. Italy no. 50163/08, judgment of 13 April 2010,	165
Turgunov v. Russia, no. 15590/14, judgment of 22 October 2015,	117
Yakubov v. Russia no. 7265/10, judgment of 8 November 2011,	157, 162
Yuldashev v. Russia, no. 1248/09, judgment of 8 July 2010,	157
Z.A. and Others v. Russia, no. 61411/15, 61420/15, 61427/15, 3028/16, judgment of 28 March 2017,	21–27, 53–54, 110, 132–133
Zokhidov v. Russia no. 67286/10, judgment of 5 February 2013,	157, 162, 164

Domestic Laws

Russian Federation

Code of Administrative Offences (Federal Law No. 195 of 30 December 2001),	12, 16, 28, 39, 76, 80, 110, 123, 125, 148, 169
Code of Administrative Procedure (Federal Law No. 21 of 8 March 2015),	16, 115, 160–161
Constitution of the Russian Federation 1993,	65, 69, 72, 102, 106–107, 109, 113, 116, 122, 172
Criminal Code (Federal Law No. 63 of 13 June 1996),	16–17, 27, 46, 50, 75, 113
Labour Code (Federal Law No. 197 of 30 December 2001),	16
Law Amendments to the Federal Constitutional Law on the Constitutional Court of the Russian Federation (Federal Law No. 7-FKZ of 14 December 2015),	106
Law on Citizenship (Federal Law No. 62 of 31 May 2002),	16, 125
Law on Forcibly Displaced Persons (Forced Migrants) (Law No. 4530-I from 19 February 1993),	15, 18, 22
Law on Migration Registration (Federal Law No. 109 of 18 July 2006),	16, 26
Law on Refugees (Law No. 4528-I of 19 February 1993),	15, 18, 21–24, 27

Law on the Attraction and Use of Foreign Labour in the Russian Federation (Decree of the President of the Russian Federation No. 2146 of 16 December 1993),	15, 25
Law on the Legal Status of Foreign Citizens (Federal Law No. 115 of 25 July 2002),	16, 25, 111, 123, 125, 130
Law on the Order of Exit and Entry from the Territory of the Russian Federation (Federal Law No. 114 of 15 August 1996),	15, 27–29, 64, 69, 160
On Amendments to Legislative Acts of the Russian Federation regarding the Regulation of the Activities of Non-profit Organisations Performing the Functions of a Foreign Agent (Federal Law No. 121 of 20 July 2012),	171

United Kingdom

UK Borders Act (2007),	68
UK Immigration Act (1999),	74
UK Immigration, Asylum and Nationality Act (2006),	170
UK Immigration Act (2014),	74, 170

United States of America

US Antiterrorism and Effective Death Penalty Act, Pub. L. 104-132 (1996),	68–70
US Illegal Immigration Reform and Immigrant Responsibility Act, Pub. L. 104-208 (1996),	68–70, 170
US Immigration and Nationality Act (INA, 1952),	170

Domestic Cases (USA)

Matter of A-B, 27 I&N Dec. 316; (A.G.; 11 June 2018),	167
Matter of A-R-C-G, 26 I&N Dec. 338 (BIA; 26 August 2014),	167
Padilla v. Kentucky, 130 S.Ct. 1473 (2010).	
Reno v. American-Arab Anti-Discrimination Commission, 525 U.S. 471 (1999),	68–69

Supreme Court Regulations (Russian Federation)

Regulation No. 5 of 10 October 2003,	107
Regulation No. 11 of 14 June 2012,	156
Regulation No. 21 of 27 June 2013,	107

Constitutional Court Decisions (Russian Federation)

Russian Constitutional Court Decision No. 11-P, 15 July 1999,	113
Russian Constitutional Court Decision No. 55-O, 2 March 2006,	116
Russian Constitutional Court Decision No. 1-P, 17 January 2013,	113
Russian Constitutional Court Decision No. 4-P, 14 February 2013,	113
Russian Constitutional Court Decision No. 14-P, 23 May 2017 (<i>Mskhiladze</i>),	102, 110, 122–123, 159