10 Informal practices and the rule of law

Russia, migration and the ‘Arctic route’

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Introduction

When the border between the Russian Federation (hereafter, Russia) and Norway and, later, between Russia and Finland ‘opened’ during the ‘migration crisis’ of 2015 and 2016, the so-called Arctic route through Moscow and Northern Russia became another major channel to the European Union. Migrants from various Asian, African and Middle Eastern countries chose this route given its cheaper price and, significantly, because it was considered safer than the overcrowded route through the Mediterranean Sea to Greece, Italy and Spain. Those using the Arctic route consisted of several groups of migrants migrating for varying reasons, including real and perceived threats such as war, conflict, poverty and religious extremism experienced in their home countries as well as acute insecurities in Russia. Due to extensive coverage in social and online media, reports of and rumours about the Arctic route quickly spread amongst migrant communities and smugglers in Russia and globally.

This study examines the Russian state as a legal power operating through informal practices, and how these practices manifested in the Arctic route. Specific attention is paid to informal practices such as corruption and migrants’ ambivalent encounters with Russian authorities facilitating migration to and from Russia, whilst simultaneously creating severe insecurities and distrust amongst migrants, pushing them to negotiate their daily survival and possible future in Russia. In addition, smugglers and other intermediaries with links to authorities assisted migrants whilst also taking advantage of migrants’ insecurities. Such individuals and intermediaries organised tickets, documents, permits, hotels and vehicles and provided migrants with information about possible routes. For some migrants, smugglers organised the entire journey through Russia to the Finnish border. By mingling with the Russian legal system, they played a central role in how the Russian North and the Arctic became a functioning route to Finland and the EU’s Schengen Area.

Urinboyev (2016) argues that the presence of millions of irregular migrants in Russia affects the functioning of its formal institutions and leads to the emergence of informal structures and responses, that is, a ‘parallel legal order’. Rather than reflecting upon the ‘rule of law’, migrants discover different tactics and strategies

to adapt to the current ‘informality environment’ in order to ‘get things done’ and, thus, create various ‘legal orders’ to regulate their working lives and seek solutions to their problems. As such, Kubal (2019: 168) illustrated how everyday life perspectives on immigration and refugee law reveal a more complex view of law: migrants try to avoid or bypass the complex bureaucratic structures of the country, like ordinary Russians, but the rule of law ‘does not necessarily entail the rule of disorder and mutual abuse’. An everyday life perspective, she argues, reveals the cultural expressions of legality and should not be suppressed under the universal rubric of the rule of law.

In this chapter, we argue that informal practices between migrants, different intermediaries and authorities contributed to the establishment of the Arctic route and functioned both as push and pull factors for migration. These informal practices were simultaneously domestic and transnational, structural and experienced. Furthermore, informal practices become a part of the fabric of everyday life in which a complex set of law and legal practices, administrative procedures and networks are amalgamated with migrants’ everyday life experiences. Immigration laws and regulations create legal categories, such as irregular migrant status, which shape migrants’ incorporation, position and wages in the labour market and their life chances in general (Agadjanian, Menjívar and Zotova 2017: 2). At the same time, refugee smuggling flourishes particularly in countries where the rule of law is weak and public officials are prone to corruption (OECD 2015: 3), and where the informal practices of officials and governance, particularly payments to police officers, migration officials and border guards, as well as life subjected to ‘violent entrepreneurs’ who abuse migrants’ vulnerabilities, become staple features of migrant life (Reeves 2013: 518; Malakhov 2014: 1070). These realities create a context where migrant bodies are not only vulnerable, but also particularly untrustworthy, prone to fakery and, thus, legitimate targets for document checks, fines and threats of deportation (Reeves 2013: 509).

Here, we examine migrants’ experiences with Russian informal practices, intermediaries in the process of migration and encounters with the Russian legal system through narrated stories. In doing so, we aim to improve our understanding of migrants’ experiences in Russia as a country of immigration and transit, and our understanding of the everyday insecurities and opportunities such informal practices amongst migrants generate. The chapter relies on a content analysis of the narrated stories from the asylum application protocols of 1164 asylum seekers who used the Arctic route and applied for asylum in Finland in 2015 and 2016. The materials were produced by the Finnish Border Guard, the Police of Finland and the Finnish Immigration Service.

The Arctic route from Russia to Finland

The Arctic route emerged as one of the European migratory routes asylum seekers used to enter the Schengen Area during the 2015 and 2016 ‘migration crisis’. The route traversed through Moscow and the northernmost border-crossing stations between Russia, Norway and Finland¹ (Figure 10.1). Asylum seekers arrived

Figure 10.1 The Arctic route through Moscow to the North, 2015–2016.

in Finland through border-crossing stations at Raja-Jooseppi and Salla between September 2015 and February 2016 (Finnish Border Guard, 8 January through 4 March 2016).

Surrounding the Arctic route, existing immigrant networks and the reputation of Norway as a wealthy, tolerant and open society meant that Norway emerged as the preferred and first destination amongst asylum seekers. Neighbouring Finland was much less well known and gained interest especially in November 2015 when Norwegian border guards began returning asylum seekers to Russia, whilst Russian border guards simultaneously stopped accepting those travelling to Norway without valid Schengen visas (Moe and Rowe 2016: 88–89). Rumours began quickly circulating in news outlets and on websites about the ‘open borders’ to Finland, and migration changed course to the Russian–Finnish border.

In Finland, the ‘episode’ lasted until February when the Finnish and Russian ministries and, then, Presidents Niinistö and Putin negotiated and agreed upon a 180-day closure of the Raja-Jooseppi and Salla border stations to individuals who were not Finnish, Russian or Belarus citizens (Nerg & Järvenkylä 2019; Huhta 2016a, 2016b; Koivuranta 2016). President Putin’s public address on the issue to the FSB (*Federal’naia Sluzhba Bezopasnosti*, Security Service of the Russian Federation) of the ‘necessity to strengthen the control of refugee flows both to Russia and in transit to European countries’ played a role in closing the route (Nerg and Järvenkylä 2019; Putin 2016).

Russia and the Arctic route functioned as alternatives to the crowded Mediterranean and Balkan routes, which were expensive and hazardous because of the extreme maritime dangers and the extensive rebordering of East and Central European states like Serbia and Hungary. A total of approximately 38,100 persons applied for asylum in Finland in 2015 and 2016, of whom only 1756 (4.6%) entered Finland from Russia through the Arctic route (Finnish Immigration Service 2017; Finnish Border Guard, 8 January through 4 March 2016). Our research material consists of the 1164 asylum application protocols from those who submitted their applications in Finland. Up to 281 (24%) of these 1164 asylum applicants reported residence in Russia prior to arriving in Finland.² Overall, the group was quite heterogeneous reporting a variety of countries of origin; transit migrants whose aim was to travel through Russia to ‘Europe’; remigrating students and labour migrants from Russia; extended families consisting of several generations; and those travelling alone to Russia from different parts of the world. Unlike Middle Eastern, African and other South Asian immigrants, most Afghans were accompanied by children and family members.

Because the route through the Russian north and the Arctic took place following the occupation of Crimea and the conflict in Eastern Ukraine, both the Finnish and Norwegian media presented the episode as related to geopolitics and, possibly, representing a part of Russia’s hybrid warfare. Particularly puzzling were questions related to border management: Why did the previously well-functioning cooperation with the Russian border guards suddenly fail, and why were migrants without Schengen visas allowed into and through the Russian border zone (Skön 2017; Moe and Rowe 2016)? Although the number of asylum seekers crossing the

Russian border represented less than 5% of all asylum applications submitted in Finland in 2015 and 2016, these questions rendered migration through the Russian or ‘the Eastern’ border politically more sensitive (Virkkunen 2018).

In Finland, both the government and media described asylum seekers from ‘the East’ as part of contemporary geopolitics and Russia’s increased hybrid warfare: Russia used migrants and asylum seekers as pawns in its European politics (see, e.g., Honkamaa 2016; Rautio 2016). Simultaneously, statements related to the rule of law emphasised that asylum seekers should not have the right to freely choose the country of asylum, since both Finland and Russia are considered safe (Lindroos and Hamunen 2016). We have argued elsewhere that the Arctic route should be examined as a part of broader global and European contexts, on the one hand, and in the context of highly restrictive and unstable immigration, asylum and labour market policies in Russia, on the other (see, e.g., Piipponen and Virkkunen 2020, 2017; Virkkunen et al. 2019). The Arctic route was neither separate from the ‘refugee crisis’ taking place in Europe nor an event simply organised or manoeuvred around by the Russian state. Instead, it resulted from different vulnerabilities and survival strategies migrants tackled both in Russia and in their home countries.

Most of the asylum seekers traversing the Arctic route fell into the status of irregular migrants and were, thus, excluded from regular labour and housing markets as well as most health and social services when their visas or work permits in Russia expired. At the same time, stories of racist, indifferent and even illegal behaviour amongst the Russian police and authorities were common. In what follows, we describe some of these vulnerabilities from the perspective of informal practices and the rule of law. Clearly, whilst such practices negatively affected migrants’ feelings of security and quality of life in Russia, these also provided prospects for migration.

Empirical framework of this study

Our analysis relies on the qualitative content analysis of 1164 asylum application interviews conducted by the Finnish Border Guard, the Police of Finland and the Finnish Immigration Service (see Table 10.1). Asylum seekers who completed the asylum interview process represented 32 nationalities and countries of origin, with the largest groups consisting of citizens of Afghanistan, Nepal, Syria, India, Iran, Bangladesh, Cameroon, Iraq and Pakistan as well as Palestinians specifically from refugee camps in Lebanon. Our materials exclude children ($n = 322$) who were not interviewed given their young age, and almost 300 individuals of different nationalities who disappeared before interviews took place.

As the table illustrates, the majority of asylum seekers using the Arctic route transited through Russia. In particular, Afghan citizens entered Finland with their extended families including individuals from several generations, partially reflecting the large share of individuals who stayed in Russia many years as immigrants. Nearly one-fourth of all asylum seekers had stayed and lived in Russia as immigrants prior to remigration to Finland. Methodologically, our division between

Table 10.1 Country of origin for asylum-seeking applicants by citizenship, immigrants in Russia, transit through Russia and family status.

<i>Citizenship</i>	<i>Total</i>	<i>Immigrant in Russia</i>		<i>Transit migrants</i>		<i>With family members</i>
		<i>n</i>	<i>%</i>	<i>n</i>	<i>%</i>	<i>%</i>
Afghanistan	421	120	29	301	71	62
Nepal	88	6	7	82	93	1
Syria	87	18	21	69	79	11
India	81	3	4	78	96	2
Iran	63	0	0	63	100	5
Bangladesh	57	8	14	49	86	0
Cameroon	54	42	78	12	22	1
Palestinians (Lebanon)	48	1	2	47	98	7
Iraq	42	0	0	42	100	5
Pakistan	31	5	16	26	84	1
<i>Other countries</i>	<i>192</i>	<i>78</i>	<i>41</i>	<i>114</i>	<i>59</i>	<i>2</i>
Arctic route	1164	281	24	883	76	–

immigrants and transit migrants stemmed from several aspects of an applicant's story: length of stay; initial intentions and plans, if available; and statements regarding work, renewing visas, residence permits, asylum in Russia and their reasons for remigrating. A short stay did not automatically indicate one's status as a transit migrant or longer stay immigration. In addition to these empirical materials from asylum application protocols, we relied on research literature and reports, seminar discussions and information from other sources (e.g., news items and statistics) to contextualise our study and to better understand the migrants' interpretations.

Asylum interviews as narrated stories

The asylum interview protocols are confidential and sensitive. We collected and read through these protocols viewing them as qualitative and quantitative data, which were compiled in an extensive Excel file at the Finnish Immigration Service's premises in Helsinki. We, then, conducted a qualitative content analysis of these materials. Our research interests and analysis focus on asylum seekers' experiences and interpretations of their motives for migration and asylum, their residence and everyday lives in Russia, as well as their narratives of their travel, border crossings and the organisation of their journeys. We were also interested in migrants' images of Russia, Europe and Finland. We did not include in our analysis Finnish asylum policy, the asylum process or the grounds for seeking asylum in Finland.

As official documents, asylum interview protocols describe the specific context of these narratives. Interviews are conducted in a formal institutional setting, consisting of an interaction between the interviewer as a representative of

the authorities, the asylum seeker and a translator. The materials can, therefore, be characterised by various asymmetries (Tanttu 2017). Applicants occupy a quite vulnerable situation with immense expectations and uncertainties regarding their future, whilst the interviewer's task is to determine the applicant's travel details and motives for asylum. In theory, this process is completed in the asylum seeker's native language through an interpreter, who also functions as a cultural mediator.

The highly sensitive issues discussed during the interviews conducted within this formal institutional setting mean that establishing trust in the process does not lie exclusively in the hands of the interviewer: the applicant's background and previous encounters with authorities, for example, influence their capacity and willingness to talk openly. Because it is entirely possible that the applicant, despite encouragement from the interviewer, conceals or adds details with the expectation of a positive asylum decision, we cannot interpret the information in the protocols as 'facts', but rather as a particular type of narrative that reveals and conveys some important aspects of asylum seekers' experiences. The large volume included in our sample may also reveal details regarding the broader migratory processes within which Arctic route migration occurred.

We analyse the protocols as narrated stories in which asylum seekers reconstruct their migratory journeys, experiences and interpretations in relation to their social and cultural contexts. According to Patterson and Monroe (1998: 330), narrated stories are a source of information in which people make sense of their lives, assemble information, conceive of themselves and interpret the world. Such stories include both the experiences and means of interpreting them available to those telling them.

In practice, the asylum application protocols conducted during the (occasionally) complicated moments of interviews include several narrators. Some parts of the stories are written verbatim as the translator conveyed the applicant's words; however, large parts of these documents consist of the words used by the interviewing authority to tell the applicant's story. In the empirical part of this chapter, the narrated stories may, therefore, appear disorganised and disoriented. Yet, the form of these stories allows us to organise information about applicants' migratory contexts and motives. In addition to 'real experiences', life contexts and motivations, the stories include various fears, prejudices and imaginings that may be secondary, yet still guide migrants' hopes, intentions, plans for the future and the perspectives related to their agency. In relation to informal practices, the narratives incorporated descriptions of peer social networks, as well as encounters with other migrants, intermediaries, smugglers and authorities along the migration route.

Repeated and highly emotional illustrations of informal practices and maltreatment within the frameworks of the Russian legal system, governance and, particularly, law enforcement, as well as the clear presence and involvement of different smugglers and intermediaries, tied informal practices to the rule of law. These not only produced severe daily insecurities amongst migrants, pushing them to leave, but also facilitated the entire process of migration to and from Russia.

State authorities and informal practices in Russia

In Russia, informal payments have become instruments to overcome suspicion, whilst the exchange of gifts and payments to police officers, migration officials and border guards has become staples of migrant life (Reeves 2013: 518). Such practices clearly link to a broad culture of corruption that, according to Malakhov (2014: 1075), has emerged as the primary factor determining current immigration politics in today's Russia. In Russia, corruption is a systemic phenomenon closely linked to status inequality during interactions between citizens and the state (Rimskii 2009; Gorenburg 2009). Whilst small payments are both pervasive and potentially morally acceptable, actions taken by local-level officials do not follow the legal-rational logic but, rather, the logic of material interests. In places and sectors such as the healthcare setting, where the law is inscrutable, corruption inevitably becomes a fact of life (Malakhov 2014: 1075; Reeves 2013: 518).

Migrants' distrust of and frustration with police relates to the overall dissatisfaction with officers' tendency towards systematic involvement with self-serving corruption, contrary to the public interest (Semukhina and Reynolds 2014: 162). In this context of widespread corruption, migrant bodies are viewed simultaneously 'as particularly untrustworthy and liable to fakery—and thus particularly legitimate targets for document checks, fines and threats of deportation' (Reeves 2013: 509). For migrants who often appear noticeably different and are non-citizens without legal documents, this creates a space of uncertainty where, as Reeves (2013: 508) explains, 'the states' documentary regimes, racialising practices and migrant workers' experience of everyday precariousness coincide'.

Within the Arctic route, the behaviour of authorities and the self-guided mindsets of governance were crucial in creating insecurities amongst different groups of migrants. Such authorities formed practices that simultaneously allowed racism, different forms of misbehaviours, discrimination and abuse. Agadjanian et al. (2017: 2) argue that immigration laws and regulations create legal categories that include and exclude crucially shaping immigrants' incorporation and life chances. In the context of widespread racism in Russian society, racialised practices and resentment towards 'black' are common amongst officials, businesses and housing markets. Boundary between legality and illegality is blurred, for example, when corrupt officials give consent to employers to act as 'violent entrepreneurs' (Voronkov 2002 in Malakhov 2014). They are thus not obligated to adhere to minimum wage laws and can exploit migrants.

From the perspective of migrants, we can identify the intersectional character of insecurity,³ where informal practices and concerns related to justice create overlapping insecurities that impact migrants, their positions and their relationships within society when they attempt to manage their survival in extremely precarious life contexts. In the next section, we examine the most obvious informal practices along the Arctic route. Whilst stories of mistrust of Russian officials, the judiciary and the rule of law dominated, informal practices obviously also created opportunities for migrants. These included the possibility of getting off scot-free

when they violated a law by, for instance, overstaying their visa or not obeying a deportation order issued by a local court.

The Russian judiciary and migrant vulnerability

The mindset towards the Russian judiciary amongst migrants using the Arctic route centred on the arbitrary, or even illegal, conduct related to Russian governance. In many cases, different structures of governance were used interchangeably, reflecting their interconnected and obscure character, migrants' unfamiliarity with the system and their upsetting encounters with Russian authorities, businesses and, sometimes, Russian society in general. Most descriptions detailed corruption and how both the Russian legal system and Russian society felt unjust. A 34-year-old Afghan man, who had applied for asylum in Russia several times, for example, expressed it:

The Russian authorities can make up [the reasons for a negative asylum application decision] themselves. I appealed the decision to the court. They sent a letter to my home indicating that my court appearance date was three days before [the letter arrived]. They had sent the letter late intentionally, so I did not have a chance to appeal. That was in 2011, when I received my first negative decision. (Row 28⁴)

This man believes that the court intentionally acted against his interest. Another 29-year-old Afghan man raised the question of racism, which was particularly obvious in descriptions of the police, but also in descriptions of other authorities. Such narratives usually reflected specific encounters with racism in Russia, on the one hand, and the arbitrary use of legislative power, on the other. Instead of receiving assistance, the police rejected this man's criminal report of assault and, instead, verbally attacked him. In addition, this man's entire family was issued a deportation order, even though they had lived in Russia for five years and his children were born in the country.

[The applicant] turned to the help of the Russian authorities in 2015 as he feared being in danger of death. Relatives and the ex-husband of his Russian partner attacked him and the applicant tried to file a criminal report. 'The authorities said, "Russia is a country of Russians and you can't report a crime against them."' They issued a deportation order to the applicant and his family, even though his children were born in Russia. (Row 35)

In contrast to members of national diasporas, immigrants and transit migrants rarely had a high educational background or sufficient knowledge of the Russian language and society, including Russian legislation, as well as labour and housing markets. Consequently, such individuals were easily subjected to different kinds of abuses, pressures and shams. As irregular migrants, they were threatened with ending up in slavery-like situations. A 26-year-old Nepalese man described some

of the following characteristics common to global and Russian migrant labour markets. These included big promises by agents and intermediaries, harsh realities and unrealistic expectations amongst migrants and abuses of power by business owners:

I was promised that I could save 70 000 rupees a month [€625], get a job at a hotel, but everything was a lie. Instead, I was gardening in Moscow and was paid nothing at all. Only money for rent and container living. The working hours were a minimum of 12 hours, sometimes 18 [per day]. ... When we were working there and demanded our salary for food, we were told, 'If you demand money, we will call the police and return you to Nepal.' ... We are not machines, but people. If you were sick, you got no money and faced hunger all the time. ... Russia is a bad place; they have no laws or system. I do not understand their language. (Row 146)

Agadjanian, Menjívar and Zotova (2017) observed in their analysis of Central Asian migrants in Russia how migrants' legal status directly correlated with the likelihood of experiencing harassment at the hands of law enforcement agents, other authorities and various actors. This also emerged in our materials, where the largest risk for abuse was amongst irregular migrants who may have arrived in Russia legally but who, for one reason or another, could not renew their residence or work permits even after several years' residence in the country. Consequently, they would avoid the police and migration officers as well as public places for fear of being arrested and deported. Incidents of corruption, maltreatment and abuses of power amongst migrants were common.

Corruption, maltreatment and the abuse of power

Migrants using the Arctic route described a highly negative overall impression of Russian state officers. The main concern shaping this impression related to the above-described culture of corruption, but it also stemmed from the severe maltreatment and abuse of power perpetrated by state authorities, particularly by the police. Because deportation orders (see below for further details) and travel to the border were primarily organised by smugglers and other intermediaries, the migrants' personal encounters with the Russian court system and border services in the north remained limited. Despite confusing various authorities stationed along the Northern border areas, illustrating well the vague notion of the migration process in general, the below description from a 26-year-old North African man on his transit to Finland provides a rare, neutral, if not slightly positive, view of Russian authorities:

In Murmansk, the police said that we had to leave the country since our visas were running out. The police said that we must connect with Finland or Norway. He also showed us a taxi that would supposedly get us to the Finnish border. [The taxi driver] called in advance to a familiar police officer who

was working at a checkpoint before the border. That police officer collected and checked our documents at the checkpoint and called the border to tell them that we were coming. He told the border agent that we should be able to cross the border swimmingly well. (Row 73)

In contrast, stories frequently described constant stops, arrests and forced bribery as well as ‘robberies’ and ‘kidnappings’, where police officers not only demanded money and detained individuals for an hour or two but even transported migrants to a forest to exert further pressure on them. Based on studies amongst African immigrants in Russia (see, e.g., Virkkunen et al. 2019; Bondarenko 2018; Bondarenko et al. 2009), the experiences of highly educated national diasporas in Russia were also quite different from the experiences of ‘new’ African immigrants. Businessmen and diplomats who completed their education in Soviet or Russian universities, who knew the Russian language, received Russian citizenship and integrated into a transnational lifestyle did not face, or at least describe, similar concerns or experiences. Despite a similar status within the ethnic hierarchy as that amongst newer African migrants, their social and economic status complete with solid contacts and a transnational lifestyle directed these members of diasporas to an entirely alternate living environment and experiences in the country. Thus, members of such diasporas neither left Russia through the Arctic route nor were they represented in our materials.

In addition to the asylum seekers’ social and legal status in Russia, the arbitrary behaviour of police officers represented one of the main reasons justifying migrants’ decision to leave Russia. A 22-year-old Guinean man described how he experienced fairly common incidents of racism and a racialised implementation of the law. This man arrived in Russia as a student in 2012, three years before leaving for the Arctic, and ended up doing odd jobs as an irregular migrant when his university closed and his visa expired. After being physically attacked in the Metro, he wanted to file a report on the incident to the police but was refused given his background. For him, the arbitrary actions of the police represented the overall racism within the country:

But if you don’t have anything in Russia, you are nothing. I cannot even talk about it. I was beaten up on the Metro twice. I tried to explain that to the police, but they were not interested since I was an African. I have worked a lot and did not get paid, and they just tell me to go away. ... Russians often say, ‘You, African, why are you here? Why don’t you live in France or somewhere else?’ Russia is the most racist country, even they [Russians] say so. (Row 190)

According to Agadjanian et al. (2017; see, also, Levada Centre 2019), the idea of ‘Russia for ethnic Russians’ has been fully or partly supported by half of Russia’s population since the early 2000s. In larger cities, there are numerous public places (such as Metro stations) where migrants are exposed to police checks of documents. The comment of a 32-year-old Afghan business owner with over ten

years' experience in Moscow well crystallises the ambiguity of the document check procedure, which is officially justified by the rhetoric of security. For most of the time, he and his family did not occupy the position of irregular migrants. Yet, he still struggled with residence registration, which is simultaneously the cornerstone of the Russian residence system⁵ and, in general, one of the most problematic sources of insecurity for immigrants in Russia (Piipponen and Virkkunen 2020; Nikiforova and Brednikova 2018; Reeves 2013). Because he stood out given his skin colour, he was constantly stopped:

when the Russian police sees that your skin colour is different and recognises you from that. They tell me to come over. Even if you have your documents, they will bring you to the police car, check and empty your pockets and let you go. They have even learned Dari, since there are many Afghans over there. (Row 79)

The document check was described in detail as a racialised practice by many asylum seekers, including South Asian and sub-Saharan and North African migrants. In order to add to the emotional impact, the procedure involved not only a formal ID check and check of possible registration and work permit, but also included demands for bribes. Because such interactions could well lead to arrest or deportation, this man experienced them as extremely frustrating and frightening. Many of the Afghan migrants, for example, who grew up in Russia or in Iran and had no contacts in Afghanistan, were particularly terrified of possible forced deportation. The following narratives from two Nepalese men, a 31-year-old and a 26-year-old, respectively, capture how irregularities were 'open to monetary negotiation with state officials' (Reeves 2013: 518) along the Arctic route as well. In this context, informal payments helped 'to overcome the space of suspicion between physical and documented person' (ibid.) on behalf of the police, whilst simultaneously creating serious insecurities among migrants:

It was very difficult to move around. As soon as the police see us, they want money. If you don't give them [money], they will take [it]. Sometimes they caught us and brought us to the forest. ... If we give them 500–1000 roubles, they leave. If you give them less than 500–1000 roubles, they will take you to the forest and leave you there. When I was new and did not even know my way; it was difficult to get back. Besides, I did not have lots of money. (Row 95)

If you don't give the money, you will be driven far away and left there. We were afraid all the time. They always told me that if 'you don't give us money, you will be returned back to Nepal'. (Row 146)

In her study, Reeves (2013: 517) also emphasised that it was not only the status of the document per se that was important regarding perceptions of legality but also familiarity with the Moscow Metro that could signify a broader ability to navigate the city and its risks. Whilst most migrants cannot hide their foreign

background due to their different skin colour, ‘you’ve got to walk like you know where you’re going, even if you haven’t a clue’ (ibid.). Apart from avoiding public places, this cultural adaptation was presented as another way to avoid ‘falling’ to the police.

Ambiguous deportation orders

Informal practices in our material also related to the twofold use of deportation orders as components of the Russian migration policy and the Arctic route. Kubal (2019: 67–69) introduced Daniel Kanstroom’s (2000) twofold model of deportation—that is, deportation as border control and deportation as social order. Whilst deportation as border control refers to ‘a consequence of a violation of the contract between the migrant and the host country as inherent to immigration law’, the social control model signifies a ‘method of control of the behaviour of non-citizens for their post-entry misconduct’ (Kubal 2019: 67–68). In the latter case, a deportation order is typically issued by a court as a result of a non-citizen breaking the laws of the host-state territory. A deportation order carries both regulatory and punitive elements.

In the context of Arctic route migration, deportation orders certainly carried both functions. Most migrants entered Russia legally but ended up in the country as irregular migrants since renewing documents was exceedingly difficult, and they were often persecuted for different forms of misconduct whether they broke a law or not. For migrants, this control resulted in abusive and arbitrary encounters with the police or other authorities leading to a possible forced deportation, contributing to other daily insecurities.

Yet another understanding of a deportation order that was rather desirable consisted of an administrative procedure, allowing migrants to cross the border to Finland. Formally, a deportation order followed the usual procedures of justice. It was issued by local courts in Moscow or Murmansk as a result of breaking a law, typically overstaying a visa. In this case, both the deportation order and court procedures functioned as tools of the Russian migration policy and border governance, allowing migrants to leave whilst also restricting their return to the Russian Federation following departure. For immigrants and transit migrants alike, with or without a valid visa, this guaranteed them access across the Russian border to the Finnish border and increased their expectation of successful migration to Finland. The asylum interview with a 28-year-old Nigerian woman (as summarised by the interviewer) describes her journey across the Russian border checkpoint:

Went to the Nigerian embassy after about 6 years and got herself a passport. Next, she got the exit permit from authorities and paid the 5000-rouble fine. Flew from Moscow to Murmansk where the authorities questioned the applicant and checked the legality and authenticity of her documents. ‘They asked me where I was going, and I answered that I was going to Finland. ... At the border, the Russian authorities completed a security check and checked my

documents, took away the exit permit at the last checkpoint. That is called a deportation order. If you did not pay, you could not get away.’ (Row 294)

Since travel was often organised by family members, and assisted by family members, smugglers and other intermediaries, migrants themselves were not necessarily aware of all of the required documents and procedures. In our materials, deportation orders were also referred to as ‘exit permits’, ‘exit passes’ or, in some cases, ‘exit visas’. Interestingly, the deportation order and the officials organising those transformed from corrupt and something necessitating fear to supportive and purely administrative components of the process. The examples of the Nigerian woman above and of this 29-year-old Afghan man well illustrate this contradiction:

The Russian border authorities treated us ok even though we did not have a residence permit in Russia. In Moscow, we got a 5000-rouble fine for being in the country illegally and we were given a pass to exit the country by ourselves. (Row 222)

Intermediaries negotiating the Arctic route

Russia plays an integral role in global migration, and the Arctic route appeared to serve as an alternative route for many transit migrants. Whilst much of the media attention on migration routes focuses on the role of traffickers and smugglers, Leman and Janssens (2015: 1) noted that neither illegal migration nor all illegal transport of people by individual smugglers or ‘soloist’ traffickers across borders without the acquisition of real profits accounts for people smuggling. By definition, this involves illegal profits accumulated by a trafficker through transport. Yet, this is usually facilitated by a range of agents, smugglers and transnational intermediaries, such as travel agencies, global smuggling networks, local mafia-like groups, individual business owners and business-minded individuals, who view migrants as an opportunity to earn extra income. Corruption also plays a fundamental role in migrant smuggling (McAuliffe and Laczko 2016).

The last section of this chapter deals with the seemingly non-state informal practices that remained tightly connected to the above-described weaknesses of the state. The migrants relying on the Arctic route were rather heterogeneous. Whilst some migrants were totally dependent on agents and smugglers, others organised their trip to Russia and through the North themselves without (almost) any assistance.

Agents, smugglers and transnational criminal activities

Along the Arctic route, many of the migrants used agents and smugglers during their trip to Russia and further to Finland. These ‘agents’ actually represented a diverse set of well-networked smugglers and other actors in different places and of varying nationalities. Apart from activities related to organised crime and the

illegal human smuggling business, friends, family members and acquaintances as well as travel agencies were crucial in providing migrants with assistance and information about various possibilities. Instead of forming a straightforward process, travel typically took place in segments, such as first to Moscow, then to other parts of Russia or the post-Soviet space, where the migrants stayed in hotel rooms or apartments whilst their agents organised documents and sought solutions for subsequent legs of the journey. The role of agents—or smugglers—were pivotal both for labour migrants who intended to stay in Russia for work purposes and for migrants passing through Russia to the European Union. The following asylum interview with a 26-year-old Palestinian asylum seeker from Lebanon describes the process with ‘full service’ to Finland:

Applicant’s mother paid US\$7000 to the smuggler who organised the [applicant’s route] from Lebanon to Finland. The smuggler stayed in Lebanon. ... Four Russian-speaking persons met the applicant in Moscow and helped him further to Murmansk. ... The smuggler in Lebanon organised everything for the trip and there was always some Russian-speaking person to escort [them] further. ... In Murmansk, the applicant was told that if he pays US\$500 more for the Russian assistant, he will be allowed into Finland faster. The applicant got more money from his mother in Lebanon, paid the required sum to the Russian assistant and was able to continue his trip. (Row 1098)

This Palestinian used the well-connected international ‘smuggling service’ network to organise his trip to Russia and further to Finland. Those immigrants who lived in Russia and knew the Russian language could organise their travel to Murmansk independently with no need for expensive agents or smugglers. However, for most transit migrants and other immigrants, the trip to Russia and further to Finland was possible only through intermediaries with contacts and local expertise. Such migrants’ poor knowledge of Russian and the country in general, combined with lofty promises and future expectations, led to vulnerabilities, whereby they were subjected to shams and abuses. The following narratives from two Nepalese men, 24- and 26-years-old, respectively, who were originally labour migrants, illustrate how misleading promises related to legal documents, high-paying jobs, an improved quality of life and the possibility of sending remittances can lead to completely unrealistic expectations, disappointments and decisions to remigrate:

Agents organised the work visa to Russia for me. I don’t remember his name, but he was Nepalese. I had to pay him about 600 000 rupees (about €5000). I signed a contract that included a visa, plane tickets and a Russian work permit. In the contract, they promised me a job, food and that I can save about US\$700 per month. There was no work, but I got work from somewhere else in Moscow. In the toy store, my salary was US\$330 a month. The salary was supposed to be US\$1400–1500. (Row 139)

The smuggler organised all the work-related things. He promised a good job and a salary. Nothing he said came true. I had to work 16 or 17 hours a day. I got food once a day. ... In Moscow, I went to some travel agency where they let me know how I can get to Finland, and we booked flights to Murmansk. Perhaps the name of the travel agency was on my plane ticket, but it was in Russian. I paid 4500 roubles for the plane ticket to Murmansk. (Row 137)

Whilst both of these Nepalese men were cheated and endured long working hours and relatively low pay, a common occurrence for labour migrants in Russia, they did not experience serious abuses, such as that described by a number of migrants from different parts of Africa. A Nigerian woman described the realities of human trafficking in Russia, similar to descriptions appearing in the international media in recent years (see, e.g., Taub 2017; Kuronen 2019):

The woman had other girls in Russia who had been involved with prostitution. The woman demanded that I join them. She had paid for my trip to Russia and I had to work for her since I had no friends that could help me. I told the woman that I do not want to do that work, but that I can do hair. ... In Nigeria, there is no work. ... I have no one in Nigeria. My mother and father died in 2010. I am not threatened by anything in Nigeria. (Row 692)

According to Taub (2017), thousands of young Nigerians on their way to Europe are subject to human trafficking for the purpose of sexual exploitation. As a highly gendered phenomenon, this sort of exploitation also involved different forms of physical and psychological violence (Gerassi 2018; UNODC 2018). In our materials, sexual exploitation amongst trafficked individuals involved deprivations of liberty, rape, death threats and extortion. In this respect, the stories of human trafficking in our materials were part of a wider international phenomenon:

‘One woman brought me to Russia and promised me work as a dressmaker, but when I came to Russia she forced me into prostitution.’ ... When the applicant refused prostitution, the woman beat her and took her phone. She was not allowed to leave the house freely. The applicant lived in the house of that woman for years (and worked as a prostitute between 2012–2015) until one day she found her passport and ran away. (Row 694)

The victims of human trafficking, like the 38-year-old Nigerian woman above, were usually tricked to Russia with stories of ‘regular’ jobs in hair salons, restaurants or dressmaker’s shops. In reality, they ended up in serious debt and forced prostitution. Smugglers and intermediaries demanded that they repay all travel-related expenses in amounts totalling up to US\$45,000. Only the border-crossing experience to Finland signified a clear improvement towards feeling safe.

Taxi drivers and local businesses

The last group of intermediaries along the Arctic route examined in this chapter consists of local actors ranging from individuals to business owners who helped migrants in the North close to the Finnish border. Since the Arctic route was used in autumn and the depths of winter and traversed the remote Arctic periphery with up to a two-week queue close to the Finnish border, migrants travelling from Murmansk to the border required external assistance related to transport, lodging and local knowledge. Apart from global networks, assistance was provided by 'soloist' actors and well-organised businesses, such as taxi companies and hotels with solid contacts with the police and the border services. These soloists understood the local conditions, infrastructures and contexts of border crossing. The price, quality and risks of a 'service' depended upon the assistance required, the character of the provider and, undoubtedly, how dependent the migrant was on the intermediary. During his asylum interview, a 38-year-old North African male transit migrant described how he organised his travel to Murmansk on his own and how he found his driver in the lobby of his Murmansk hotel:

Heard how to travel to Finland from the internet. There he was told that he could get a flight to Moscow and to Murmansk, and from there he could get across the border. Received no assistance from anyone in organising his trip but organised it himself. Took a taxi from Murmansk airport and went to the hotel. ... In the hotel lobby, he was asked if he was on his way to Norway. He told the individual that he was on his way to Finland, and the person offered him a ride for US\$500. There were also other passengers in the car. It was not a taxi, but a civilian car. Before the border check, they were given bicycles and the applicant continued to the border. (Row 196)

This man did not use international smuggling networks or other intermediaries before reaching Murmansk. Whilst travel to the border was typically organised by taxi drivers, the narratives of the following 28-year-old Syrian man and 36-year-old Guinean man reveal the essential role of hotels along the Arctic route. Hotels functioned not only as places of accommodation and waiting, but also significant spaces for interaction between migrants, intermediaries and authorities:

Spent a week in Murmansk. At the hotel, people speaking Arabic told him about a Russian van driver who drove him close to the Finnish border. ... Paid US\$1200 for a bicycle, transport and hotel accommodation. (Row 391)

At the first border guard/army checkpoint in Kantalahti, people in the car were informed about two hotels in Kantalahti and that more information can be received at the hotel. ... Upon arrival, the hotel personnel wrote down the information of the person arriving and let the authorities know. ... There are two hotels in Kantalahti and both hotels have the same system: Immigration Service officers come to the hotel to tell asylum seekers whose turn it is to depart to Finland. The applicant says that he has heard that it is possible to pay

to progress more quickly in the queue, but the applicant did not pay anything extra and instead waited for his turn. ... The list was at reception. ... The personnel from the Immigration Services determine the number and decide whose turn it is. (Row 864)

These fragments from quite different migrant stories closely touch upon a matter widely discussed in Finland when the Arctic route immigration took place, namely, how likely the entire scenario was without the direct involvement, or at least the acceptance of, the FSB and the Russian state (see, e.g., Nerg and Järvenkylä 2019; Huhta 2016b; Rautio 2016). These narratives clearly demonstrate that both migration and the Arctic route represented a combination of global migration, engagement amongst diverse intermediaries and engagement with the state, particularly at the border. Therefore, it was also possible to close the route through bilateral negotiations.

Conclusions

In this chapter, we analysed the Russian state as a legal power, focusing on informal practices and the ways that these informal practices contributed to migration during the so-called Arctic route to Finland. A careful study of migrants' narratives on Russia and their journeys along the Arctic route reveals how various state and non-state informal practices and issues related to the rule of law intertwined and, thus, influenced both people on the move and the route in general. Whilst the deep-rooted culture of corruption and migrants' ambivalent encounters with Russian authorities, such as the police created deep-seated frustrations and insecurities amongst migrants, these understandings simultaneously facilitated migration to and from Russia to Finland. At the same time, non-state actors such as agents, smugglers and business owners functioned as intermediaries by negotiating and navigating through migratory practices along the route.

The individuals using the Arctic route for migration varied. For transit migrants, the route functioned as another route in global migration, an alternative to the crowded Mediterranean and Balkan routes to the European Union. After hearing about the route via (usually online) traditional or social media platforms, or from family members, friends or acquaintances, many organised their travel relatively independently to Russia and further to the North. However, many others used agents, human smuggling and other well-connected transnational crime networks during the process. These nefarious actors not only subjected migrants to varying vulnerabilities and insecurities along the way but, importantly, made their migration possible. Amongst the other group, consisting of labour migrants, students and refugees residing in Russia, a rather different situation emerged. Many of them, although certainly not all, possessed better linguistic and other knowledge necessary to organise their own travel to the North, where they joined transit migrants towards the Finnish border. Because the Arctic route 'episode' took place in late autumn and deep into winter in a very remote northern periphery, the practical organisation

of travel in the North was possible only with assistance from local taxi drivers, businesses and individuals who helped migrants not only with transport but also with accommodation. Apart from gaining material benefit from the situation themselves, these local actors also functioned as mediators between migrants and the state.

Confirming assumptions held by the Finnish public and put forth in political discussions, the Russian state bureaucracy was aware and, even, somewhat involved in the Arctic route by granting asylum-seeking migrants with deportation orders (that is, 'exit permits', 'exit passes' or 'exit visas', as migrants referred to them) to enter the normally well-guarded border zone in the North and to approach the Finnish border. The route was not a state-organised practice. Migrants exhibited their own agency, and, with assistance from intermediaries between migrants and the state, could manage their trip to Finland and the European Union. In other words, because informal practices functioned as the contextual foundation for migration in Russia and along the Arctic route, transnational and local intermediaries with their contacts negotiated concrete solutions and practices for migrants and the state bureaucracy alike. Without these, neither transnational migration nor the Arctic route would have been possible.

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Notes

- 1 For Norway, see Moe and Rowe (2016) and Mikhailova (2018).
- 2 The asylum application protocols consist of asylum investigation protocols (*turvapaikkakuulustelupöytäkirja*) conducted by the Finnish Border Guard or the Police of Finland, and asylum hearing protocols (*turvapaikkapuhuttelupöytäkirja*) conducted by the Finnish Immigration Service. The former are fixed forms, whereby an officer verifies the applicants' travel documents, identification, route travelled, border crossings, accompanying persons and other family members and former places of residence, including possible asylum applications pending or submitted in other countries. The latter determines the grounds for the applicant's application of asylum. Because the conditions and motivations for asylum vary, the hearing questions are determined on a case-by-case basis. Here, we use the term 'asylum interview' or 'asylum application protocol' to refer to these materials as a whole.
- 3 The idea of the intersectional character of migrants' insecurity derives from the theory of feminist sociology, which focuses on how an individual's social identities, such as gender, race, class, age and sexuality, combine when describing and explaining different kinds of social, political and personal inequalities (see, e.g., Yuval-Davis 2015; Smith and Marmo 2011). Thus, migrants' insecurity in Russia was comprehensive and not determined by a single factor, such as by race or gender alone but, rather, by a combination of factors.
- 4 The row numbers of the quotations refer to the collected Excel dataset of the original asylum application protocols. The 1164 protocols are organized by rows in the data.

We avoided collection of applicants' names and other personal information unnecessary for the research.

- 5 The procedure for residence registration dates back to the Soviet-era residence permit system and the infamous institution of 'residence registration' (*propiska*) (Nikiforova and Brednikova 2018; Reeves 2013; Nozhenko 2010). The *propiska* anchored individuals to a particular place, usually a city or town, allowing them access to the labour market and social services in that location. Formally, the *propiska* was abolished after 1993, but it was essentially reintroduced as the 'residence registration system' (*registratsia*), an important entry point to legal status and social benefits, such as education, health services and the Russian housing market.

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