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Criminalizing mobilities: Exit restrictions in post-Soviet Central Asia

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Abstract

Post-Soviet authoritarianisms have seen many faces where mobilities skyrocketed (tens of millions of migrants in Russia from Central Asia) and economies collapsed. Mobilities and freedom of mobility became number one topic of political agendas of many post-Soviet countries. Mobilities have been administered, organized, restricted and criminalized to address increased outmigration from Central Asia. Such countries as Turkmenistan, Uzbekistan and Tajikistan (also Belorussia) introduced exit restrictions for their nationals to have a better control of their citizens and their migration plans. By now only Uzbekistan and Tajikistan abolished this system more or less only recently, whereas Turkmenistan follows a strict version of controlling mobility of its citizens both in the country and abroad. The paper is based on a decade anthropological research in the region since 2005. The paper includes a case study of Turkmen students studying outside of Turkmenistan and experiences of Uzbek nationals living abroad (before 2021). Besides ethnographic material detailing the experiences of migrants exiting Central Asia and living abroad, the paper offers an overview of the legal and political background on exit regulations.

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INTRODUCTION

Post-Soviet authoritarianisms have shown many faces in post-Soviet space the region where mobilities skyrocketed and economies collapsed particularly in Central Asia.¹ Mobilities and freedom of mobility became a number one topic on the political agendas of many post-Soviet countries. Mobilities have been administered, organized, restricted and criminalized to address increased outmigration from Central Asia as well as to control opposition abroad. Exit restrictions, internal mobility restrictions and border crossing restrictions served authoritarian governments in Central Asia to rule with an iron hand over both their own citizens and non-citizens residing within the national territories. Exit restrictions enabled authoritarian governments to have a better control over their citizens both leaving their home country, their travel and their residence abroad. Particularly those countries that have grappled with *en masse* migration (to Russia) or mass outmigration (from Turkmenistan) have responded in similar, often in harsh ways, either by exploiting cheap labour through keeping migrants undocumented and in vulnerable conditions, or by restricting travel of nationals to exit the country. Turkmenistan, Uzbekistan and Tajikistan, among others, introduced exit restrictions for their nationals in the early 1990s, to have a better control of the migration plans of their citizens. Uzbekistan (August 2017) and Tajikistan (2002) abolished this system, whereas Turkmenistan keeps it in place in light of its dramatically shrinking population.

Authoritarian regimes in post-Soviet space have been managing politics and populations with different (harsher or softer) tools but with similar undemocratic principles. The management schemes stem from the common Soviet past (Turaeva, 2021). There are different categories of what I would call *control regimes* to be found in most of the post-Soviet authoritarian countries such as mobility control regimes (exit regulations, *propiska* regime, border regimes), body control regimes (biopolitics-Uchyot system) (Turaeva and Turaeva 2021), capital control regimes (monopolization of business by state actors).²

The policies to restrict mobility and migration in most of the post-Soviet countries include diverse legal and informal tools such as *propiska* regimes (Turaeva, 2021), deportation regimes (De Genova 2019; De Genova and Peutz 2010; Dreby, 2013; Ellermann, 2009; Galvin, 2015; Gibney, 2008; Turaeva and Amon 2021), exit permits, border regimes (Turaeva, 2018), traffic control (GAI³) among others (Light, 2010). I considered earlier (Turaeva 2021) *propiska* regimes in Central Asia and Russia within post-Soviet space where I detailed daily experiences of victims of the same *propiska* regimes on the ground such as limited citizenship rights including state violation of constitutional rights such as freedom of mobility and residence within the same country.

In this paper, I will focus on exit regulations in several Central Asian countries that employ similar principles and tools of administering the movements of their nationals. These regulations restrict and even criminalize Central Asian mobilities (Shelley, 1990). This is in line with migration research that investigates the securitization of migration through national or international institutions (Guild, 2009; Nevins, 2002), often in contradiction to international agreements safeguarding people's mobility.⁴

The article is based on empirical material collected during my previous long-term ethnographic field research on internal migration in Uzbekistan and Turkmenistan (2005–2006), as well as recent research in Russia (2016, 2017, 2019), as well as in Georgia, Tajikistan and Kazakhstan between 2015 and 2019. Most of my research was conducted in urban contexts which contributed to my knowledge on post-Soviet urban governance in general. Since I grew up in Uzbekistan where I lived and completed my education I included also some autobiographic material from my own experiences of travelling within Central Asia and leaving Uzbekistan to live in Germany.

This article is divided into five sections. I start with a brief outline of the mobility control regime practiced by Soviet governments. Second, the article provides background information on the legal provisions for mobility control with a particular focus on exit restrictions in Central Asia, focussing especially on the situation in Turkmenistan and Uzbekistan. Third, I will address problems of exit restrictions by both nationals of Turkmenistan and Uzbekistan abroad. Fourth, I will compare exit regulations in general to provide some analysis of criminalization of mobility in general. The concluding section will focus on problems related to criminalization of mobility in post-Soviet context focusing on exit regulations.

SOVIET ORIGINS OF MOBILITY CONTROL

Passports had been introduced after the civil war in Russia in order to be able to have a record of mobility and not to grant citizenship rights initially, and in 1918, a new system of controlling labour activity was introduced through 'a labour book' (*trudovaya kniga*) where all changes in labour activities were entered. The latter was done in the framework of confronting *tuneyadets* (a sponger or parasite) which was further an instrument in controlling not only mobility but also the working behaviour of residents and citizens. Both passports and labour books are important carriers of social benefits and important for state and citizen relations but initial purpose of their first introduction is important to note here as these have been reinstated in the post-Soviet period by many post-Soviet governments. In most of the post-Soviet countries, it is today still essential to retain for instance labour books (*trudovaya kniga*) in order to receive a state pension, which is a problem for those who are not state employed.

The procedures of obtaining exit permit and issuing passport are closely related. The system of passports was introduced in the Soviet Union, including Central Asia, in 1932. Upon application, citizens could hold an 'internal' and an 'external' passport. The Soviet passport system was presented as a 'positive' initiative, granting access to all kinds of benefits, which the Soviet government offered its citizens. Benefits and services of state welfare were given to citizens' holding a residence registration (*propiska*) (Light, 2010, 2012; Matthews 1993). The internal passport guaranteed citizens their rights and benefits, and *propiska* would show where one was entitled to receive them. Local registration also allowed the state to have an overview over the mobility of citizens. On 19 July 1959, the Council of Ministers approved the Regulations for entry into and exit out the Soviet Union. For travelling abroad, the external passport had to be used (Lyubarskiy, 1994). Here, it is important to mention the relevance of the Soviet terms *blizniy zarubej* and *dalniy zarubej*, namely 'near abroad' and 'far abroad'. Near abroad referred to the countries outside of one's own country but within the Soviet Union whereas far abroad delineated abroad for the countries outside of the Soviet Union.

On 22 September 1970, the Council of Ministers approved a new regulation on entry and exit from the USSR, to which significant changes and additions had been introduced. For the first time in the country's legislative practice, the grounds for refusing citizens a permit to travel abroad on private matters had been determined. In the subsequent period, special certificates (series 'AB' and 'NZh') had been introduced for foreign trips on official and private matters. Within the Soviet Union, visa-free trips were made using internal passports. *Propiska*, however, regulated both internal mobility for education and labour. Whereas *propiska* was a ready tool to control internal mobility of both citizens and other migration within national boundaries, exit regulations controlled citizens leaving their countries or living abroad. Although exit regulation sounds like a regulation for controlling the exit and therefore logically should be referring to citizens who yet did not leave their country, the same tool is used to control citizens who are already outside the country.

Besides mobility, the Soviet government aimed to control labour, behaviour, knowledge and lifestyle through surveillance and bureaucratic means. The boundaries between private and public matters were continuously blurred. The systems of *uchyot* 'blacklisting', for instance, functioned to scare off potential opposition or subjugate 'asocial' elements (including drug addicts) without consideration of ethical issues or privacy (Turaeva & Turaeva, 2021). Differences in urban centres and unequal distribution of resources in central cities and capital cities made some cities more attractive than others. Zoning was also one of the tools to control the distribution of residences and the available labour where '*regimnie goroda*' (regime cities), also called 'closed cities' (Light, 2012) or 'closed zones' (Matthews, 1993) had been introduced to control residence (mainly incoming migrants) in strategically important cities. Some strategic cities received special channels of provision system directly coordinated from Moscow in Russia which attracted also qualified labour to the same cities where the latter was administered through *raspredeleniye* system (from Russian 'distribution').

The *raspredeleniye* system regulated and administered most of the youth mobility (graduates were not all free to choose their future jobs and location of their new jobs) in order to coordinate the labour force throughout the territory of the Soviet Union.⁵ This included also access to universities, for example, in Tashkent (Uzbekistan).

Tashkent University was very popular among students from Turkmenistan and Tajikistan. It was also part of this system of regulation that graduates would receive their placements for their jobs not necessarily within their country of origin but according to the central planning for the whole region (e.g. Central Asia).

All of the mobility regimes were interconnected. Access to education or work, residency, internal and external travel, control of political and moral behaviour: All were dependent on bureaucratic action and facilitated state control of citizens. These state-regulated mobility and labour regimes outlived the Soviet state. They underwent transformations in post-Soviet times but today are still relevant in important regards in many Central Asian countries (Turaeva, 2016).

POST-SOVIET MOBILITY REGIMES

After the Soviet Union collapsed, some of the former Soviet Republics such as Uzbekistan, Turkmenistan, Tajikistan, Kyrgyzstan and Russia retained Soviet tools of controlling and managing their populations within and beyond their national territories (Schenk, 2013, 2018). This included *propiska* regimes and exit regulations. The Central Asian states even strengthened the institutional structure of the mentioned control regimes within their national boundaries, making visa-free mobility within the former Soviet space impossible. Often these restrictions in practice undermined constitutional and basic human rights.

Studying residence registrations, Gang and Stuart (1999) analysed 306 post-Soviet cities and concluded that although there was increased mobility after 1990, the restricted or closed cities all over the post-Soviet space were not becoming more open. Furthermore, the *propiska* regime had become more restrictive. In Russia, for instance, which in the early 1990s became the main destination for immigrants from Central Asia, the *propiska* became one of the most repressive means of mobility control pushing mobile people into informality (Turaeva & Urinboyev, 2021).

Exit control regimes were retained by countries such as Turkmenistan, Tajikistan and Uzbekistan to control the exit and mobilities of citizens mainly far abroad (*dalniy zarubej*), for example, going to Europe or further. Although the Soviet Union stopped existing after 1990 the delineation of the boundaries between near abroad (*blijniy zarubej*) and far abroad (*dalniy zarubej*) retained its relevance. The CIS agreement (agreement among former Soviet countries), which concerns economic, security and border regulations among former Soviet countries, outlines that within the former Soviet space, no exit visa is needed.⁶

The Post-Soviet principle of zoning where some former Soviet countries continue to hold to past solidarities is an important aspect of mobility regulations where authoritarian values either shared or not shared. Those former Soviet countries which share old Soviet principles of control regimes are largely within various economic and security agreements in order to make their control regimes also effective within certain zones. Exit regulations outside national boundaries would not be effective if participating countries (former Soviet countries) would not support the same national exit regulations in their territory such as an Uzbek citizen crossing the border between Kazakhstan and flying to Europe or a Turkmen national travelling from Russia to Europe.

Exit regulations although based on the similar principles of regulations and procedures of mobility control in Central Asia, the same can be differentiated through relative degree of their restrictive character and the ways these are administered both within and outside of national boundaries. All of the exit regulations are largely securitized and offices are integrated within the departments of MVD (Ministries of Internal Affairs) in district police stations. OVIR from Russian 'Otdel Viz i Registratsii'—Department of visas and registration is responsible for issuing exit visas and registration of residence which is located within regional local police offices in Central Asia and in Russia (the latter abolished exit visa in 2005 and registration office moved out of the local police offices to a general city administration office in Russia).

Exit regulations serve not only for regulating exit of citizens from their home countries but both for exiting a legally defined zone such as a zone within which boundaries a citizen can travel without exit permit. This

implies that the regulation of exit extends beyond a single national territory to the countries where the prohibiting country (Turkmenistan or Uzbekistan in the past) has union agreements such as with the former Soviet countries (Central Asia, Russia or Belorussia). This means that one can travel within former Soviet Republics largely visa free and exit visa free. The fact that one could leave one's own country without exit permit is confusing since many try to travel further without the exit permits (exit visa sticker in their national passports or *zaganpassport*) thinking one is freed from exit permit once one left his or her home country. Attempts to leave Uzbekistan without exit visa to Europe have been made by many. The channel through former Soviet country such as from Uzbekistan to Russia (without visa and exit permit) is attractive for trying out to leave the post-Soviet security zone of *blijniy zarubej* to be able to travel further to Europe without exit permit. Belorussia would be a potential candidate country to use as an exit country and an exit from the securitized zone to Europe, for instance. If one had obtained a permission to enter Europe but was not able to obtain permit to exit Turkmenistan or Uzbekistan, one tries to perform such an exit through other countries (outside one's home country). One realizes that this attractive route offered through exit visa free zone of post-Soviet countries which could serve as a channel to escape or avoid exit regulations in Central Asia, does not work in practice. One is faced with the reality of securitized zones which is supported through agreements among former Soviet countries. The latter largely share authoritarian values of state administration where security services at the margins of the securitized zones ensure that no citizen whose country has exit limitations, leaves its territory without exit permit. Namely, a Kazakh, a Russian or Belorussian border security officer will ask a traveller (e.g. from Turkmenistan) for an exit permit issued in his or her home country (Turkmenistan) where exit visa is required without which one cannot fly out or continue her trip on a bus or train in the direction of Europe. In case exit permits are in form of *Zaganpassport* (Turkmenistan and now Uzbekistan), a traveller is required to show his or her *Zaganpassport* (travelling passport for abroad) alongside with a normal national passport where the latter was enough to travel throughout Russia (within post-Soviet space). The moment one is returned back from a very long journey which is not an easy one (Uzbekistan–Russia–Belorussia) with train and a bus one realizes limits of mobility and limits to the basic logic of crossing boundaries where exit regulations for Uzbekistan at the border between Belorussia and Poland do not make sense after one left Uzbekistan and travelled to Russia.

Uzbek nationals or also now Turkmen nationals were and are informed that after their exit permit is expired during their long stay abroad (Turkey, Europe), they are not permitted to travel to other countries and stay where they are and only after the renewal of their exit permits (now in form of a separate passport namely *Zagranspassport*), they can then travel further. The travels from Europe or Turkey to other countries is not controlled namely these countries do not care if one's exit permit expired or not. If one has a valid visa (entrance permissions), one is free to travel anywhere. The punishment for the latter namely travelling with expired exit permits have been selectively performed by Uzbek authorities but more rigorously by Turkmen authorities.

Mobility regimes are constituted through national and international agreements (CIS agreements, Eurasian Union agreements), legal provisions and the administrative tools necessary to install these regimes (*propiska* regime, border regimes, deportation regimes), as well as a wider taxonomy and complex institutional setting where those regimes function. This complex is a mixture of legal, illegal, formal and informal rules, practices of police, security officials, administrative employees, clients, discourses and other practices (Hojaqizi, 2008; Hood et al., 2001; Turaeva, 2016, 2018). In order to understand the composition and the mechanisms of mobility regimes where exit regulations are part of this complex, I follow Foucauldian regime-based approach combining it with spatial lens to free such control mechanisms from rigid national boundaries and state centric perspectives (Foucault, 1977, 1978, 1980). Following the latter, below I detail the experiences of the citizens who have no 'exit permits' from their countries who physically are outside of their home country and those who try to negotiate limits to mobilities set by authoritarian states in Central Asia. Below I will first provide background information on legal and political background on exit regulations in Central Asia followed by examples from Turkmenistan and Uzbekistan.

COMPARING EXIT REGULATIONS AND CRIMINALIZING MOBILITIES

The right to leave one's country is included in several international conventions of protection of human rights such as free mobility (Harvey & Barnidge Jr, 2007:3). Harvey and Barnidge (ibid) analysing this aspect of the human right namely right to leave one's own country refer to the obligations of the countries which bridge these conventions in cases the right to leave is not provided for their citizens. The authors (Harvey and Barnidge ibid) question the legitimacy of criminalization of the same right to leave one's own country (ibid:5) including limitations of rights to leave for those who carry state secrets.

The same authors (Harvey and Barnidge ibid) analysing the context of human trafficking and smuggling note that violations of human rights to exit one's country become part of the security and protection discourses. The latter is very clearly the case in Turkmen regulation of exit where human trafficking is used as justification for stopping citizens (largely young female citizens) from leaving their country. They (Harvey and Barnidge ibid:14) stated:

'the right to leave is limited by article 12(3) of the ICCPR. Essentially, the Protocol Against the Smuggling of Migrants establishes a treaty framework by which states can control the departure of migrants. It is a framework which refers also to the rights of the smuggled person. It is important to stress that the right to leave one's own country is a fundamental human right, and this remains the case, notwithstanding a migrant's attempt to be smuggled. Restrictions on the movement of the smuggled person will have to be justified within the terms of article 12(3). The state must demonstrate that these restrictions meet the tests of legality and necessity, are consistent with the other provisions of the ICCPR, and come under one of the listed grounds. A state must be in a position to argue that any direct or indirect restrictions are for the purpose of tackling the pressing problem of smuggling and trafficking'.

Besides exit regulations, residence regulations such as *propiska* are also part of the mobility regulation of internal movements within the national territory. These mobility restrictions and administration of these regulations are clearly against basic human rights conventions not speaking of criminalization of the same. Regulation or restricting mobilities by authoritarian states is not only in contradiction with the duties of states before their citizens but also a clear state abuse of its power to act against basic human rights (Bosniak, 1991).

There are few studies using anthropological approaches to daily practices of living with mobility restrictions as citizens whose constitutional rights are deprived the moment they become mobile (Hojaqizi, 2008; Turaeva, 2016).⁷ There is a growing literature studying consequences of restricting and criminalizing mobility (Light, 2010, 2012). Turaeva and Amon (2021) analysed deportation regimes in Russia where legal provisions (at times contradictory laws) enabled illegal deportation of both migrants and citizens (those migrants who obtained Russian citizenship). The authors (Turaeva and Amon 2021) drew their analysis on the works of Agamben (1998) and De Genova (2002, 2004) as well as De Genova and Peutz (2010) and Peutz (2006) arguing that the methods used by Russian authorities are similar to what Agamben defines as *homo sacer* (migrant citizens are deprived of their passports first before they are deported) as well as the situation of deportable migrants.⁸

There have been some limited scholarly works done on *propiska* in Russia, Kirgizstan and Ukraine among other post-Soviet cities (Gang & Stuart, 1999; Hojaqizi, 2008; Light, 2010, 2012; Matthews, 1993; Mirolyubova, 2011; Riabczuk, 2013; Smith, 1994; Turaeva, 2011, 2016). There is a body of literature highlighting other aspects of *propiska* besides mobility such as citizenship rights, housing problems among other works done on *propiska* and passportization during the Soviet Union (Barry, 1969, 1979; Gentile & Sjöberg, 2013; Hojaqizi, 2008; Höjdestrand, 2004; Morton, 1980; Rubins, 1998). Both Matthews Mervyn (ibid) and Matthew Light (2012) argue that regulation of international migration was not much restrictive as, for instance,

international migration during the Soviet Union. Furthermore, Chacon (2012:614) showed 'that contemporary immigration policy is a site of overcriminalization'. He (Chacon, 2012:617) underlined 'the major developments in immigration law and immigration enforcement that have increased the criminalization of immigration'. The same author (Chacon *ibid*:617) observes more and more states relied on criminal laws to control mobilities and migration although as the author argues that migrants do not contribute to the public safety or national security (Cornelius et al., 1994; Dow, 2004; Fassin, 2011; Fischer, 2015). These laws have not brought the effect which was expected from the use of criminal laws namely the numbers of mobile people and migrants did not decrease but rather contributed to the production of illegality as well as informalization of migration and labour markets globally (Chacon, 2009, 2012:615, Passel & Cohn, 2019, Turaeva & Urinboyev, 2021). Alone United States was home for 10,5 mln undocumented population in 2017 and Europe to 3,8 mln (Connor & Passel, 2019; Passel & Cohn, 2019). Below I will outline the situation of exit regulations in Uzbekistan and Turkmenistan (Central Asia).

Exit restrictions in Central Asia

Exit restrictions focused on *dalnij zarubej* and more particularly western non-communist countries where the travelling required a very complex bureaucratic procedure and the involvement of national security services (KGB in the Soviet Union). I remember travelling of my parents to Finland during the Soviet Union which required several months of security proofs and a complicated application process. Soviet style exit regulations outlived the Soviet Union, and in Central Asia, it was only until recently that exit permits have been abolished in Kazakhstan, Kyrgyzstan, later in Tajikistan and in Uzbekistan. As I explain below in a more detailed manner, exit regulation has taken another hidden form of controlling mobility of citizens behind the introduction of *zaganpassport* or also often translated as a foreign passport which was introduced as a replacement for the exit permit. The foreign passport was introduced for the use of the same for travels to far abroad whereas national passports serves both for identification and travelling both within one's country and within *blijniy zarubej* (often within post-Soviet space).

Tajikistan abolished exit permit regulations in 2002 namely repealing the Article 8 of the 'Regulation on Travel Passports for the Citizens of the Republic of Tajikistan of 26 February 1998'. *Zaganpassport* was introduced alongside the normal national passport (for internal travel and travel in *blijniy zarubej*) which allows citizens to travel abroad (*dalnij zarubej*). Application for *zaganpassport* is similar to the application for exit permits. Kyrgyzstan and Kazakhstan took a more liberal approach to mobility regulation than their neighbours although these also have the system of *zaganpassports* which can be obtained easier and the process is not as securitized as in Turkmenistan or in Uzbekistan.

Turkmenistan migration law

The Chapter V of the Law of Turkmenistan 'On Migration', adopted on 31 March 2012, and changed several times where the last changes are from 2020 regulates exit and entrance from and to Turkmenistan citizens.⁹ It says all citizens are free to leave or enter except those conditions regulated under the Article 30. The law not only regulates exit and entrance of citizens but also restrictions for exit referring to Article 30 of the same law. The Article 30 includes the risks for travelling citizens such as human trafficking, risks for lives and health of the citizens abroad, or if the travel contradicts national security. The same Article 30 which formulates the risks for Turkmen nationals leaving the country, regulates also the prevention from risks namely stopping a citizen from leaving the country. Furthermore, the Article 32 regulates exit for those who leave for work and studies outside of Turkmenistan. The Article 32 requires those migrants who leave their country for studies or work, to submit a confirmation from an employer or an

educational institution about the job or acceptance letters, certificates of registration of the travelling citizens within the premises of the hosting institution (*spravky o postanovke na uchyt v uchrejdennii obrazovaniya po postoyannomy mesty jitelstva grajdaniina*). Furthermore, the same law defines the conditions under which Turkmen nationals can work in a foreign country namely an invitation of the employer with an address of the employing organization, work permit from the relevant state organization of the hosting country. The law stipulates that when all those requirements are not fulfilled, citizens can be denied an exit permit independently if they have their *zagranpassport* or not.¹⁰ Turkmen *Zagranpassports* are valid for 5 years. For travelling within Turkmenistan or neighbouring countries such as those within the agreement of former Soviet countries, Turkmen nationals must carry national passports with a registration stamp (*propiska*) in it. Men should additionally carry their military document with them. For obtaining a *zagranpassport*, one needs a bunch of documents such as application containing a detailed information which is similar to the exit visa application where one fills out personal information, inserts information about one's family members such as parents, sisters and other members with contact details and explanation of the travel. Among other numerous different documents, one needs to submit a copy of one's national passport, birth certificate and records of residence registrations as well as a document confirming the residence in a foreign state for those citizens of Turkmenistan who left for permanent residence outside the country alongside other documents such as marriage or divorce certificates, military ID or military registration document among others. Additional documents will be necessary if children are under 16 accompanied by their parents.

Zagranpassport is used by most of the Central Asian states to regulate exit and travel abroad. The differences between *zagranpassports* are in the procedures of obtaining such a document, expiry length and flexibility of its renewal abroad without being forced to return to one's country to renew it. The latter is relevant for Turkmenistan, namely Turkmen nationals must return home to renew *zagranpassport* and the procedures of obtaining it are restrictive and equals to the restricted access to exit and free travel.

In April 2021, news on Turkmenistan reported that more restrictions on exit permission have been planned as local newspapers reported. This was also confirmed by students studying outside of Turkmenistan who worried about returning not to be able to leave the country for continuing their studies.¹¹

Zagranpassport in Uzbekistan

Before 1 January 2021, Uzbek nationals had to obtain an exit visa sticker in OVIR department (*Otdel Viz i Registracij*—Department of visas and registration in a local police office) which was valid for 2 years.¹² Heads of OVIR department were therefore one of the lucrative positions due to high corruption. If an Uzbek national would like to travel to a foreign country (far abroad) where one needs exit visa and stay longer than 2 years, he or she would not be allowed to travel before having exit permit prolonged. Without valid exit visa sticker in one's passport, it was illegal to travel and violation of this law (exit and entrance to Uzbekistan) would be punished with imprisonment up to 5 years.¹³

Since the law changed on 1 January 2021, one does not need the exit visa stickers in their national passports but rather another *Zagranpassport* in order to travel abroad. To obtain a *zagranpassport*, it is now necessary to submit documents to the same office where exit permission had been issued before.

For applying for *zagranpassport*, one needs to submit a pile of documents including an application which is similar to the previous application for exit permit application containing questions about family members besides personal information and aim of travel, a copy of national passport, expired or old biometric passport, decision of the authority in case of any responsibilities before court or other security offices and military certificate or certificate that one is not eligible for military service. In case of exiting Uzbekistan for permanent residence abroad additionally an applicant would need to provide further documents such as agreement of parents, or spouses in case of married status alongside the procedures for informing responsible authorities regulated in the article for exiting abroad for permanent residence.

Experiences of renewal of uzbek exit permissions before 2016

I had to renew my exit visa before 2016 several times at Uzbek consulate and had experienced unfriendly and at times humiliating encounters while submitting a big pile of documents for renewing my exit visa (between 2008 and 2015). The older officer to whom I had to turn each time was so unfriendly and rude and would talk as if I did something very bad to my country and make me feel guilty that I was residing abroad. The humiliation, insulting tones and finding any reason to make me fill out forms from new (taking hours of my time) were part of the controlling mechanisms which had been put to work to give citizens the message that Uzbek state was watching each citizen so one better takes care not to do anything which Uzbek state might not like.

Uzbek consulates before 2016 and Turkmen consulates today were/are extended controlling hands of governments which were/are administered not only through exit permissions, passport renewals but also through spy networks recruited among largely students and others working abroad. This would be particularly relevant for those Uzbek nationals who would work within the field of research, journalism and others where expressing critical opinion about the Karimov's regime would be unavoidable unless one would praise this regime. Turkmen consulates abroad use even more sophisticated methods of using similar spy networks.

Both situations described in above sections on the ways how exit regulations are practiced by Uzbek and Turkmen governments show the complexities behind laws restricting free mobility of citizens in Central Asia. Exit permits are only one of the many facets of control regimes that I have already listed and mentioned at the beginning of this article.

Turkmens abroad

Turkmen migrants and particularly Turkmen students have limited choices for applying at the Universities abroad namely one can obtain exit permit as a student easier when applying to the Universities which are in the state approved lists as some students studying in Kyrgyzstan explained to me. Controlling citizens abroad are mainly conducted through national consulates and other nationals who serve as information sources for state officials which is a long practice known for most of the authoritarian post-Soviet countries. Uzbek embassy in Berlin was such a place as I detailed above where they made it clear that Uzbek authoritative eyes were watching me although I was abroad and reminding me that I was still not free outside of the territory of Uzbekistan. Dictatorship of Karimov was omnipresent outside national boundaries of Uzbekistan. The same control mechanisms are installed through abroad consulates of Turkmenistan with even more restricted options and methods far from being freed from state dictated way of life inside the country. Under such conditions of living outside authoritarian home, it becomes an illusion that one is finally free and can move and live how one wants without being fully controlled.

Exit regulations for Turkmen nationals abroad are much restricted to keep each citizen under strict control in case of any critical behaviour which will be found unacceptable by the government officials. A Turkmen student, for instance, often even shares same accommodations to keep their physical proximity and makes surveillance easier and accessible. In Belorussian Universities as a colleague explained me that Turkmen students even had their official representative who would be dealing with problems and solving paper works and contact person for the Turkmen embassy.

Exit is regulated through newly introduced *zaganpassport* which is valid for 5 years which can be only renewed in Turkmenistan. Some even were concerned with risks of being refused to get their *zaganpassport* renewed due to their 'misbehaviour' abroad. A Turkmen migrant in Moscow whose wife and a child were refused their exit from Turkmenistan eventually led to several years of distant relationship which then also had to be broken due to the refusal of exit for both a wife and his son on the only ground that the husband (in the meantime, a Russian citizen who gave up his Turkmen citizenship) was refused a Turkmen visa.

CONCLUSION: CRIMINALIZATION OF MOBILITY IN POST-SOVIET CONTEXT

Restricting mobilities and migration is often justified with state sovereignty and security concerns whereas the research shows that mobility cannot be stopped or restricted. Restricting mobilities or migration does not lead to decrease in mobilities or migration but rather largely contributes to informalization of economies and migration producing more vulnerability and uncertainty. Furthermore, as it has also been shown in the migration literature that criminalization of migration or mobility does not have a legal ground or justification as the act of moving does not entail any criminal action in itself. Criminalization of exit or any kind of mobility (internal migration or international migration) is an easy tool for authoritarian governments to maintain full population control the idea born in the early Soviet period in the region. The tools made by Soviets have been advanced to ensure effective control regimes which contradict constitutions of the same states and basic human rights conventions. National Constitutions grant freedom of movement within ones' own country which is a basic prerogative of any citizen and the actual practice is not necessarily the same. Most of the post-Soviet citizens (Turkmen, Uzbeks and Tajiks) do at least have their minimum entitlements as citizens, but only at the particular locales where they have permanent registration (*propiska*). Whenever they start travelling outside of their region of permanent residence within the same national territory their rights as citizens become limited if not the same as non-citizens.

Control mechanisms and tools over citizens abroad performed through national consulates send the same messages about the role of states and their treatment of citizens namely not taking care of their citizens abroad but rather controlling and threatening them.

As I showed in the paper that exit regulations are legislated and administered through the principle of zoning and security agreements with other authoritarian post-Soviet countries defining the boundaries of restriction of mobility. Mobility control regimes are constituted both through state powers to control their citizens as well as through cooperation of authoritarian states within post-Soviet space. The cooperation of authoritarian states in the matters of controlling mobile people is important, since without such cooperation, exit regulation would not function so effectively. Such cooperations are largely made among former Soviet countries as was outlined in the paper. These cooperations ensured spatial distribution of the same power to control mobility within limited spaces which then contradicted the very regulation of national exit turning it into the exit restriction from the countries of *blijniy zarubej* (near abroad). These regimes function through complex taxonomy of institutional setting including mixture of legal, illegal, formal and informal rules, practices of police, security officials, administrative employees, clients, discourses and other practices.

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DATA AVAILABILITY STATEMENT

Research data are not shared.

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ENDNOTES

1. IOM (2010) reported twelve mln migrant population in Russia making it the second largest receiving country after the US and many agree that the numbers are not only changing but also unreliable due to big numbers of unregistered migrants in the country. For the same period it was reported that Ukraine received 5,3 mln migrants whereas Kazakhstan received 3 mln migrants (Laruelle, 2013:6-7).

2. Space does not allow me to write exhaustively about Soviet population management in general. Many Soviet policies were largely politically and economically motivated. I do not address the more brutal means adapted by the Soviets to control the population such as forced population movements (*pereselenia*) in which people died in masses (on this, see Turaeva, 2016:38-41)
3. *GosAvtoInspekzia* is a Russian abbreviation of GAI which can be translated as 'State Automobile Inspection' or Traffic police. The practice of GAI in most of the post-Soviet countries has retained the same functions as during the Soviet Union becoming more and more a corrupt system to collect small cash from almost each car which can be stopped making the system a lucrative business model within the state security systems.
4. See Stumpf (2006) for the detailed study of merging criminal law and immigration law which historically and legally contradicts human rights conventions for the examples from the United States.
5. The knowledge about the system of *raspredeleniie* stems from the experiences of my parents and their University networks between Russia, Turkmenistan and Uzbekistan during the Soviet Union in 60s, 70s and 80s.
6. CIS stands for the Commonwealth of Independent States which is an agreement among former Soviet countries (not all became part of it after the end of the Soviet Union). See Konończuk (2007) for a detailed analysis of the same union and its political implications for the region.
7. I first published my ideas about *propiska* in an article under a pen name (Hojaqizi, 2008).
8. See also Bleichmar (1999) on historical analysis of deportation as punishment in the UK and more generally on deportation and controlling immigration see Coutin (2003, 2015) and Griffin (2004) explaining that legal permanent residents (a long time residence in the United States) were not excluded from the possibility of deportation namely were deportable in case of criminal conviction (small ones).
9. Law of Turkmenistan on migration Ch V. Exit and entrance from Turkmenistan Article 24. Procedure for leaving and entering Turkmenistan to Turkmenistan citizens of Turkmenistan, the full text of the law is available online: https://turkmenportal.com/blog/37250/vneseny-dopolneniya-i-izmeneniye-v-zakon-turkmenistana-o-migracii?utm_source=yxnews&utm_medium=desktop [Accessed 1st August 2021].
10. See the full text of the regulation here: <https://alpagama.org/pravovaya-baza-turista/zakon-turkmenistana-o-migratsii> [Accessed 1st September 2021].
11. Editorial Team, 2021. Turkmenistan is studying the possibility of tightening the rules for the departure of citizens abroad. Published by *Hronika Turkmenistana* on April 12, 2021. Weblink: <https://www.hronikatm.com/2021/04/possible-upcoming-departure-restrictions/> [Accessed 22nd January 2022].
12. Uzbek citizens were obliged to obtain official permission to leave Uzbekistan no matter for tourist or business reasons. Exit visas were valid for only 2 years and were subject to renewal. One went through the same procedure again for obtaining it next time. The minimum duration of the application process for exit visa was 1 month without an interview. Interviews were not a must and were subject to the decision of National Security Service officials (*SNB* is a local abbreviation from Russian 'Sluzba Narodnoy Bezopasnosti' which is equal to FBI in the US). The application forms consisting of 15 questions included the information about the purpose of visit, destination country, one's personal autobiographic details and one's working history which ends with the current employment place. The current employer was responsible for putting a stamp on the page with working history. In case one was unemployed, the stamp on that page is put by a neighbourhood chair (*mahalla rais*), and without this stamp, the application form was not valid. In addition to the family members' details and contact information, the applicant provided all the information about her parents and their legal and employment status. In the case of children under 16 travelling together, details with photographs must also be submitted with the application forms. Children above 16 have to submit application independently from their parents. The decisions were taken by *SNB* officials whether to issue an exit visa or not. The negative decision for applications was usually not provided with reasons or grounds for rejection.
13. Article 223 of the Criminal Code of the Republic of Uzbekistan (illegal travel abroad or illegal entry into the Republic of Uzbekistan). This follows from paragraph 7 of the Decree of the Plenum of the Supreme Court of the Republic of Uzbekistan "On judicial practice in cases of violation of the procedure for crossing the State border of the Republic of Uzbekistan" (dated November 25, 2011 d. N 9) and the Procedure for leaving the border and entering the territory of the Republic of Uzbekistan—upon return at the entrance to Uzbekistan entailed criminal liability under the first part of Article 233 of the Criminal Code in the form of a fine from 200 to 400MMW or imprisonment from 3 to 5 years. The full text of the laws on Uzbekistan are available online: <https://www.norma.uz/search/vopros?phrase=%D0%BD%D0%B5%D0%B7%D0%B0%D0%BA%D0%BE%D0%BD%D0%BD%D0%BE%D0%B5%20%D0%BF%D0%B5%D1%80%D0%B5%D1%81%D0%B5%D1%87%D0%B5%D0%BD%D0%B8%D0%B5%20%D0%B3%D1%80%D0%B0%D0%BD%D0%B8%D1%86%D1%8B&curtab=4> [Accessed 10th August, 2021].

REFERENCES

- Agamben, G. (1998) *Homo Sacer. Sovereign power and bare life*. Translated by Daniel Heller-Roazen. Stanford: Stanford University Press.
- Barry, D. (1969) Housing in the USSR: cities and towns. *Problems of Communism*, 18(3), 1–11.
- Barry, D. (1979) Soviet housing law: the norms and their application. In: *Soviet law after Stalin*. Leyden: AW Sijthoff, pp. 1–32.
- Bleichmar, J. (1999) Deportation as punishment: a historical analysis of the British practice of banishment and its impact on modern constitutional law. *Georgetown Immigration Law Journal*, 14, 115.
- Bosniak, L.S. (1991) Human rights, state sovereignty and the protection of undocumented migrants under the international migrant workers convention. *International Migration Review*, 25(4), 737–770. Available from: <https://doi.org/10.2307/2546843>
- Chacon, J.M. (2009) Managing migration through crime. *Columbia Law Review Sidebar*, 109, 135–148.
- Chacon, J.M. (2012) Overcriminalizing Migration. *The Journal of Criminal Law and Criminology*, 102, 613–652.
- Connor, P. & Passel, J.S. Europe's unauthorized immigrant population peaks in 2016, Then levels off new estimates find half live in Germany and the United Kingdom, published by Pew Research Center on November 13, 2019. Available from: <https://www.pewresearch.org/global/2019/11/13/europes-unauthorized-immigrant-population-peaks-in-2016-then-levels-off/>
- Cornelius, W.A., Martin, P.L. & Hollifield, J.F. (Eds.). (1994) *Controlling immigration: a global perspective*. Stanford: Stanford University Press.
- Coutin, S.B. (2003) Suspension of deportation hearings and measures of 'Americanness'. *Journal of Latin American Anthropology*, 8, 58–94. Available from: <https://doi.org/10.1525/jlca.2003.8.2.58>
- Coutin, S.B. (2015) Deportation studies: origins, themes and directions. *Journal of Ethnic and Migration Studies*, 41(4), 671–681. Available from: <https://doi.org/10.1080/1369183X.2014.957175>
- De Genova, N. (2019) Detention, deportation, and waiting: toward a theory of migrant detainability. *Gender & výzkum*, 20(1), 92–104.
- De Genova, N. & Peutz, N. (2010b) *The deportation regime*. Durham: Duke University Press.
- de Genova, N.P. (2002) Migrant "illegality" and deportability in everyday life. *Annual Review of Anthropology*, 31, 419–447. Available from: <https://doi.org/10.1146/annurev.anthro.31.040402.085432>
- de Genova, N.P. (2004) The legal production of Mexican/migrant 'illegality'. *Latino Studies*, 2(2), 160–185.
- de Genova, N.P. & Peutz, N. (Eds.). (2010) *The deportation regime: sovereignty, space, and the freedom of movement*. Durham, UK: Durham University Press.
- Dow, M. (2004) *American gulag: inside US immigration prisons*. Berkeley and Los Angeles: University of California Press.
- Dreby, J. (2013) The modern deportation regime and Mexican families. In: Menjívar, C. & Kanstroom, D. (Eds.) *Constructing immigrant "illegality": critiques, experiences, and responses*. Cambridge: Cambridge University Press, pp. 181–202.
- Ellermann, A. (2009) *States against migrants: deportation in Germany and the United States*. Cambridge: Cambridge University Press.
- Fassin, D. (2011) Policing Borders, producing boundaries. The governmentality of immigration in dark times. *Annual Review of Anthropology*, 40(1), 213–226.
- Fischer, N. (2015) The Management of Anxiety. An ethnographical outlook on self-mutilations in a French immigration detention Centre. *Journal of Ethnic and Migration Studies*, 41(4), 599–616. Available from: <https://doi.org/10.1080/1369183X.2014.960820>
- Foucault, M. (1977) *Discipline and punish: the birth of the prison*. New York: Vintage, [1975].
- Foucault, M. (1978) *Dispositive der Macht Michel Foucault über Sexualität*. Berlin: Wissen und Wahrheit, Mrve Verlag.
- Foucault, M. (1980) *Power/knowledge: selected interviews and other writings, 1972–1977*. New York: Pantheon.
- Galvin, T.M. (2015) 'We deport them but they keep coming Back': the normalcy of deportation in the daily life of 'undocumented' Zimbabwean migrant Workers in Botswana. *Journal of Ethnic and Migration Studies*, 41(4), 617–634. Available from: <https://doi.org/10.1080/1369183X.2014.957172>
- Gang, I.N. & Stuart, R.C. (1999) Mobility where mobility is illegal: internal migration and city growth in the Soviet Union. *Journal of Population Economics*, 12(1), 117–134.
- Gentile, M. & Sjöberg, Ö. (2013) Housing allocation under socialism: the soviet case revisited. *Post-Soviet Affairs*, 29(2), 173–195.
- Gibney, M.J. (2008) Asylum and the expansion of deportation in the United Kingdom. *Government and Opposition*, 43, 146–167. Available from: <https://doi.org/10.1111/j.1477-7053.2007.00249.x>
- Griffin, K.L. (2004) Perfecting public immigration legislation: private immigration bills and deportable lawful permanent residents. *Georgetown Immigration Law Journal*, 273, 276.
- Guild, E. (2009) *Security and migration in the 21st century*. Cambridge: Polity Press.
- Harvey, C. & Barnidge, R.P., Jr. (2007) Human rights, free movement, and the right to leave in international law. *International Journal of Refugee Law*, 19(1), 1–21.
- Hojaqizi, G. (2008) Citizenship and ethnicity: old Propiska and new citizenship in post-soviet Uzbekistan. *Inner Asia*, 10(2), 305–322.

- Höjdestrand, T. (2004) The soviet-Russian production of homelessness: Propiska, housing, privatisation. *Anthrobase*. Available from: https://lucris.lub.lu.se/ws/portalfiles/portal/5779182/Hoejdestrand_T_01.htm [Accessed 30th June 2021]
- Hood, C., Rothstein, H. & Baldwin, R. (2001) *The government of risk: understanding risk regulation regime*. Oxford: Oxford University Press.
- Konończuk, W. (2007) *The failure of integration. The CIS and Other International Organisations in the Post-Soviet Area, 1991–2006*. Warsaw: OSW Ośrodek Studiów Wschodnich im. Marka Karpia.
- Laruelle, M. (2013) *Migration and social upheaval as the face of globalization in Central Asia*. Leiden: Brill.
- Light, M. (2010) Policing migration in soviet and post-soviet Moscow. *Post-Soviet Affairs*, 26(4), 275–313.
- Light, M.A. (2012) What does it mean to control migration? Soviet mobility policies in comparative perspective. *Law & Social Inquiry*, 37(2), 395–429. Available from: <http://www.jstor.org/stable/23252266>
- Lyubarskiy, K. (1994) *Passportnaya Sistema I Sistema Propiski v Rossii*, *Rossiskiy byulleten po pravam cheloveka* (passport system and registration system in Russia, Russian bulletin on human rights). *Institut Prav Cheloveka* (the Institute of Human Rights) Issue 2.
- Matthews, M. (1993) *The passport society: controlling movement in Russia and the USSR*. San Francisco and Oxford: Westview Press.
- Mirolubova, S.Y. (2011) Institut registratsii grajdan po mestu jitelstva i mestu prebyvania. *Jurnal Rossiyskogo Prava*, 7. Available from: <https://cyberleninka.ru/article/n/institut-registratsii-grazhdan-po-mestu-zhitelstva-i-mestu-prebyvaniya> [Accessed 1st October 2019]
- Morton, H.W. (1980) Who gets what, when and how? Housing in the Soviet Union. *Soviet Studies*, 32(2), 235–259.
- Nevins, J. (2002) *Operation gatekeeper: the rise of the “illegal alien” and the making of the US-Mexico boundary*. New York: Routledge.
- Passel, J.S. & Cohn, D. Mexicans decline to less than half the U.S. unauthorized immigrant population for the first time, Published by Pew Research Center, June 2019 online. Available from: <https://www.pewresearch.org/fact-tank/2019/06/12/us-unauthorized-immigrant-population-2017/>
- Peutz, N. (2006) Embarking on an anthropology of removal. *Current Anthropology*, 47(2), 217–241. Available from: <https://doi.org/10.1086/498949>
- Riabczuk, M. (2013) Colonialism in another way. On the applicability of postcolonial methodology for the study of post-communist Europe. *Por Ownania*, 13(8), 47–59.
- Rubins, N. (1998) The demise and resurrection of the propiska: freedom of movement in The Russian Federation. *Harvard International Law Journal*, 39(1998), 545–566.
- Schenk, C. (2013) Controlling immigration manually: lessons from Moscow (Russia). *Europe-Asia Studies*, 65(7), 1444–1465.
- Schenk, C. (2018) *Why control immigration? Strategic uses of migration Management in Russia*. Toronto: University of Toronto Press.
- Shelley, L. (1990) Policing soviet society: the evolution of state control. *Law & Social Inquiry*, 15, 479–520.
- Smith, T. (1994) The violation of basic rights in The Russian Federation. *East European Constitutional Review*, 3(3 & 4) (Summer 1994/Fall, 42–47).
- Stumpf, J.P. (2006) The Crimmigration crisis: immigrants, crime, and sovereign power. *The American University Law Review*, 56(2), 367–419.
- Turaeva, R. (2016) *Migration and identity: Uzbek experience*. London: Routledge.
- Turaeva, R. (2018) Border and road regimes in Central Asia: Uzbek-Kazakh border crossing experiences. In: Horstmann, A., Saxer, M. & Rippa, A. (Eds.) *Routledge handbook of Asian borderlands*. London; New York: Routledge, pp. 434–445.
- Turaeva, R. (2021) Propiska regime regulating mobility and migration in post-soviet cities. *Cities*, 121, 1–9. Available from: <https://doi.org/10.1016/j.cities.2021.103478>
- Turaeva, R., & Amon, I. (2021). Deportation regimes in the post-Soviet space: Producing deportable migrants in the Russian Federation. In *Labour, Mobility and Informal Practices in Russia, Central Asia and Eastern Europe* (pp. 51–68). NY, USA: Routledge.
- Turaeva, R. & Turaeva, M. (2021) Uchyot and Foucault: drug users and migration in post-soviet Central Asia and Russia. *Central Asian Affairs*, 8, 83–98.
- Turaeva, R. & Urinboyev, R. (Eds.). (2021) *Labour, mobility and informal practices in Russia, Central Asia and Eastern Europe*. London: Routledge.

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