

Deeper and Wider than a Common Space: European Union-Russia Cooperation on Migration Management

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Works that address European Union (EU)-Russia cooperation within the overarching project of the common space of freedom, security and justice (FSJ) often look at this 'space' as if it were regarded by both parties as a naturally coherent field, where cooperation had to be developed evenly in all of the sub-fields. Consequently, this misperception often leads to the conclusion that EU-Russia cooperation on issues of justice and home affairs is rather unsuccessful because, on one hand, there is still no visa-free regime and, on the other hand, developments in the sphere of human rights and judicial reforms in Russia are far from being satisfactory. This article argues that in order to better appreciate the results of EU-Russia cooperation in the field of internal security, one should not analyse it in connection with EU attempts to promote human rights and democracy in Russia. Such constructivist – and somewhat idealist – view has prevented many researchers from a more pragmatic assessment that would take into account some real achievements of this cooperation that fit well with the commonly defined interests and goals in the sphere of internal security and migration management in particular. This article shows that both partners have managed to achieve much of what has been planned in the sphere of migration management. Moreover, through this cooperation with Russia, the EU has a chance to promote one of its most internationally visible instruments (readmission agreements) in Central Asia – a region where EU's direct involvement has not been very successful.

1 INTRODUCTION

In the research devoted to the external dimension of European Union (EU) migration policy, there is a certain geographical discrimination. The flourishing literature on various aspects of EU migration cooperation with third countries includes substantial accounts showing both the reasons behind such policy development and 'liberal' versus 'realist' dynamics in the course of this externalization.¹ There have been works that look at the EU's impact on countries in North Africa and, consequently, these countries' migration policies

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¹ C. Boswell, *The "External Dimension" of EU Immigration and Asylum Policy*, 79 (3) *Intl. Aff.* 619–638 (2003); S. Lavenex, *Migration and the EU's New Eastern Border: Between Realism and Liberalism*, 8 (1) *J. Eur. Pub. Policy*, 24–42 (2001).

towards sub-Saharan States,² as well as on Central Europe.³ These and other empirical case-studies complement the theoretical research on the EU 'remote control' policies⁴ implying a shift of immigration control from the borders of the EU to 'somewhere out there' both by changing locations and mechanisms of actual control, and by shifting the responsibility for the security of immigration regime on other State and non-State actors.⁵ Surprisingly, there exists only a limited number of works concerning EU-Russia cooperation on migration management.⁶ This limited scholarly attention is somewhat intriguing, when one observes the importance attributed both by the EU and Russia to the intertwined issues of migration management and external polices, as well as to the changing roles of these two actors in their respective 'near abroads'.⁷

Moreover, existing studies of EU-Russia cooperation on migration issues almost exclusively focus on negotiation processes and eventually leave out the implementation phase as well as broader regional impact of this cooperation. One of the most important issues that is largely neglected is the effect that EU-Russia cooperation on migration management has had on Russia's relations with its neighbours in the CIS, namely with countries in Central Asia. Some scholars have already paid attention to the EU efforts aimed at the regulation of migration issues in Central Asia.⁸ Nevertheless, they take into account only the EU's direct involvement in the region. Issues that relate the EU, Russia and Central Asia in terms of migration management have only sporadically been addressed in the existing literature; no elaborate research has been conducted to investigate them profoundly.

² J.-P. Cassarino, *Unbalanced Reciprocities: Cooperation on Readmission in the Euro-Mediterranean Area*, 94 (Middle East Institute 2010).

³ H. Grabbe, *Stabilizing the East While Keeping Out the Easterners: Internal and External Security Logics in Conflict, in Migration and the Externalities of European Integration*, 91–104 (S. Lavenex & E. M. Ucarer eds., Lexington Books, 2002); E. Jileva, *Larger than the European Union: The Emerging EU Migration Regime and Enlargement*, in Lavenex & Ucarer eds., *Ibid.*

⁴ A. Zolberg, *The Archaeology of 'Remote Control'*, in *Migration Control in the North Atlantic World. The Evolution of State Practices in Europe and the United States from the French Revolution to the Inter-War Period*, 195–222 (A. Fahrmeir, O. Faron & P. Weil eds., Berghahn Books 2003).

⁵ T.G. Gammeltoft-Hansen, *Outsourcing Migration Management: EU, Power, and the External Dimension of Asylum and Immigration Policy*, 1 DIIS Working Paper (2006); V. Guiraudon, *Enlisting Third Parties in Border Control: A Comparative Study of its Causes and Consequences*, Paper presented at the Workshop 'Managing International and Inter-Agency Cooperation at the Border', (Geneva, Mar. 13–15, 2003).

⁶ For notable exceptions, see R. Hernandez i Sagrera, *The EU-Russia readmission – visa facilitation nexus: an Exportable Migration Model for Eastern Europe?*, 19 (4) *Eur. Sec.*, 569–584 (2010); O. Potemkina, *EU-Russia Cooperation in Justice and Home Affairs*, 2 *The EU-Russia Rev.* (A report commissioned by the EU-Russia Centre, 2006).

⁷ F. Charillon, *Sovereignty and Intervention: EU's Interventionism in its 'Near Abroad'*, in E.H. Carr, *A Critical Appraisal* (M. Cox ed., Palgrave 2004).

⁸ G. Gavriliis, *Beyond the Border Management Programme for Central Asia (BOMCA). EU-Central Asia monitoring (EUCAM)*, 11 *Policy brs.* 6 (2009); M. Laruelle & S. Peyrouse, *L'Asie centrale à l'aune de la mondialisation. Une approche géoéconomique*, 234 (Armand Colin 2010).

Finally, works that address EU-Russia cooperation within the overarching project of the common space of freedom, security and justice (FSJ) often look at this ‘space’ as if it were regarded by both parties as a naturally coherent field, where cooperation had to be developed evenly in all of the sub-fields. Consequently, this misperception often leads to the conclusion that EU-Russia cooperation on issues of justice and home affairs is rather unsuccessful because, on one hand, there is still no visa-free regime⁹ and, on the other hand, developments in the sphere of human rights and judicial reforms in Russia are far from being satisfactory.¹⁰ This article argues that in order to better appreciate the results of EU-Russia cooperation in the field of internal security, one should *not* analyse it in connection with EU attempts to promote human rights and democracy in Russia. Such constructivist – and somewhat idealist – view has prevented many researchers from a more pragmatic assessment that would take into account some real achievements of this cooperation that fit well with the commonly defined interests and goals in the sphere of internal security and migration management in particular.

In order to address these gaps in the scholarship, this article proceeds the following way. The first part provides an analysis of the Road Map for the EU-Russia common space of FSJ. It identifies effective cooperation on migration management as major goal of the common space and suggests evaluating success of the common space from this angle. The second part of the article describes actual cooperation in the field of migration management, with particular focus on readmission. Common efforts in migration management are thus regarded as an instance of sector-specific cooperation based on common interests and common policy priorities. The third part attempts to identify major outcomes of the implementation of the readmission agreement for Russia’s relations with the countries in Central Asia. The fourth part discusses underlying mechanisms of EU-Russia cooperation on migration management and puts forward the idea of diffusion potential pertinent to this cooperation arguing that both parties have managed to achieve much of what has been planned in this sphere.

2 THE ROAD MAP FOR THE COMMON SPACE OF FREEDOM, SECURITY AND JUSTICE

Since its inception, intra-EU evolution of the ‘area of justice, freedom and security’ has been proceeding simultaneously with the development of projects

⁹ O. Potemkina, *EU-Russia cooperation on the common space of freedom, security and justice - a challenge or an opportunity?*, 19 (4) Eur. Sec. 551–568 (2010).

¹⁰ P. Ehin, *Assessment of the Common Space of Freedom, Security and Justice*, in *Assessing the Common Spaces between the European Union and Russia*, 68–88 (K. Y. Nikolov ed., Bulgarian European Community Studies Association 2009).

aiming to guarantee its viability in the volatile international environment. These projects have found their way through some of Mediterranean policies,¹¹ through enlargement negotiations,¹² through European Neighbourhood Policy and Eastern Partnership,¹³ as well as through ‘common spaces’ between the EU and Russia.¹⁴ In the context of the Eastern enlargement, it has been argued that the EU needs a ‘buffer zone’ to keep soft security challenges, including uncontrolled migration, as far as possible from its somewhat harmonious internal space.¹⁵ The EU used to have such a buffer zone in the East – quite naturally provided by the countries of Central and Eastern Europe. However the geopolitical reality has changed, and this zone has not only ceased to exist but has also become a constitutive part of the EU itself, which is now bordering with a rather problematic region in terms of soft security risks. As a reaction to this, the EU while delimiting its own ‘area of justice, freedom and security’ has been also trying to create another buffer zone to consistently safeguard its status of a security community in relation to the outside world.¹⁶ Migration-related security concerns have become top priorities of EU Justice and Home Affairs (JHA) cooperation with the neighbouring countries in the East. Manifestations of this dynamic have been quite obvious, for example, through the EU actions in the framework of the European Union Border Assistance Mission to Moldova and Ukraine.¹⁷ Another example of such practices is the case of the EU orchestrating management of the Ukrainian-Russian border through, among others, ‘privatization’ of this sphere.¹⁸

Apparently, in the same logic of its remote control strategy, the European Union seems to have been trying to shape Russian migration policy. Such efforts have been clearly demonstrated by cooperation patterns in this sphere. Since the early 1990s, Russia has been paying significant attention to migration problems. This attention, manifested in the growing securitization of migration sphere, was obviously caused by immigration waves provoked by serious geopolitical turmoil of the late twentieth century, following the dissolution of the Soviet Union.

¹¹ F. Pastore, *Aeneas's Route: Euro-Mediterranean Relations and International Migration*, in Lavenex & Ucarer, *supra* n. 3.

¹² V. Mitsilegas, *The Implementation of the EU Acquis on Illegal Immigration by the Candidate Countries of Central and Eastern Europe: Challenges and Contradictions*, 28 (4) *J. Ethnic & Migration Stud.* 665–682 (2002).

¹³ S. Lavenex, *EU External Governance in 'Wider Europe'*, 11 (4) *J. Eur. Pub. Policy*, 680–700 (2004).

¹⁴ O. Korneev, *The EU Migration Regime and its Externalization in the Policy toward Russia*, 31 *InBev-Baillet Latour Working Paper*, 24 (2007).

¹⁵ O. Potemkina, *Russia's Engagement with Justice and Home Affairs: A Question of Mutual Trust*, 16 *CEPS Policy Brief* (2002).

¹⁶ Korneev, *supra* n. 14.

¹⁷ X. Kurowska & B. Tallis, *EU Border Assistance Mission: Beyond Border Monitoring?*, 14 (1) *Eur. For. Aff. Rev.* 47–64 (2009).

¹⁸ I. Gatev, *Very Remote Control: Policing the Outer Perimeter of the EU Neighbourhood*, 30 (Discussion paper. Marie Curie Chair DIPLOMIG final conference. EUI: Florence 2006).

However, a major policy change – Russian immigration policy developing an external dimension – happened at a later point in time and coincided with a steep intensification of the EU–Russia cooperation in justice and home affairs in 2000s.

The EU–Russia Road Map for the Common Space of Freedom, Security and Justice was adopted in May 2005 together with the road maps for three other ‘common spaces’.¹⁹ Some scholars have argued that EU–Russia ‘common spaces’ can be considered as frames for potential regimes encompassing various spheres of EU–Russia relations.²⁰ The internal structure of the four road maps indeed reflects some sort of balance between the EU’s and Russia’s interests and, prevailing, the EU’s values. With regard to the latter, a member of the Working Group on Eastern Europe, South Caucasus and Central Asia of the Council of Ministers (COEST) has emphasized that *values are more important for the EU than for Russia, but interests are important for the both parties...the whole ideology of the four common spaces is based on the assumption that they include issues that are more important for the EU than for Russia and vice versa.*²¹

However, some of the priority areas for cooperation identified in the road maps are apparently more interest-driven than values-oriented. This definitely applies to the Common Space of ‘freedom, security and justice’. The Road Map openly claims that *cooperation between the EU and Russia in the area of Freedom, Security and Justice is already advanced and has become a key component in developing a strategic partnership between the parties.*²² In other words, the importance of JHA cooperation for EU–Russia relations has been finally recognized at the highest level and the *commitment of the parties to further strengthen their strategic partnership on the basis of common values* has been reconfirmed. Thus, the parties paid tribute both to the omnipresent ‘strategic partnership’ vitally important for Russia and to the ‘common values’ defended by the EU.²³ The Road Map also states that *cooperation must reflect the necessary balance between security, on the one hand, and justice and freedom, on the other hand.* But shortly after the emergence of the Road Map some EU officials expressed opinion that even though neither party would officially admit prioritizing one of the aspects in this cooperation, it existed in

¹⁹ European Commission, *EU–Russia Road Maps*, (2005), http://eeas.europa.eu/russia/docs/roadmap_economic_en.pdf, [accessed Apr. 10, 2011].

²⁰ N. Alexandrova-Arbatova, *Russia–EU Relations: Stil at the Crossroads*, 2 *The EU–Russia Rev.* 18 (2006).

²¹ Interview at the Finnish Permanent Representation to the EU, May 21, 2007.

²² Council of the European Union, *Road map for the common space of freedom, security and justice*, in *15th EU–Russia Summit. Annex 2*, 21–34. (Moscow: Council of the European Union, 10 May 2005), 8799/05 (Press 110).

²³ O. Korneev, *Primus inter pares? The EU’s Justice and Home Affairs Policies in its Eastern European Neighbourhood*, 32 *InBev–Baillet Latour Working Paper*, 30 (2008).

practice and the sector of 'justice' was clearly underdeveloped.²⁴ The preamble of the Road Map puts the emphasis on *adherence to common values* and declares *equality between partners*, but the rest of the document – defining the goals and actions to be taken – is more pragmatic.

For the first time since the signature of the EU-Russia Partnership and Cooperation Agreement (PCA) in 1994, the Road Map defines a whole set of concrete (even though non-legally binding) guidelines for unilateral and bilateral actions aimed at the creation of this Common Space. The first part of the Road Map is devoted to 'freedom', which implies that the partners aim to 'facilitate human contacts and travel' while effectively combating 'illegal migration'. The conclusion of a readmission agreement appears as an issue of major importance for cooperation on migration management. Overall, despite numerous objectives and actions envisaged in the Road Map, it is clear that the main problem for the EU is irregular migration.²⁵ The need to work together against 'illegal immigration' has been on the EU-Russia cooperation agenda since their relations were institutionalized by the PCA. This idea has been later reiterated in other strategic (even if not legally binding) documents guiding cooperation, such as Common strategy of the European Union on Russia²⁶ and Russian Mid-term Strategy for Relations with the EU.²⁷ The Road Map has simply restated this need, this primary common interest, and integrated it in a larger framework. That is why it would have been more logical to put 'the fight against illegal migration' under the following heading of the Road Map – 'security'. The latter has, however, an emphasis on the fight against terrorism, as well as against trafficking in human beings. This makes the whole Road Map even more security-driven and clearly

²⁴ Interview with Wouter van de Rijt, Principal Administrator, DG JHA, Council of the European Union, May 16, 2007.

²⁵ The most recent aggregated data on Russian nationals irregularly staying in the EU and apprehended by the Member States are provided by Eurostat and used by the European Commission in the Annex 3 to the 'Evaluation of EU Readmission Agreements' issued by the European Commission in February 2011 (European Commission, *Evaluation of EU Readmission Agreements*, (Feb. 23, 2011), COM (2011) 76 final). There were 10,375 Russian nationals apprehended in different EU Member States in 2009. Frontex, that uses a different data collection methodology, provides different numbers: 9,526 for 2009, 9,471 for 2010 and 10,314 for 2011 (FRONTEX, *Annual Risk Analysis*, (2012)). Apart from these divergent and non-comprehensible data, there is no reliable statistics on irregular migrants in the EU and on irregular migrants from Russia, in particular. However, one of the concerns of the EU is a high number of asylum seekers from Russia, since often refused asylum seekers fall under the category of irregular immigrants and thus need to be returned. In 2011, Russia ranked second as the 'country of origins' of asylum seekers in the EU (18,200 applicants) after Afghanistan (EMN Bulletin, *European Migration Network Report for the period January, May 2012*).

²⁶ European Council, *Common Strategy of the European Union on Russia*, (2009), http://trade.ec.europa.eu/doclib/docs/2003/november/tradoc_114137.pdf [accessed Apr. 27, 2012].

²⁷ *Стратегия развития отношений России с ЕС на среднесрочную перспективу (2000-2010 гг.)*, http://www.mgimo.ru/files/2004/kafedry/evro_int/reader4meo_3-6.htm [accessed Apr. 27, 2012].

confirms that migration-related concerns constitute a top priority of the EU JHA cooperation with Russia.

The section on 'justice' has its place at the end of the list of objectives, and this creates an impression that it entered the Road Map only because the EU needs to emphasize its values-based identity and its values-oriented foreign policy, thus striking the balance between security-related issues and human rights concerns. Nevertheless, the need for such 'injections' is questionable. This situation is well described by Emerson who has claimed that *'the de-democratizing Russia of President Putin manifestly could not embark on negotiations on a common space of democracy. Yet the EU could not ignore the subject. The result is token inclusion of a few lines in this common space for FSJ'*.²⁸ Apparently, the EU was not really interested to push too much the human rights agenda, since it would jeopardize common efforts in a much more important field of internal security where common threats of irregular migration, terrorism and drug trafficking were identified by the both parties.

Two years after the Road Map was agreed on, both the EU and Russia have characterized the common space on FSJ as the best functioning one.²⁹ Nevertheless, there still existed a number of factors that hindered cooperation. Thus, both parties have underlined that some of the issues that form the common agenda of cooperation in JHA are significantly politicized, and this prevents a lot of positive developments (among the examples are the issue with asylum standards in Russia, the problem of Chechen asylum-seekers in the EU, etc.). They have also expressed the opinion that when issues move from the political level to the technical one, then problems are solved faster and in a mutually beneficial manner.³⁰ And indeed, not all of the areas of cooperation included in the FSJ Road Map enjoy the same success as the sphere of migration management.

The fact that countries on the way of migrants to the EU are becoming not only transit but destination countries as well, explains why the EU is willing to invest in asylum facilities and immigration infrastructure in Russia and in the Eastern Neighbourhood – the evidence for such investments is provided by specific projects financed fully or partially by the EU and implemented through mediation of various governmental and non-governmental international as well as domestic structures.³¹ But other more sensitive issues such as improvements in the

²⁸ M. Emerson, *EU-Russia Four Common Spaces and the Proliferation of the Fuzzy*, 71 CEPS Policy Brs, 2 (2005).

²⁹ Interview with an official responsible for JHA issues at the Russian Permanent Representation to the EU, Brussels, May 2007; interview with an official from DG RELEX (Russia unit), European Commission, June 06, 2007.

³⁰ This has been admitted by both a Commission official and a Deputy Permanent Representative of the Russian Permanent Representation to the EU in conversations with the author in May–June 2007.

³¹ For more details on this issue see R. Hernández i Sagrera & O. Korneev, *Bringing EU migration cooperation to the Eastern Neighbourhood: convergence beyond the *acquis communautaire*?*, European University Institute Working paper No. 22, RSCAS (2012).

field of justice in Russia or Russian policy and practice in the field of asylum, the problems of border management and the rights of the Russian speakers in Latvia and Estonia are still on the margins of the actual cooperation either because of Russia's or EU Member-States' reluctant positions respectively. A nice summary of this complex relationship has been given by a representative of the European Commission Delegation in Russia who admitted: 'In general I see both the expansion of activities and the expansion of rhetoric. Public discussion tends to focus on the statement "the relation is in trouble". The rhetoric makes it more difficult to move forward.'³² At the same time, as it has been bluntly emphasized by a Council representative, 'in security issues it is easier to develop operational measures together'.³³

Evaluating progress in the development of the EU-Russia Common Space of FSJ, Ehin rightly notes that 'interaction between the European Union and Russia has been characterized by selective cooperation in areas where interests coincide'.³⁴ In this assessment, however, Ehin views the whole of the common space of FSJ as one of such areas, without any differentiation inside this field. This leads her to drawing a distorted picture of cooperation and giving quite a negative evaluation, as she pays too much attention to the issues of human rights and judicial reforms, which, in her view, are largely ignored by Russia. Contesting these claims, I argue that it is important to distinguish between declared and actual policy goals of the partners. In the Road Map, virtually all goals that do not directly relate to security issues and focus on promotion of human rights and democracy fall under the category of 'declared goals' – not only for Russia, but also for the EU. Therefore, it is meaningless to evaluate the success of cooperation in these areas with the same degree of rigidity as applied to clearly defined goals in 'soft security' cooperation. The later belong to actual goals of the European Union and are, thus, the only goals shared by both partners, whereas some of the declared goals are important only for the EU and others – only for Russia.

This said, one should admit that the project of this Common Space bears some influence of the value-driven approach to building a partnership with Russia. In a way, it has been designed in order to foster at least some degree of socialization of the Russian internal security system with EU norms and best practices. Nevertheless, coherent socialization of Russia into the EU system of values in the field of justice and home affairs was not the major intention of those

³² From the presentation by Sean Carroll, Head of Press and Information Section of the European Commission representation to the Russian Federation, '*EU study weekend*', (Pushkin (Russia), Apr. 28–30, 2007).

³³ Interview with Wouter van de Rijt (Principal Administrator, DG JHA, Council of the European Union), May 16, 2007.

³⁴ Ehin, *supra* n. 10, at 68.

who drew the Road Map – neither from the Russian, nor from the EU side. The analysis of the Road Map clearly shows that this ‘Space’ is driven by security concerns of the both parties. It is thus the field of internal security in EU–Russia relations that should be looked at closely in order to understand whether the partners have reached any substantial results. One of the most prominent elements in this field has been defined by the partners as ‘the fight against illegal immigration’. The instrument that has attracted most practitioners’ and scholars’ attention in this regard is the EU–Russia agreement on readmission.

3 THE EU-RUSSIA READMISSION AGREEMENT: ‘A MILESTONE’ OF COOPERATION ON MIGRATION MANAGEMENT

Seven years have passed since the adoption of the Road Map. And despite many implicitly negative formulations and an instructive tone inherent in some of EU documents related to Russia, as well as frequently one-sided media coverage of EU–Russia relations, the cooperation in the field of JHA has produced some results positively evaluated by both partners.³⁵ Undoubtedly, the most visible of them was the conclusion and the ratification of the two EU–Russia agreements on visa–facilitation and readmission, which entered into force on the 1 June 2007.³⁶ This happened strictly in line with the priorities defined in the Road Map, which sets the facilitation of travel while ‘fighting illegal immigration’ as the first policy objective. The negotiations of the two agreements were initiated in 2003 when Russian authorities suggested considering a possibility of the visa–free regime and the EU, bargaining with Russia, replied with a lower profile offer to conclude a visa–facilitation agreement coupled with a readmission agreement.³⁷

Difficult negotiations culminated with the signature and ratification of the agreements that the Russian Presidential Aid Sergey Yastrzhembsky optimistically

³⁵ Nikolay Revenko, Deputy Head, Russian Mission in the EU. Intervention at the training school, *EU Immigration and Asylum Policies, Border Security: State of Play and Prospects of Russia-EU Cooperation on Migration*, (MGIMO, Moscow, Oct. 25–29, 2010); European External Action Service, *EU-Russia Common Spaces Progress Report 2010*, (March 2011), http://eeas.europa.eu/russia/index_en.htm

³⁶ Agreement between the European Community and the Russian Federation on Readmission, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:129:0040:0060:EN:PDF> [accessed Apr. 10, 2012]; Agreement between the European Community and the Russian Federation on the facilitation of the issuance of visas to the citizens of the European Union and the Russian Federation, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:129:0027:0034:EN:PDF> [accessed Apr. 10, 2012].

³⁷ Interview with Wouter van de Rijt (Principal Administrator, DG JHA, Council of the European Union), May 16, 2007.

defined as ‘a milestone on the way to a visa-free regime’.³⁸ And even though subsequently the visa-free track of EU-Russia cooperation has repeatedly faced a deadlock,³⁹ this does not mean that the entire cooperation on migration issues is a failure. Potemkina notes that ‘the lack of optimism concerning the prospects for visa exemption can be made up for with enthusiasm in cooperation against illegal migration’.⁴⁰ In my view, successful cooperation on the fight against irregular migration simply confirms its place among the actual priorities of the bilateral cooperation shared by the both partners, whereas the vaguely defined goal of ‘the visa-free regime in the long-term prospective’ is still mostly a preoccupation of the Russian negotiators.

At the same time, EU officials, while confirming that ‘both agreements are what the EU was looking for’, expressed worries about potential problems with the implementation of the readmission agreement. One of them has characterized it as *the first re-admission agreement with a major partner country*.⁴¹ Another EU representative bluntly stated that *the both agreements are what the EU was looking for. The EU badly needed this, especially the re-admission agreement. It would be very important that Russia implements them properly*.⁴² Implementation of the readmission agreement by Russia could indeed be a problem. During the negotiations and especially after the signature, the EU-Russia Readmission Agreement was often qualified by Russian officials and many independent – also EU-based – experts as an obvious burden for Russia. One of the most prominent commentators of EU-Russia relations, Timofey Bordachev, has even argued that:

Russia has exchanged an elephant for a small dog, giving in to the European Union and getting in exchange only a symbolic dividend – visa-facilitation procedures that might eventually jeopardize Russian interests simply because the parties will continue to move on the track of further visa-facilitation leaving out a possibility of a visa-free regime.⁴³

Quite to the contrary, the implementation of the Agreement shows that these views were too pessimistic, and that the actual ‘burden’ for Russia is not so heavy.

In line with the Readmission Agreement, Russia and the EU are obliged to readmit their nationals staying irregularly in the territory of the other party, as well as those third-country nationals who transited through their territory. A special clause

³⁸ Yastrzhembsky, *Russia and the EU will have visa free regime in 15 years*, [«Ястржембский: Через 15 лет Россия и ЕС установят безвизовый режим »], (12 Oct. 2007), <http://www.rosbalt.ru/2007/10/12/421974.html> [accessed on Apr. 28, 2012].

³⁹ For details see Potemkina (2010), *supra* n. 9.

⁴⁰ *Ibid.*, at 555.

⁴¹ Interview with an official from DG RELEX (Russia unit), European Commission, June 6, 2007.

⁴² Interview with an official from DG Justice, Liberty and Security, European Commission, Apr. 19, 2007.

⁴³ Timofey Bordachev, Deputy Editor-in-Chief of the Journal ‘Russia in Global Politics’, interview to the ‘Radio Svoboda’, May 26, 2006.

of this Agreement has given Russia a three-year transitory period, when the country had to readmit only its own nationals as well as the citizens of those countries with whom Russia itself had already concluded readmission agreements. Ideally, during this transitory period Russia was supposed to take measures that should have secured its territory from migrants planning to use it for transit to the EU, as well as to prepare for readmission of irregular migrants from the EU. Such a preparation should have included setting up of centres for readmitted migrants, improving and strengthening of border infrastructure, concluding readmission agreements with countries on the perimeter of Russia.⁴⁴ Time was also needed for Russia to conclude with individual EU Member States implementation protocols – detailed technical and procedural schemes – indispensable for the whole-scale implementation of the EU–Russia readmission agreement. Progress in this direction is still slow; only eighteen implementing protocols have been signed by April 2012.⁴⁵

Importantly, as Potemkina notes, *Russia had to put much effort into modernising its legal basis, because the term ‘readmission’ appeared in Russia’s legislation only in 2006 with the adoption of the respective Federal law and the additional legal acts.*⁴⁶ The first steps in this direction, however, were made already in 2003 after the conclusion of the readmission agreement between Russia and Lithuania,⁴⁷ which was described as *an important step along the road of implementing the joint statement of the Russia-EU summit of November 11, 2002, on transit between the Kaliningrad Region and the rest of the territory of the Russian Federation*,⁴⁸ but more generally was regarded by both the EU and Russia as a pilot project allowing to test capacities of bilateral cooperation on readmission.⁴⁹ In other words, both the agreement between Russia and Lithuania and the subsequent agreement between Russia and the EU have constituted important phases in the process of readmission policy transfer from the EU to Russia.

In this context, it was clear for the European Commission that for a smooth implementation of the EU–Russia readmission agreement the EU had to ensure all necessary changes in legislation and infrastructure relating to readmission

⁴⁴ Interview with an official responsible for JHA issues at the Russian Permanent Representation to the EU, Brussels, May 2007.

⁴⁵ Подписан Исполнительный протокол между Правительством Российской Федерации и Правительством Королевства Швеция о порядке реализации Соглашения о реадмиссии, http://www.fms.gov.ru/press/news/news_detail.php?ID=51724 [accessed on Apr. 16, 2012].

⁴⁶ Potemkina (2010), *supra* n. 9, at 556.

⁴⁷ Соглашение между правительством Российской Федерации и правительством Литовской Республики о приеме и возврате лиц, незаконно находящихся на территории Российской Федерации и Территории Литовской республики (соглашение о реадмиссии), <http://www.fms.gov.ru/about/cooperation/899/details/38008/> [accessed on Apr. 16, 2012].

⁴⁸ Russian MFA Press-release, *Russian-Lithuanian Readmission Agreement Signed*, (2003). <http://www.mid.ru/bl.nsf/062c2f5f5fa065d4c3256def0051fa1e/ce42b317e7e2e11043256d25002b9311?OpenDocument> [accessed on Apr. 27, 2012].

⁴⁹ Чижов В. Превращать Россию в «пересыльный лагерь» мы не хотим. Интервью специальному корреспонденту информационного агентства «Время новостей» <http://www.vremya.ru/print/130680.html> [accessed on Aug. 21, 2008].

procedures, as well as in practices of all the relevant Russian governmental bodies.⁵⁰ There was a need of both technical assistance and substantial ‘best practices’ transfer through specific projects implemented in daily cooperation with the major Russian counterpart – the Federal Migration Service (FMS). For the purposes of better implementation of the EU-Russia readmission agreement, the EU initiated a special financial project *Assistance to the Government of the Russian Federation in Establishing a Legal and Administrative Framework for the Development and Implementation of Readmission Agreements (2006/120-282)* for the period from February 2007 till January 2009 to be implemented together with the International Organization for Migration.⁵¹

Russia started implementing the Readmission Agreement in October 2007. It was the second country after Albania to do so. By July 2008, EU Member States have determined only about hundred cases eligible for readmission conditions.⁵² There has been quite a steady increase afterwards and by February 2009 Russian Federal Migration Service (FMS) has received some 1,500 applications for readmission from EU Member States. Since October 2007, Russia has received 4,715 readmission requests from twenty EU Member States. More than 3,500 requests have been examined and 2,214 out of them have been accepted eligible for readmission procedure. By November 2010, 793 persons have been readmitted,⁵³ including some looked for by the police and even some related to terrorist activity, cases of false documents have been discovered as well.⁵⁴ Evaluating the implementation of the readmission agreement over the three transitory years, both Russian and EU officials underline the fact that there was identified a very limited number of Russian citizens falling under the readmission procedure.⁵⁵ However, after these three transitory years (by the summer 2010)

⁵⁰ Interview with an official from EEAS, Brussels, February 2011.

⁵¹ For a discussion of the role of IOM in this sector of EU-Russia cooperation see Hernández i Sagrera & Korneev, *supra* n. 31.

⁵² Taneli Lahti, Head of Political Section, European Commission Permanent Representation in Moscow, (Presentation at the EU study weekend, Tomsk, July 2008).

⁵³ Lilia Arestova, Deputy Head of the Citizenship Department, the Russian Federal Migration Service. Intervention at the training school ‘EU immigration and asylum policies, border security: state of play and prospects of Russia-EU cooperation on migration’, (MGIMO, Moscow, Oct. 25–29, 2010).

⁵⁴ Vitaly Yakovlev, Head of Department on Readmission, Russian Federal Migration Service, *The road to visa-free agreements*, [Виталий Яковлев, начальник управления по вопросам реадмиссии Федеральной Миграционной Службы России. «Путь к безвизовым соглашениям»], (Feb. 27, 2009), http://www.fms.gov.ru/press/publications/news_detail.php?ID=27272 [accessed Oct. 25, 2010].

⁵⁵ The only other reliable data on readmission applications from EU Member States to Russia, as well as on numbers of positive replies and refusals by the Russian authorities are present in the Annex 2 to the ‘Evaluation of EU Readmission Agreements’ issued by the European Commission in February 2011 (European Commission (2011), *supra* n. 25). More specifically, this Annex provides the aggregated data for the chosen categories of readmission applications gathered by the Commission from the Member States on the basis of a questionnaire for the years 2007–2009. For obvious reasons, this data do not cover readmission applications for third-country nationals, as in the case of Russia this provision is in force only since July 2010. Unfortunately, to date, there is no official reliable data that

Russia has assumed responsibility for all irregular immigrants that would enter the EU from the Russian territory. This circumstance has been decisive for an intensive externalization of the Russian immigration policy.

4 THE ISSUE OF READMISSION IN RUSSIA'S RELATIONS WITH CENTRAL ASIAN COUNTRIES

Before the signature of the readmission agreement with the EU, Russia did not have readmission agreements with potential migrants' source countries. After striking the deal with the EU, such agreements have become necessary in order to diminish expenses that Russia would bear in the readmission procedures.⁵⁶ This need pushed the Russian government to start negotiations with several of these countries. By autumn 2012, Russia has already concluded readmission agreements with Armenia, Turkey, Ukraine, Uzbekistan, Vietnam, Kazakhstan. Special attention has been paid to the former Soviet Republics in Central Asia.

It has been claimed that Russia's role as a transit country for migrants from Central Asia for whom the EU is the final destination is bound to grow. The EU is therefore directly concerned by Russia's ability to manage its migration flows. Even though this argument is quite disputable, because for the moment migrants from the five Central Asian States do not constitute major migration pressure for the EU, the particular importance of these countries is explained by several interrelated factors. First, their migration potential coupled with unstable economic situation, internal conflicts and environmental problems in the region cannot be neglected.⁵⁷ Second, these countries are by now major transit roots not only for migrants from the bigger Asian region, but also for human and drug trafficking arriving from the neighbouring Afghanistan and Pakistan.

Well aware of these 'soft security' challenges, the Russian government seems to gradually realize the need for closer cooperation with these countries, taking into account multiplicity of regional 'push' factors and regional border problems. Some experts argue that for Russia the security of the southern borders of Central Asia is seen as a question of domestic security, not out of 'imperialism', but of pragmatism, because some 7,000 kilometres of the Russian border with Kazakhstan are nearly

would cover the period 2010–2011. The data available to the EU-Russia Joint Readmission Committee is not public, and both the EU Delegation to Moscow and the Russian Federal Migration Service refuse to share this kind of information.

⁵⁶ Even though the expenses for the readmission procedure as such are to be covered by the EU (in case when it seeks readmission of persons by Russia), the Russian authorities would have to bear costs of keeping readmitted persons in special centres, as well as of their subsequent readmission to their countries of origin.

⁵⁷ Foresight, *Migration and Global Environmental Change Final Project Report*, (The Government Office for Science, London 2011).

impossible to securitize.⁵⁸ Indeed, the Russian authorities claim to have been paying specific attention to the situation on this part of the Russian border since several years.⁵⁹ However, according to recent assessments, the lengthy and porous border with Kazakhstan is still in a precarious state.⁶⁰ Such border, of course, cannot serve any good barrier neither for irregular migration, nor for human or drugs trafficking. Modernization of the border infrastructure needs time. This situation requires that the irregular flows are better controlled downstream, which confirms Central Asia's role as a buffer zone for Russia itself.⁶¹

However, integrating Central Asian States in the network of readmission agreements proved to be an extremely difficult task for Russia that has been emphasized by Russian immigration authorities:⁶²

Unfortunately, Russian proposals to activate the readmission dialogue do not always get a positive reaction from the CIS countries. Russia has repeatedly asked them to speed up negotiations on readmission agreements, but...Kyrgyzstan and Tajikistan keep low profile...So called 'package deals' may be a good solution for this problem. In this case Russia can condition the signature of any international treaty important for these states by their signature of readmission agreements with Russia. In order to involve these countries in the readmission dialogue it is necessary to use the potential of such international organizations as CIS, CSTO, EAEC, IOM, OSCE, as well as the EU capacities.⁶³

It is indeed the conclusion of the readmission agreement with the EU that has been used by the Russian government as a leverage in similar negotiations with Central Asian Republics. Moreover, Russian negotiators have made use of successful negotiation tools previously employed by the EU towards Russia, namely 'package deals' involving positive conditionality.

In some cases, Russia was very active; in others, almost no demarches were taken. Quite unexpectedly, the first success came with the signature of the agreement

⁵⁸ M. Laruelle, *Russia in Central Asia: Old History, New Challenges?*, 3 Working Paper (EU-Central Asia monitoring (EUCAM) 2009).

⁵⁹ Mikhail Strekha, Head of Strategic Planning Department, Russian Federal Border Service. Intervention at the training school 'EU immigration and asylum policies, border security: state of play and prospects of Russia-EU cooperation on migration', (MGIMO, Moscow, Oct. 25-29, 2010).

⁶⁰ G. Olekh, *Siberian Part of the Russian Border with Kazakhstan: State of Affairs and Perspectives* [Олех Г. (2008) Сибирский участок российско-казахстанской государственной границы: состояние и перспективы]. CAMMIC Working Papers (Center for Far Eastern Studies, University of Toyama, April 2008).

⁶¹ Laruelle, *supra* n. 58.

⁶² While it is the Russian Ministry of Foreign Affairs that formally negotiates international agreements, the Russian Federal Migration Service (FMS) has the mandate to define the content of all migration-related deals. This situation sometimes provokes tensions between the two governmental bodies, since their visions of EU-Russia migration cooperation are not always the same. However, their positions concerning Russia's migration management strategy in its 'near abroad' are almost identical.

⁶³ Yakovlev, *supra* n. 54.

with Uzbekistan.⁶⁴ By the summer 2007, Russia has managed to conclude the readmission agreement with this most populated Central Asian country,⁶⁵ when a serious package deal was used by the Russian side as leverage. In addition to the readmission agreement, an agreement on labour activity and the protection of rights of citizens of the two countries was signed as well.⁶⁶ The Head of the Russian Federal Migration Service, Konstantin Romadanovsky acknowledged that the signature of the readmission agreement with Uzbekistan would play a positive role in introducing a visa-free regime in the EU–Russia space.⁶⁷ Russia was then expecting a sort of a chain reaction, awaiting other Central Asian States to express willingness to sign similar agreements, but in vain. Negotiations proved to be extremely long.

Already in July 2007, Russian authorities declared that the agreement with Kazakh was being finalized. However, the agreement was signed only in June 2012. On the one hand, Kazakhstan had been very reluctant mostly for the reasons related to the state of the common border with Russia. This factor made it clear for Kazakh authorities that in case of a readmission agreement in force the country will have to carry the burden of readmitting migrants who went to Russia having crossed its immense territory, be them from its neighbouring Central Asian States, or from the bigger Asian region. On the other hand, Russia had not been really pushing hard for a readmission agreement with Kazakhstan. First, Kazakhstan itself is not at all the major source of migrants in the region. Second, Russia is interested in smooth functioning of the recently established Customs Union with Kazakhstan (and Belarus) and bluntly insisting on readmission in such conditions was obviously not the best strategy. The high importance of such agreement was again emphasized in 2010 by the then President Medvedev who at the seventh Russian–Kazakh Forum of Interregional Cooperation restated the need to settle major migration issues on the territory of the Customs Union, including the signature of a readmission agreement.⁶⁸ Kazakh authorities, however, have managed to postpone the signature for five years.

The situation with Tajikistan looks very similar. In December 2009, the main official Tajik media – National information agency of Tajikistan ‘Hovar’ – claimed

⁶⁴ This success is however relative, since the agreement with Uzbekistan does not cover third-country nationals.

⁶⁵ A. Petrachkova, *A difficult Partner*, 41Vedomosti, (2007) [‘Сложный партнер’. Вестник. Номер 41], www.vedomosti.ru/newspaper/article.shtml?2007/03/09/121953 [accessed Nov. 10, 2010].

⁶⁶ *Russia, Uzbekistan sign four agreements including deal on migration*, Uzbekistan Daily, July 04, 2007, <http://www.uzdaily.com/articles-id-698.htm> [accessed Nov. 10, 2010].

⁶⁷ *Ibid.*

⁶⁸ Project of a readmission agreement is being drafted within the Customs Union [В рамках Таможенного Союза готовится проект соглашений по вопросам миграции], <http://www.zonakz.net/articles/30734?mode=reply> [accessed Oct. 25, 2010].

that Tajikistan was ready to conclude a readmission agreement with Russia.⁶⁹ A year later, in October 2010 the Tajik President met with the Head of the Russian Federal Migration Service (which is itself an extraordinary event).⁷⁰ Then in December 2010, Tajik and Russian Ministers of Interior have devoted special attention to this issue during their meeting in Dushanbe.⁷¹ However, no agreement has been signed yet. The parties, however, continue negotiations and informal discussions on various levels. Kyrgyzstan and Turkmenistan seem to be waiting for their neighbours with the biggest migratory pressure on Russia to sign the agreements first. Their negotiating positions are, however, different. Since Turkmenistan is actually the only country in the region that does not enjoy a visa-free regime with Russia, it could use negotiations on readmission as a tool to get such a regime.⁷² As for Kyrgyzstan, in new circumstances of its increased political and economic dependency on Russia after the recent political turmoil, this country might be more easily persuaded to sign such an agreement sought by Russia.⁷³

In general, the main difficulty about concluding readmission agreements with Central Asian countries has been related to the 'third-country nationals' clause. Not only Russian competent bodies, but also the relevant authorities of Central Asian States understand that many of those who would be eventually identified as irregular migrants in Russia would come not from but through Central Asia, arriving mostly from such countries as Bangladesh, Pakistan, India, Sri-Lanka, and some countries of the South-East Asia.⁷⁴ Moreover, the Central Asian governments' attitude towards the readmission is conditioned by some other internal and external factors. First, they do not want to see their countries in the 'black list' representing 'a migration threat'. Second, heavily depending on migrants' remittances⁷⁵ and being aware that a readmission agreement in force

⁶⁹ Tajikistan is ready to conclude a readmission agreement [Таджикистан готов к заключению соглашения о реадмиссии], http://www.khovar.tj/index.php?option=com_content&task=view&i=17047 [accessed Oct. 25, 2010].

⁷⁰ The President of Tajikistan and the Director of the Russian Federal Migration Service Konstantin Romodanovsky had a working meeting in Dushanbe on the Oct. 27th, 2010 [27 октября 2010 года Президент Таджикистана и Директор ФМС России Константин Ромодановский провели рабочую встречу в Душанбе], http://www.fms.gov.ru/press/news/news_detail.php?ID=39132 [accessed Apr. 03, 2011].

⁷¹ Tajikistan and Russia cannot reach an agreement on readmission [Таджикистан и Россия не могут договориться по реадмиссии], Deutsche Welle, 08.12.2010, <http://www.dw-world.de/dw/article/0,,6309830,00.html> [accessed Mar. 21, 2011].

⁷² Four Central Asian Republics (Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan) have visa-free regime with Russia, allowing their citizens to stay in Russia without a visa during three months.

⁷³ Russia and Kyrgyzstan are expected to sign a readmission agreement on 11 October 2012 in Bishkek (Kyrgyzstan), <http://www.knews.kgrn/politics/22696>.

⁷⁴ Olekh, *supra* n. 60.

⁷⁵ Foresight, *supra* n. 57.

may negatively affect many thousands of migrant-workers overstaying their legally defined periods of sojourn in Russia, they do not want to explain to put them at risk of being sent back home where they – most probably unemployed – would become a challenge for social stability. Finally, Central Asian States fear that the signature of a readmission agreement with Russia might weaken their positions in similar negotiations with other parties, first and foremost with the EU.

Paradoxically, the EU has never tried to directly include Central Asian States in its network of readmission agreements, since it is not ready to propose any visa-facilitation in exchange,⁷⁶ as in the cases of Russia, Moldova and Ukraine.⁷⁷ Nevertheless, there is now a potential for all these States to conclude Readmission agreements with Russia and between themselves. This has been triggered by the dynamics of EU-Russia cooperation on readmission. Therefore, one might argue that ‘transformative power of Europe’⁷⁸ does not always need to involve directly with those whose policies it wants to transform. The role of efficient intermediaries (such as Russia) is important in this case. The conclusion of the EU-Russia Readmission Agreement has produced the domino effect in the region. Eventually, Russian mediation plays an important role in EU policy transfer implying the introduction of cooperation on readmission in the inter-State relations in the region far from the EU borders.

5 BEYOND CONDITIONALITY: DIFFUSION POTENTIAL OF EU-RUSSIA COOPERATION ON MIGRATION MANAGEMENT

A steep intensification of the EU-Russia cooperation on migration management has contributed to a rapid development of the external dimension of Russia’s migration policy. One common explanation for the Russian government’s willingness to be involved in this cooperation is provided by the conditionality argument whereas the EU defines efficient cooperation on migration management and, in particular, on readmission as the key condition for a visa-free regime with Russia. In this case, the success of the EU may be explained by Russia’s reaction to the mix of positive and negative incentives used by the EU. According to such rational-choice assumptions, invoking causation by conditionality,⁷⁹ major changes in Russian migration policy might have been explained by the EU pushing the burden of migration management onto its biggest Eastern neighbour. In

⁷⁶ Interview with an official from EEAS, Brussels, February 2011.

⁷⁷ Korneev, *supra* n. 23.

⁷⁸ T. Boerzel & Th. Risse, *The Transformative Power of Europe: The European Union and the Diffusion of Ideas*, 1 Working Paper, 29 (KFG The transformative power of Europe, May 2009).

⁷⁹ F. Schimmelfennig & U. Sedelmeier, *Governance by conditionality: EU rule transfer to the candidate countries of Central and Eastern Europe*, 11 (4) J. Eur. Public Policy, 669–687 (2004).

circumstances, when the EU conditions the dialogue on visa-free regime with Russia by the efficient implementation of the readmission agreement, Russian authorities have acknowledged the need to foster cooperation with countries of migrants' origin and transit.⁸⁰ Whereas the EU has been trying to address patterns of interdependence 'through the external projection of internal solutions',⁸¹ Russia's decisions to adopt or reject elements of EU migration management strategy might have been based on the mix of the EU's positive and negative incentives.

Yet, this approach portrays Russia as a passive recipient of EU policies and practices, neglecting the fact that Russia has its own political agenda, especially when it comes to its neighbourhood. The analysis of the Road Map and of its subsequent implementation shows that an important goal of the Russian government is to demonstrate sufficient progress in key areas of cooperation with the EU in an attempt to justify the 'strategic partnership' status of the bilateral relations. The sphere of migration management is particularly suitable for this purpose, since the Russian government tends to explain progress in this field by the fact that cooperation on migration management is based on common interests, rather than on divergent values. Considering this broader context of cooperation helps dealing with the argument according to which the EU can hardly use conditionality (at least in conventional meaning) in its relations with Russia due to such factor as strong economic interdependence of their relationship and the fact that Russia has made it clear that it does not aspire for EU membership.⁸²

Instead, enforced *emulation*⁸³ of some of the EU migration management practices by Russia, might be explained by pragmatic calculations of such key policy actors as the Russian Federal Migration Service and Russian Ministry of Foreign Affairs and might reflect Russia's intention to employ efficient policy solutions for problems similar to those of the EU. Just as the EU has been shifting responsibility for migration management to the East, Russia has adapted a similar strategy towards its Southern neighbours. In doing so, Russia has been trying to use EU migration management interests as leverage in its own negotiations with third countries. Subsequently, the need to conclude readmission agreements with third countries has even entered the new Migration Policy Concept of the

⁸⁰ Interview with a Deputy Head of Section on Entry of Foreigners, Consular Department, Russian Ministry of Foreign Affairs, Oct. 28, 2010.

⁸¹ Lavenex (2004), *supra* n. 13.

⁸² P. Balazs, A. Duleba, J. Schneider & E. Smolar, *Towards a New Eastern Policy of the European Union: Eastern ENP and Relations with Russia after the German Presidency*, Project: Strengthening Central European contribution to the Eastern dimension of EU's CFSP, 2 Policy brief (2007).

⁸³ Boerzel & Risse, *supra* n. 77.

Russian Federation adopted by a Presidential decree.⁸⁴ This policy line represents one of those cases where the EU's security interests coincide with the security interests of Russia or, more accurately, with the securitarian agenda of the Russian government. Last, but not least, migration management cooperation with the EU provides the Russian government with leverage and symbolic power vis-à-vis its neighbours in the CIS countries. It is particularly the case for Russia's relations with the countries of migrants' origin and transit in Central Asia.

Russian officials trying to keep the image of an open and welcoming neighbour, necessary for Russia's efforts aimed at fostering integrationist dynamics in the region, often justify restrictiveness of Russian immigration policies by pressure from the EU. A usual juxtaposition of 'us' and 'them' (often used while referring to locals and immigrants) gets a new dimension in this case. Explanations stating that it is the EU to be blamed for tough Russian immigration and border control are often given to the partner-countries in the CIS. Russian authorities learn not only to emulate EU measures in the field of migration control, but also to exploit justifications that have already been used by the EU in the process of construction of its own migration policy. The EU, thus, provides a sort of legitimization for Russian policy, most probably being aware of this situation. The EU perceives itself as a model for efficient and legitimate governance to be emulated by other countries and regions. By the virtue of this, a major feature of the EU's policy towards Russia is the intention to adjust institutional and content-specific characteristics of Russia's migration-related policies to the EU needs. The EU's experience or, more precisely, multiple references to this experience play an important role in the construction of a new Russian immigration policies – in particular in their advanced securitization. The relevant agreements (those already in place or those being negotiated) seem to be part and parcel of the EU 'externalization' strategy implemented through policies of its partners, in this particular case, through Russia's policies towards its 'near abroad'. Thus, one might observe a certain dynamic of *diffusion*⁸⁵ that is not contained within the framework of the EU-Russia cooperation, but has acquired a broader regional dimension.

⁸⁴ **Концепция государственной миграционной политики Российской Федерации на период до 2025 года.** <http://www.kremlin.ru/news/15635> [accessed July 20, 2012]. Actually, the need to conclude readmission agreements with countries of origin figures already in the previous Migration Policy Concept adopted in 2003 (apparently in connection to the signature of the readmission agreement with Lithuania). However, there it is not defined as a key instrument of Russia's international cooperation in the field of migration.

⁸⁵ For a discussion of the concept of diffusion applied to the EU and its external relations see T. Boerzel & Th. Risse, *From Europeanisation to Diffusion: Introduction*, 35 (1) *West European Politics*, 1–19 (2012).

6 CONCLUSION

EU–Russia cooperation on migration management is rather a case of successful sector-specific cooperation, than a solid building block for the Common Space of FSJ. This is, however, a natural situation, given that the priorities of the respective Road Map specifically target migration cooperation at the expense of other issues. Cooperation in the field of migration management is important for both the EU and Russia. Importance of this cooperation for the EU is higher than that of the sub-field of human rights within the same common space, while Russia also has its own benefits, and that is why migration management continues to be one of the most dynamic and successful fields of cooperation, regardless the pending visa-free negotiations. One might also identify a strategy of the Russian government to demonstrate sufficient progress in important areas of cooperation with the EU in an attempt to justify the ‘strategic partnership’ status of the bilateral relations. The sphere of migration management is particularly suitable for this purpose, since the Russian government tends to explain the progress in this field by the fact that cooperation on migration management is based on common interests, rather than on divergent values.

Analysed through the lenses of sector-specific cooperation, EU–Russia relations seem already much less coloured in black. There are, of course, significant problems in various spheres. Nevertheless, keeping low profile, the partners have managed to achieve quite tangible results – much of what has been planned in the sphere of migration management. The implementation of the readmission agreement has shown that fears of both the EU and Russia with regard to potentially high numbers of irregular migrants were largely exaggerated. Moreover, through this cooperation with Russia, the EU has acquired additional channels to promote one of its most internationally visible instruments of migration management (readmission agreements) in Central Asia – the region where its direct involvement has not been quite successful.⁸⁶

⁸⁶ M. Emerson, et al., *Into EurAsia: Monitoring the EU’s Central Asia Strategy*. Report of the EUCAM Project (CEPS: Brussels, 2010).