

A New Segregation: Russians Living Abroad Are Becoming Russia's Lower Caste

By Dissidently & disreputable Putin's war in Ukraine has been expressed either by publishing critical remarks online or simply trying to leave the country. It has been reported that since the beginning of the war on February 24, 2022, in order to avoid the development of dissent in the country, at least 190 people and associations were designated "foreign agents,"[1] and that more than 5,000 administrative cases against people accused of "discrediting the Russian Army" and 180 criminal cases for distributing "fake news" were filed,[2] while dozens of citizens have already been sentenced to prison, some for as long as seven years.[3]

At the moment, emigration appears to be the safest and most secure form of protest. In fact, no one has been charged with or convicted of draft evasion in absentia, and the authorities still refrain from sealing the borders. The only limitation that has even been proposed is that, recently, in the Duma, it was proposed that cars belonging to Russian citizens and foreign citizens be allowed to cross the Russian border at specified dates and times. Hence, it is clear that the Kremlin prefers that the dissenters leave Russia rather than protest inside the country.



(Source: Sergei Vedyashkin / Moskva News Agency)

The Russian "Exodus"

However, in recent months, the number of people leaving Russia resembles an exodus. Even while the estimates vary, most of the experts agree that around a million people left Russia permanently in the last 12 months, including hundreds of celebrities, thousands of millionaires, and tens of thousands of entrepreneurs and professionals.

Though the cities of Dubai, Istanbul, Tbilisi, and the Montenegrin town of Budva are now full of Russians trying to spend time in leisure, most of them retain strong ties with Russia. In fact, while some of the "fugitives" possess real estate or business assets abroad, the majority of them do not, therefore their lives depend significantly on funds they can get from Russian financial sources. For instance, even Russian artists abroad get their royalties from Russia and perform mainly in front of other Russians, who in turn receive money for their living expenses from the "homeland." Furthermore, many people are still employed by Russian companies, working for them remotely.

It is worth noting that, in the days of the September and October exodus, the notaries in Russia experienced a six-fold increase in demand for power of attorney,[4] as people that prepared to leave wanted to give their relatives the authorization to rent or sell their properties. All this looks like a unique feature of modern Russian emigration: While those who fled Soviet Russia in 1920 lost everything they had, and most of the modern economic migrants that move to wealthy nations from poorer ones try to send money back home to support their loved ones, the new Russian emigres rely heavily on domestic assets for financing their everyday spending while hiding abroad. This may change in the not-so-distant future.

The Call To Confiscate Properties Of Russians Abroad

The Russian authorities started to reflect on the exodus of Russians back in November, as the State Duma proposed that artists, "who left the country" like beloved Soviet-era singer Alla Pugacheva, should be deprived of their royalties from the Russian Authors' Society (RAO).[5] Some of the officials even suggested that the new generation of Russians should forget who these performers were. Almost at the same time, the media also reported that a bill to ban remote work from abroad may be submitted to the State Duma in 2023.[6] Further, many politicians, such as Senator Sergei Tsekov, have suggested that the property of those who left and criticize Russia should be confiscated and used to finance the war in Ukraine. Some NGOs, like the pro-Kremlin Foundation for Preservation of National Historical Heritage, have even petitioned the government for confiscating the property of those emigrants who are designated "foreign agents" and that "discredit" the army.[7]

However, Article 27 of the Russian Constitution ensures the right of any Russian citizen to "freely travel outside the Russian Federation" and "freely return."^[8] Hence, there is no formal reason to discriminate against those living abroad – during all previous decades, Russians living outside the country encountered no problems at all. The only economic consequence of such "relocation" might be the significant rise in taxes paid – while Russians that reside in the Federation pay only 13-15 percent of their revenues as income tax, the figure raises to 30 percent for those who spend more than 182 days per year abroad.^[9]

Commenting on the proposal to confiscate the property of those who have left the country, Senator Andrei Klishas, who dealt with the rewriting of the Constitution in 2020, stated on his Telegram channel that the suggestion is "unconstitutional," and therefore "unrealizable."^[10] Later, State Duma Deputy Speaker Anna Kuznetsova proposed using the property of citizens who left Russia to solve the problems of providing housing for orphans. However, Klishas noted: "It remains to be understood how one can legally use someone else's property to solve social problems. No way to do it without serious amendments to the Criminal Code."^[11] Vyacheslav Volodin, the speaker of the State Duma, has actually already proposed to amend the Criminal Code with a clause on confiscation of property from "scoundrels," who "insult Russia, its inhabitants, soldiers and officers," in order to "curry favor" and "try to maintain their well-being abroad."^[12]

The "Enemies Of Society"

In recent weeks, the debate has intensified dramatically. Clearly, those who left their country are being accused of "betraying" it, and it would be quite easy even under current laws to charge someone who left Russia in recent months with "insulting the Russian Armed forces," sentence a person in absentia and confiscate property "as compensation for the damage inflicted on Russia." Former Russian President Dmitry Medvedev said that "traitors who hate their country so much that they call for its defeat and death should be considered enemies of society, hostis publicus," adding that such persons should be cut off from the possibility of returning to Russia, even "if no criminal or administrative charges were brought against them," as well as from all sources of income in the country.

Even without immediate changes to Russian legislation, particularly the Criminal Code, the country seems ready to become accustomed to a kind of new segregation as Russians living abroad are more and more considered a "lower caste" deprived of some benefits and rights that only citizens residing in the Federation can enjoy.

Moreover, residents in Russia that have relatives abroad who are critical of the regime will also be discriminated against. For example, recently, Aleksandr Kulyabin, the former director of the Novosibirsk-based Red Torch Theater whose son lives abroad and has publicly condemned Russia's war in Ukraine, was jailed on embezzlement charges. He was accused of allegedly mishandling 1.8 million rubles, around \$26,000 USD, of the theatre's money – something that supposedly happened several years ago.

This new "segregation" trend is in line with the Kremlin's dividing the world into Russia and "the rest," which is itself split into "friendly" and "unfriendly" nations – with some quite important differences applied to both private citizens and companies originating from different "categories" of foreign countries.

Property Confiscation Was Widely Used In Soviet Times

The rhetoric on taking radical economic measures against the "new emigres" was discussed not only by many Russian opposition activists – whose attitudes cannot change anything in the country – but also by "systemic" businessmen as well. Vladimir Potatin, one of the wealthiest Russians, spoke against the confiscation and freezing of the assets of Russians that left the country in protest of the Kremlin's policies. Potatin stated that politicians should "respect" others' beliefs, even if these ideas are not liked by "more patriotic people." In his opinion, confiscating property and "stigmatizing people prematurely" is a sign of weakness and constitutes a violation of property rights. Such thoughts are shared by many Russians, but I would argue that they represent a rather tiny minority of the population, most of which would be happy to see those who escaped from the regime being stripped of their property. This tradition has a long history in Russia, and as politicians started already to describe those that left the country as "enemies of the people," there is little doubt that government officials will do their best to ruin the "new emigres" economically and prevent their return to Russia.

Of course, there are some – only "some" – obstacles to the institutionalization of property confiscation. The Russian criminal legislature was liberalized in the early 2000s, in order to completely change it from the Soviet one. In fact, in Soviet times the confiscation of property was widely used and was enshrined in at least 30 sections of the Penal Code.^[13] However, since 2003, confiscation has been outlawed, and has until now been practiced only in certain cases, mainly only with respect to property received by a convicted person as a result of a crime, as well as tools and means of committing a criminal offense.^[14]

In 2018, Communist representatives in the Duma submitted a bill suggesting the reinstatement of property confiscation as one of the additional types of punishment for certain crimes.^[15] However, at the time, United Russia, the ruling party, turned the proposal down, presumably fearing that the confiscation might be applied to corrupt bureaucrats. Nevertheless, it should be mentioned that the idea of property confiscation is widely supported by ordinary people, who hate "traitors" and "thieves" with equal vigor.

Conclusion

So, what should we expect in the nearest future? Russian leaders will likely act as they usually do. Deputies and senators will propose a new legislation, which allows the confiscation of property of those Russians leaving abroad that are criticizing the Russian government's actions. Several criminal cases will be brought against some of the most profound dissenters, who have no intention of returning to Russia but possess sizeable property, like flats or mansions in or around Russia's largest cities. These will startle many Russians and, presumably, make some of them silent or quieter.

At the same time, a database of those who left the country after the mobilization was announced might be established and the Russia-based

companies may be banned from establishing contract relations with them in order to terminate the outflow of cash from the country. There is little doubt that the local property of the emigrants will become the object of fraud and a takeover as everybody knows they cannot return to fight for their rights. One such example was recently detailed by Sergei Medvedev, a former professor at the Higher School of Economics in Moscow, who is now losing his beloved summer house outside the city, as his property was stolen by "brazen falsification" of his data in the Federal Service for State Registration, while "the entire law enforcement and judicial machine" is "grinning happily" and "legalizing this theft."^[16]

So, to make a long story short, no full-scale confiscation will happen – but its possibility will be enacted by law, and the new emigrants will be discriminated against in many ways. There are reports that Russian Embassies abroad reject appeals for passport renewals, responding that the application could well be filed, but the new passport must be collected... in Moscow. All this will make the current Russian emigration a lasting phenomenon, with those squeezed out of the country being forced to integrate as soon as possible into the welcoming societies and finally forget about challenging Putin's regime.

**Dr. Vladislav Inozemtsev is MEMRI Russian Media Studies Project Special Advisor, and Founder and Director of Moscow-based Center for Post-Industrial Studies.*

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