

EXPERIENCE OF STATE REGULATION OF MIGRATION PROCESSES ABROAD: PROSPECTIVE PRACTICES FOR RUSSIAN MIGRATION POLICY

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Abstract: The article examines the key areas of migration policy and sectoral legislation of the leading immigration centers in Europe and America - Canada, the USA and Sweden; analyzed the criteria for admitting immigrants and granting them work permits; the main trends in the development of state regulation of migration processes in Western countries are characterized. Over the past 40 years, the scale of migration in the world has almost tripled. According to UN statistics, in 1980 the number of international migrants was 102 million people, in 2019 - 272 million people, or 3.5% of the world's population. Migration is becoming a key factor in demographic and economic development for most countries.

Keywords: migration policy, migration legislation, immigration, labor migrants, refugees, selective approach, foreign experience.

1 Introduction

The migration policy of economically developed countries is based on a selective approach, which allows the recipient states of the labor force to select only those specialists who are able to benefit the host economy, thereby using international migration as a factor in the development of national human capital, the economy and the social sphere. It is advisable to implement such experience in the Russian practice of migration regulation, since at present the majority of immigrants arrive in Russia from the former Soviet republics, with which the state has established a visa-free regime, and there are no requirements for the professional competencies of most of the labor migrants.

2 Methods

The article provides a systematization of theoretical and analytical data, in particular, the migration policy in Canada, the USA and Sweden is studied. Of particular interest is the study of the qualitative and quantitative characteristics of external and internal migration flows, which is necessary for the formation of directions of state migration policy.

Also, the article uses statistical analysis and comparative analysis. According to the UN, the scale of world migration has a steady upward trend. In 1980, the number of international migrants was 102 million, in 2017 - 258 million, of which a significant number (150.3 million people) are migrant workers (58.3% of the total number of migrants). Over the past decades, the share of international migrants among all citizens of the planet has also increased from 2.3% in 1980 to 2.8% in 2000 and 3.4% in 2017.

The UN data based on official statistics on the foreign born, i.e., people born outside of the country of current residence indicates that the highest number of migrants in 2017 - 49.8 mln (15.3% of country's total population) - lived in USA. Russia ranks fourth - 11.65 mln migrants (8.1 mln of Russia's total population) lived here (<http://www.gks.ru>). The main Russian difference from the other industrial countries is that most of immigrants get here from former Soviet Republics with which it has been established that no visa is required.

Experts note that the most developed countries seek to use international migration as an important factor of national human capital development, growth of the economy and the entire

social sphere, using a selective approach for this. For example, in Canada and some other developed countries, a points-based system is used for selection of economic migrants (<http://www.consultant.ru>). From 2015, applicants who already have a job offer (contract with an employer) receive an advantage when applying for living in Canada. Such a system allows attract the very specialists that the country's economy needs.

Selective approach allows the country - the recipient of labor to receive a number of significant advantages: solving the problem of labor shortages in certain sectors of the economy, productivity growth, balanced regional development by resettling migrants in certain territories, stimulating domestic demand for goods and services owing to growing number of consumers, development of human capital and innovative activity of enterprises, etc.

3 Results and Discussion

Canada has one of the best immigration systems in the world. Immigration is the main driving force behind the country's population growth: in 2019, 313 thousand people immigrated here - about 1% of Canada's population.

Canada's immigration law is based on the Immigration and Refugee Protection Act (IRPA) of 2002 (<http://www.gks.ru>). The Immigration and Refugee Protection Act sets out the basic principles and concepts governing immigration programs and refugee protection in Canada. According to the Law, the following categories of applicants can obtain a residence permit in Canada:

- 1) Applicants for family reunification;
- 2) Economic immigrants. A foreign citizen can be selected as a member of the so-called. "Economy class" based on its ability to be useful to the Canadian economy.

In Canada, as in a number of other developed countries, a point system for selecting economic migrants is used. Canada's Express Entry Immigrant Assessment and Selection System allows prospective expatriate employees to communicate with prospective Canadian employers without intermediaries. Express Entry itself is not an immigration program - it is an electronic system used by the Government of Canada to select candidates for immigration to Canada under the following immigration programs (<http://www.gks.ru>):

- Federal Skilled Worker Class (for professionals);
- Federal Skilled Trades Class (for working specialties);
- Canadian Experience Class (for those with work experience in Canada);

Parameters assessed: education, knowledge of English and / or French, work experience, age, guaranteed employment, adaptability. Since 2015, applicants who already have a job offer (contract with an employer) have received preference when applying for residence in Canada, which is primarily due to the fact that Canadian employers do not trust foreign diplomas of education, especially non-European (African countries and Asia), and work experience abroad is often irrelevant (<http://www.gks.ru>). Such a system makes it possible to attract exactly those specialists that the country's economy needs.

3) Refugees. The law provides the right to resettle refugees from abroad and grant asylum in Canada for those who have a legitimate fear of persecution, torture or death. While eligible asylum seekers can reside in Canada pending a decision on their application, a rejected application means they must leave Canada or they will be deported.

Most people who successfully apply for permanent residency are selected through economic immigration programs to Canada.

It is worth noting that Canada was the first country to pass a national multiculturalism law - the Canadian Multiculturalism Act (1988) (<http://www.consultant.ru>). The law provided the legal basis for the official multiculturalism policy adopted by the Canadian government in 1971. The original policy of multiculturalism was aimed at preserving culture, primarily reflecting the interests of immigrants of European descent. However, as the center of immigration gradually shifted away from Europe with an increase in the number of immigrants from Asia, Africa and the Middle East, new challenges and priorities emerged. In addition to cultural and linguistic preservation, new arrivals expressed concerns about employment, housing, education and discrimination.

The 1988 Canadian Multiculturalism Act recognized multiculturalism as a fundamental characteristic of Canadian society. The law seeks to remove any obstacles that hinder the full participation of immigrants in society, and to help people eliminate and overcome all forms of discrimination.

In 2019, a migration reform was carried out in Canada, affecting the rules and procedures for entering the country (Davitti, 2018). The main innovation concerns the collection of biometric data of immigrants: from the end of 2019, in the case of an application for entry into the country - whether it is a visitor visa, work or study permit (except for US citizens), permanent residence, refugee status, extension of stay or extension of a study or work permit, the applicant is required to provide biometric data, as well as a photograph. Those who, within the last 10 years, have provided biometric data to obtain a guest visa, work permit or study permit, and the validity of these documents has not yet expired, are exempted from the requirements. It was noted that biometric data should be submitted once every 10 years.

There have also been tightened requirements for applicants who may pose a burden on the health and social services system in Canada and, on this basis, may be deemed ineligible. According to innovations in immigration law, a foreign citizen is prohibited from entering if it is expected that his state of health may cause an undue burden on the system of providing medical services and social services. "Excessive burden" is defined as the likely need for immigrants for medical or social services for which the expected costs will exceed the average over the next five years; and in cases where there is reason to believe that five years of treatment or care will not be enough - within the next 10 years.

According to UN statistics, which takes into account all persons living in the country, but born outside of it, the largest number of migrants at the end of 2019 - 51 million people. - lived in the USA (Zoomers, 2018).

The US migration policy, similar to the Canadian one, is aimed at attracting foreigners who can make a tangible contribution to the country's economy, therefore the system for issuing permanent visas provides for preferences, and the greatest preference is given to those who have so-called "valuable skills" - they are migrants with outstanding abilities in science, education, business, sports or art, eminent professors and international managers; migrants with a master's degree or individuals with exceptional ability (one rank lower than outstanding); those who have recently received a bachelor's degree; worshipers. Also, privileges can be obtained by investors willing to invest in the American economy from five hundred thousand to one million US dollars (Pedersen & Rytter, 2018).

When accepting migrants in the United States, quotas are applied - only 140 thousand people a year can apply for a permanent visa. To obtain a visa, you need a document confirming the employer's intention to hire a potential immigrant, and certification from the Department of Labor - this procedure is aimed at determining whether there are applicants for this vacancy among permanent residents or US citizens. If the specialty for which the migrant is employed is included in the Schedule A list (a list of specialties in which the American labor market has a need), then certification is not required.

Since 1990, a program for attracting investors has also been operating in the United States: it provides for the granting of permanent resident status to those who invest in the American economy from five hundred thousand to a million dollars and creates 10 or more jobs for citizens or residents of the United States in the agricultural industry or in regions experiencing economic stagnation.

Sweden has traditionally acted as a country that is supportive and humane in relation to immigrants and refugees. About 1.7 million of the resident population of Sweden were born outside the country (17% of the country's population).

The 2005 Aliens Act (Swedish - Utlänningslag) (Bhagat, 2018) regulates the country's migration policy, including the conditions for issuing visas, long-term resident status, work permits and refusals to enter the country, and contains measures of control and coercion in relation to illegal migrants, incl. criminal sanctions.

Let's take a closer look at the requirements of Swedish legislation for economic (labor) migrants. A work permit is a decision of the Swedish Migration Agency that gives a foreign national the right to work in Sweden. Scandinavian citizens, EU / EEA citizens, Swiss citizens and their family members do not need to apply. Individuals who have lived in another EU country for five years also do not need to apply for a work permit. A self-employed person does not need a work permit, but must have a residence permit. A permit is also not required for athletes, specialists of international corporations, scientists.

Sweden and other European countries comply with directives regulating the recognition of professional qualifications and the granting of permits to practice for some professionals (those professions that fall under these directives require certification of a diploma or the search for its equivalent). The basic principle of these directives is that anyone who has the necessary qualifications to work in a particular profession in their home country has the right to do the same in another country. Basically, these directives apply to the professions of lawyer, pharmacist, architect, midwife, doctor and nurse, veterinarian. Immigrants must register with the Swedish Population Register. You must have a work permit for a period of at least one year and continuously reside in Sweden for at least one year. Upon completion of registration in the Swedish Population Register, the immigrant receives a Swedish identification number (personnummer). In case the work permit is issued for less than one year, the immigrant will not be registered in the Swedish population register and will not be eligible for social benefits. For this reason, it is important to have insurance to cover costs that may arise in the event of illness or accident.

In connection with the migration crisis that began in 2014-2015, Sweden adopted a number of tightening legislative measures in the field of migration. So, in 2016, the country adopted a law (Janská & Bernard, 2018) providing for temporary restrictions on residence permits, while limiting, among other things, the right to family reunification. This innovation is intended as a temporary measure (until mid-2021) to ease the pressure on the Swedish migration system and local authorities due to the high flow of asylum applications.

Among the government's priorities in the area of migration is the deportation to their home countries of those asylum seekers who have been refused. Sweden seeks to facilitate "voluntary" return by providing housing and subsistence allowance, subject to consent to leave the country. The authorities also tightened control and punishment of illegal migrants.

4 Summary

Thus, today the international regulation of migration is determined by the following general trends: the criteria for determining the foreign labor force are changing; the importance of the used needs of the filters increases (quotas, point systems, lists of deficient professions, the level of remuneration, etc.); the

role of regulatory instruments (permitting and control systems of employers and other sponsors, programs for irregular migrants) is increasing; the problem of adaptation of foreigners and the inclusion of immigrants in host societies is being actualized.

The most interesting for Russia are the practices used in the migration policy of the USA, Canada and the EU countries and associated with the mechanisms of selective selection of labor migrants, which will allow using immigration as one of the development resources.

5 Conclusions

To introduce these practices into the Russian immigration system, it is necessary at the legislative level to determine the foundations of the point system, which allows, based on a number of criteria, to assess the need for a particular specialist to come to the country. In addition, it is advisable to regulate the migration inflow through the employer: in this case, it is the latter who decides whether he needs an employee with one or another qualification, concludes an agreement with him, and only then the migrant can apply for documents for residence and work in the country. A similar system operates in Canada and Sweden. In Russia, it can be adapted in the form of a mechanism for the organized recruitment of foreign labor in countries that supply labor.

It is also important to note that the migration legislation of Western countries pays special attention to the problems of adaptation and integration of foreigners into the socio-cultural environment in which they find themselves, studies are being conducted to assess public sentiments in order to suppress possible tensions and conflicts in the relationship between the local and visiting population. Today, in order to suppress the flows of illegal migration in Russia and abroad, legislation and law enforcement practice have been significantly developed, the system of control and supervision activities is being improved, but in the countries of Europe and America at the state level it is understood the need to complement these measures with a humanitarian component - work to promote the adaptation and integration of migrants ...

Increasing the importance of educational adaptation, developing a system of informing visitors, attracting volunteers to the provision of adaptation services, creating preferential conditions for the participation of non-profit organizations, as well as organizing centers for adaptation and integration of foreigners in places of the greatest immigration inflow could become factors contributing to the improvement of the mechanism of settling foreign citizens in Russia.

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