

MIGRATION POLICY OF UKRAINE AND MEASUREMENT OF ITS EFFECTIVENESS

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Abstract: The migration situation that has developed over the past ten years focuses on society's most acute and painful problem, the working population's unregulated outflow. Therefore this topic is relevant for various scientific formats: economic (the study of the impact of the outflow population, for economic policy (formation of state building), sociological mechanism (the study of demographic processes, effective legal migration legislation), for the formation of social forecasts), and so forth. It has been proved that in the minds of the newly integrated processes, the rate of acceleration which rises every year, the migration is one of the most complicated things. For approximate tributes, there are 2-3% of the population which are drowning in the different kinds of migration.

Keywords: Legal norms, Migration level, Migration policy, Protection of immigrants, Social guaranties.

1 Introduction

Migration and migration policy issues have often influenced essential issues in economic research [1]. Over the past 20 years, new or "updated" migration policy issues have emerged related to changes in people's demographics [2], well-being, skills, origins, attitude towards the host country, and international governance [3, 5].

In today's conditions in Ukraine, there is an urgent need to determine the priority areas of development of the state's migration policy, based on performance indicators. It is necessary to say that, these days, the negative phenomena increase in society. There is political instability, the east military conflict, the deindustrialization of the economy, the country's demographic crises delve more profound. It is connected with the birthrate and increased mortality, and the increasing outflow of labor resources to the countries with a better economic situation.

The Ukrainian policy state needs to introduce a method for determining its effectiveness to form and implement measures to reduce the outflow of labor outside Ukraine.

The Ukrainian policy state has internal and external sides. The internal policy is connected with the distribution of migration flows by region, creating conditions for refugees' reception and massive prevention movements. The external side is connected with immigrants' involvement, ensuring state safety, the observance of immigration rights, and the development of international cooperation. There was an evaluation methodology of the country's immigrants' attractiveness by the international organization of migration. There is given Ukraine's analysis by this method in this work and provided conclusions on improving migration policy in Ukraine.

2 Materials and Methods

More recently, home country government agencies have been facilitating travel to and communication with countries of origin, as well as participation in civilian activities in the country of origin [12]. Remittances from migrants living in more geographically concentrated diasporas increase venture funding, the number of founders in countries of origin more than remittances from migrants living in more dispersed diasporas [9]. As the number of migrants increases, diaspora development elements can help identify and exploit new business opportunities [13].

A number of publications of scientists, including V. Vasiliev, O. Malinovska, O. Petroe, are devoted to the problems of formation of effective migration policy in Ukraine. However, the

assessment of the effectiveness of migration policy according to the methodology of the International Organization for Migration for Ukraine was not conducted, so the paper presents the calculation of the migration policy index.

3 Results and Discussion

The International Organization for Migration (IOM) in the second edition of the Glossary on Migration defines the following: "Migration policy is a system of institutions, legal norms, mechanisms and practices within the national system to regulate the level of migration and protection of migrants" [10]. Diaspora development often includes elements such as:

- Geographic concentration in communities [6];
- Creation of organizations with the characteristics of a public good [7];
- Public, private, and civil society institutions that provide governance of the local diaspora [8, 9].

The UN General Assembly defines migration management as migration policies and programs of individual countries, interstate discussions and agreements, international organizations' activities, and relevant laws and regulations [10]. The Migration Government Index was developed within the International Organization for Migration framework in 2016 [11]. The migration index estimate is based on indicators grouped into five groups, as shown in Table 1.

Table 1: Indicators of the migration policy index

Indicators of the migration policy index				
1 group	2 group	3 group	4 group	5 group
1. Institutional capacity	2. Migrants' rights	3. Safe and orderly migration	4. Labor migration management	5. Regional and international cooperation and other partnerships
1.1 Institutional base	2.1 Access to basic social services and social security	3.1 Border control and enforcement	4.1 Labor migration management	5.1 Signing and ratification of international conventions
1.2 Migration strategy	2.2 Family rights	3.2 Admission and suitability criteria	4.2 Skills and recognition schemes	5.2 Regional cooperation
1.3 Legal basis	2.3 The right to work	3.3 Reintegration policy	4.3 Regulation of student migration	5.3 Bilateral agreements
1.4 Institutional transparency and coherence	2.4 Long-term residence and the path to citizenship	3.4 Measures to combat trafficking in human beings and smuggling	4.4 Bilateral employment agreements	5.4 Global cooperation
1.5 Data collection and availability of information			4.5 Migrant remittances	5.5 Other partnerships

Each group of indicators is evaluated on a ten-point scale, and then, migration policy is evaluated according to such criteria as shown in Figure 1.

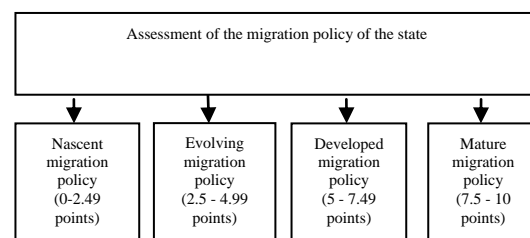


Figure 1 – Evaluation of migration policy

The calculation of the first dimension of the migration policy index of Ukraine is given in Table 2.

Table 2: Calculation of the first dimension of the index of migration policy of Ukraine

Subgroup	Question	Answer	Points	Type of migration policy
1	Is there a state body responsible for developing migration policy?	Yes	0,25	Developing migration policy
	Is there a special government agency responsible for issuing periodic reports on internal and external migration?	Yes	0,25	
	Is there a special state institution or agency responsible for internal migration policy?	No	0	
	Is there a separate government agency or agency responsible for adopting foreign migration policy?	In some measure	0,125	
	Are there operational structures to ensure an effective response in the event of a mass influx of migrants?	Yes, but they are not enough	0,125	
	Is there urban planning to prepare for migratory movements caused by climate-related natural disasters?	No	0	
2	Is there a national migration strategy defined in a policy document or manifesto?	Yes	0,66	
	Does this strategy correspond to national economic development strategies?	Yes	0,66	
	Does the country have a national strategy for interaction with its diaspora population?	Some	0,33	
3	Is there a national migration law that regulates internal migration?	No	0	
	Are there provisions governing groups of migrants according to the cause of migration or the characteristics of migrants, such as age and gender?	Some	0,66	
	Is there a specific policy on external migration?	Yes	0,33	
	Are there institutions to provide assistance to citizens living abroad?	In 100+ countries	0,33	
4	Is there a clear and transparent set of migration rules in the country?	Some	0,5	
	Is the country making efforts to strengthen policy coherence?	No	0	
5	Does the government regularly collect and publish data on the deaths of migrants?	No	0	
	Does the country regularly collect and publish data on the deaths of incoming migrants?	No	0	
Result			4,22	

Most powers in the field of migration belong to the State Migration Service of Ukraine. Their activities are directed and coordinated by the Cabinet of Ministers of Ukraine through the Minister of Internal Affairs. The Ministry of Internal Affairs remains responsible for shaping state policy in the field of migration (immigration, emigration), combating illegal migration, and human trafficking. Since 2014, the State Migration Service of Ukraine has provided statistical data on migration policy (number of arrivals and departures, registration of passports, issuance of permits, permanent residence permits, etc.) [20]. Internal migration in Ukraine, which could be an alternative to external migration, is carried out outside the regional development plans and programs. According to statistics from the State Migration Service of Ukraine and the

Office of the United Nations High Commissioner, as of January 1, 2019, there were 3,257 refugees living in Ukraine. A large number of refugees are concentrated in Kyiv and Odesa. There are three centers in Ukraine where refugees can be temporarily accommodated: in Zakarpattia, Odesa and Kyiv oblasts, the total number of places of which is up to 400. in accordance with the Constitution and laws of Ukraine, international obligations of the state, long-term programs of socio-economic development of the state. Therefore, the Strategy proposes some initiatives to involve the diaspora, namely: raising public awareness of migration opportunities can be used official websites, links with the Ukrainian diaspora, free social advertising on the Internet, etc. [18]. The Law of Ukraine "On External Labor Migration" [15, 18] has been implemented in Ukraine. As of January 2020, Ukraine has:

- 83 embassies, embassies in Libya and Syria temporarily moved to Tunisia and Lebanon due to the dangerous situation;
- 22 consulates general;
- 11 consulates;
- 112 honorary consulates;
- 8 permanent missions to international organizations.

The issue of access to information for migrants is continually improving between migration regulators (Table 3).

Table 3: Calculation of the second dimension of the migration policy index of Ukraine

Subgroup	Question	Answer	Points	Type of migration policy
1	Do all migrants have the same status as citizens when receiving health care services?	Yes	0,416	Mature migration policy
	Do all migrants have the same status as citizens in access to education?	Yes	0,83	
	What categories of third-country nationals have equal access to social security?	All of them	0,416	
	Can migrant workers have access to the benefits of social security contributions in other countries?	No	0	
2	Is family reunification possible?	Yes	2,5	
3	What categories of foreign residents have equal access to work as citizens?	All	0,5	
	Can foreign residents hold any position in the private sector on the same terms as citizens?	Yes	0,5	
	Can foreign residents hold any position in the public sector on the same terms as citizens?	Yes	0	
	What categories of foreign residents have equal access to self-employment as citizens?	All of them	0,5	
	Can foreign residents engage in self-employment under the same conditions as citizens?	Yes	0,5	
4	Do temporary legal residents have the right to apply for a residence permit indefinitely?	Yes	1,25	
	Can migrants become citizens?	Yes	1,25	
Result			8,662	

In Ukraine, everyone can use health and education services without exception, but stateless persons are often offered to pay for them.

In Ukraine, the right to family reunification is enshrined in law for all types of migrants. All categories of foreign residents have equal access to work. Migrants have the full right to work in the private sector. In the public sector, except for public authority exercise - for example, the police, defense, heads of units or

units, but not excluding civil servants and permanent staff. All categories of foreign residents have the right to self-employment. These findings are confirmed by employees of employment services during interviews, but point to a number of problems when working with migrants: a language barrier, inability to take into account the diploma of education, if the document has not passed the nostrification procedure in Ukraine, and lack of registration place of residence for migrants [20].

All legal residents have a permanent residence permit, 57.4% have applied for a stay in Ukraine for up to 2 months, in particular 42.7% for up to 1 month. However, 9.2% of respondents applied for a permit for more than a year, and individuals - for 6-7 years. The duration of the paperwork depends on what status the person receives. Thus, more than 40% of respondents who received refugee status applied for more than a year and another 27% - from six months to a year. The procedure for obtaining citizenship is regulated by the Law of Ukraine "On Citizenship" and is burdened with a lot of bureaucratic formalities. The legislation establishes the following grounds, in the presence of which it is possible to obtain citizenship of Ukraine: at birth; upon restoration of Ukrainian citizenship; when adopting or establishing guardianship; in the presence of other grounds regulated by law [4]. Table 4 presents the calculation of the migration policy index of the third group.

Table 4: Calculation of the third index of migration policy of Ukraine

Subgroup	Question	Answer	Points	Type of migration policy
1	Does the country have a visa oversight system?	Partly	0,416	Developed migration policy
	Is there a specialized body that has integrated border control and security?	Yes	0,83	
	Do border guards receive special and regular training?	Yes	0,83	
2	Does the government have a website that clearly outlines visa options?	Yes	1,25	
	Is there a formal system for applying for certain types of visas before arrival?	Yes, a mixed system	0,9375	
3	Is there a formal government program or special policy aimed at attracting citizens who have migrated from their country of origin?	No	0	
	Is there a formal government program that focuses on promoting the reintegration of migrants in their country?	Yes	1,25	
4	Does the country have an anti-trafficking agency or strategy?	Yes	0,83	
	How does the country participate in the US Department of State's annual report on human trafficking?	Some (periodically)	0,416	
Result			6,7595	

The control over the observance of the term of visas in Ukraine is carried out selectively. The body that performs border control and security functions is the State Border Guard Service of Ukraine. The program "New Face of the Border" provides training in specialized areas, improves foreign language skills, and improves physical training. In Ukraine, a website clearly sets out the options for obtaining visas; in some cases, you can get a visa online [16].

The government has approved an action plan to ensure the reintegration into society of migrant workers and their families [17].

The Anti-Trafficking Program (IOM Office in Ukraine) began in 1998 to assist the Government of Ukraine and the public in its

efforts to combat trafficking in human beings and ensure that victims can access assistance and justice [19]. The Government of Ukraine does not fully comply with the minimum standards for eliminating trafficking in human beings but is making significant efforts to do so. Table 5 shows the calculation of the fourth index of migration policy of Ukraine.

Table 5: Calculation of the fourth index of migration policy of Ukraine

Subgroup	Question	Answer	Points	Type of migration policy
1	2	3	4	5
1	Is there a national assessment of labor market demand monitoring for internal migrants?	No	0	Evolving migration policy
	Does the country have a defined labor migration management program?	No	0	
	Are there different types of visas in the country to attract specific work skills?	No	0	
2	Does the country take into account the skills and capabilities of migrant workers when deciding whether to accept them?	Partly	0,33	
	Does the country have formalized criteria (accreditation) for the recognition of foreign qualifications?	For most professions	0,66	
	Does the country participate in international schemes with a general professional qualifications framework?	Partly	0,33	
3	Does the country give international students access to education?	Yes	0,5	
	Does the country allow equal access to education for foreign students?	Yes	0,25	
	Does the country apply quotas to the number of foreign students it can accept based on the ability of the labor market to absorb them?	There are quotas that are not based on labor market demand	0,125	
	Is there a scheme in the country that allows foreign students to work in the country after graduation?	No	0	
	Are there provisions that allow students to work while studying?	Yes	0,5	
4	Are there formal bilateral employment agreements in the country?	Yes	1	
5	What is the average cost of transferring money to the country?	Between 3% and 7%	0,5	
Result			4,19	

There is no assessment of labor market demand monitoring for migrants. The skills and capabilities of potential migrants are partially assessed. Legalizing the activities of a foreign non-governmental organization in Ukraine is carried out through the accreditation of a representative office in the Ministry of Justice. Ukraine fully gives international students access to education. There are quotas for enrollment of international students by state order. There is no practice of allowing international students to work in the country after graduation. The cost of remittances to Ukraine ranges from 3% and 7%. Table 6 presents the calculation of the fifth index of migration policy of Ukraine.

Table 6: Calculation of the fifth index of migration policy of Ukraine

Subgroup	Questions	Answer	Points	Type of migration policy
1	Is the country a signatory to the ICRMW?	No	0	Developing migration policy
	Is the country a signatory to the Convention relating to	Yes	0,166	

	the Status of Refugees?		
	Has the country ratified the Convention relating to the Status of Refugees?	No	0
	Is the country a signatory to the Convention on the Rights of the Child?	Yes	0,166
	Has the country ratified the Convention on the Rights of the Child?	Yes	0,166
	Is Ukraine a signatory to Convention No. 97 of the International Labor Organization "On Migrant Workers (revised in 1949)"?	No	0
	Has the country ratified the revised ILO Convention No. 97 concerning Migrant Workers (revised in 1949)?	No	0
	Has the country ratified additional provisions of the ILO Convention on Migrant Workers?	No	0
	Has the country ratified the statelessness conventions?	No	0
2	Is Ukraine part of official RCPs?	Yes	1
	Have cases of formal intra-regional mobility been registered?	Yes	1
3	Does Ukraine have formal bilateral agreements with other countries on readmission?	Yes	0,66
	Does the country have MOUs (Memoranda of Understanding) with other countries on readmission?	Yes	0,66
	Does the country participate in bilateral migration negotiations, discussions or consultations with relevant countries on the readmission of persons?	Yes	0,66
4	Is Ukraine officially involving civil society organizations in setting the agenda and implementing issues related to migration?	Some	0,33
4	Is Ukraine involved with the private sector in developing the agenda and implementing migration issues?	Some (separate initiatives)	0,33
5	Is the country part of a regional agreement to promote labor mobility (eg EU)?	Some	0,33
Result			3,468

Ukraine is not a party to or a signatory to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Convention Relating to the Status of Refugees, ILO Convention No 97 on Migrant Workers (revised 1949), ILO Convention on Migrant Workers, without citizenship.

Ukraine signed the Convention Relating to the Status of Refugees on June 10, 2002, but did not ratify it. Ukraine is a signatory to the Convention on the Rights of the Child, signed on February 21, 1990, and approved on August 28, 1991 [14]. Regional Consultative Processes in Migration (RCP) are ongoing regional dialogues to exchange information and policies at the state level to discuss specific migration issues through cooperation between states in the agreed region, and maybe or formally linked to official regional institutions or be informal and optional.

Ukraine is somewhat formally involving civil society organizations in setting the agenda and implementing migration issues. The Representation of the International Organization for Migration in Ukraine in cooperation with the National Bank of Ukraine involved more than 20 representatives of the Government, Parliament, the private sector, and academics in a dialogue on the more effective use of migration potential for state development. In February 2019, the Verkhovna Rada legally enshrined in the Constitution of Ukraine a course for accession to NATO and the European Union. Table 7

summarizes the calculation of the migration policy index of Ukraine.

Table 7: Calculation of the migration policy index of Ukraine

Migration policy index					Sum	Result	Type of migration policy
1	2	3	4	5			
4,22	8,162	7,1755	4,695	7,218	27,2995/5	5,4599	Developed migration policy

4 Conclusion

Based on the study, it can be determined that Ukraine has a developed migration policy. To improve it, Ukraine needs to take measures in such activities as:

1. It is necessary to provide scientific substantiation of implementations in the field of migration processes;
2. Implement mechanisms to improve relations between bodies that regulate and control the level of migration in Ukraine;
3. Develop qualification profiles for migrants that will be useful for the economy of Ukraine;
4. Develop a support program for internally displaced persons;
5. Develop a program for the return of migrant workers, which is the state migration policy strategy's primary goal.

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