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Until 2000 there wasn't any comprehensive document defining the state regulation policy in migration field. The state regulation policy, implemented by the Republic of Armenia (RA) in the area of migration, was mainly directed at the solution of the problems of large refugee masses coming from Azerbaijan, Nagorno Karabagh and other former USSR countries. Thus, the policy of state regulation of this area during 1988-1999 was mainly based on *day-to-day management*¹:

For the first time the RA Government adopted a complete document on the state regulation policy of migration by approving the Concept of State Regulation of Migration in the Republic of Armenia in 2000.

The document consists of the preface and three main chapters. The first chapter-- "Provisions of the Republic of Armenia State Migration Policy", lists the principles, major tasks, the mechanisms and directions for their solution. The second chapter envisages the necessary changes necessary to make the legal and legislative sphere on migration conformable with state migration policy major tasks. The state entities dealing with migration, as well as activities carried out by them are listed in the third chapter. Proposals for reviewing certain activities and mechanisms, ensuring strong collaboration between the entities of migration system based on the necessity of implementation of state migration policy major provisions in rational and productive administrative structure, are highlighted in the same chapter. "Migration Situation Assessment of the Republic" and "Analysis of RA Acting Legislation in Terms of Regulation of Migration Processes" documents are attached to the Concept as informative documents².

After adoption of the first Concept Paper, which was conditioned by some changes in migration situation and new issues in Armenia, the RA Government revised and adopted a new Concept Paper in June 2004. This Concept Paper was defined considering the demographic situation, national security, and sustainable human development principles of Armenia. It aimed to reinforce human rights the principles laid down in international documents³. It mainly repeated the same structure of the previous Concept Paper, except for two new priorities, which had become the challenges of that time.

- *Preventing illegal migration from the Republic of Armenia and supporting the return and reintegration in the Republic of Armenia of Armenian citizens illegally staying abroad.*
- *Preventing smuggling and trafficking of humans from the Republic of Armenia and developing victim protection arrangements*⁴.

Both concepts had gaps. Specifically,

- *it would be expedient to have Action Plans for the Concepts, which would increase the practical implementation of the policy approaches set in the Concepts;*
- *the Concepts were not evaluated from financial point of view;*
- *the mechanisms of monitoring and efficiency evaluation of the migration policy process were not defined.*

Perhaps due to the above-mentioned conditions, the RA state system of migration regulation, combined with the political approaches, as well as the former institutional and administrative mechanisms, was incapable of effectively solving the migration problems faced by the RA.

In fact, until now the day-to-day, reactive policy of the RA is directed, as a matter of priority, at the consolidation of the legislation in this area. Nevertheless, this has not automatically lead to improved positive impact of the RA migration policies and to the prevention and reduction of their negative

¹ The "Concept for the Policy of State Regulation of Migration in The Republic of Armenia" was adopted as Appendix to the RA Government Session Record Decision # 51 dated December 30, 2010, p. 3.

² The "Concept of State Regulation of Migration in the Republic of Armenia" was adopted as Appendix to by the RA Government Session Record Decision # 54 dated November 29, 2000, p. 3.

³ The "Concept Paper on State Regulation of Population Migration in the Republic of Armenia" was adopted as Appendix to the RA Government Session Record Decision # 24 dated June 25, 2004, p. 3.

⁴ Ibid. pp. 4-5.

consequences. Therefore, **it was time to switch from a passive-contemplative and operative-reactive policy to proactive-foreseeable migration policy.**

With European Neighborhood Policy and Eastern Partnership initiatives Armenia has handled new responsibilities in this field. Besides, the RA government announced EU integration as a developing priority political direction which foresees new approaches to migration, and accepts that migration situation has changed as follows:

- Passenger flows to and from Armenia have increased (with the exception of the crisis period, during which the rate has decreased)⁵.
- Tendency for returnees' flows to Armenia is visible, which is a new phenomenon in RA in comparison with the situation in the past years⁶.
- The volume of money transfers, sent to Armenia by the individuals has increased (with the exception of crisis period during 2008-2009). These transfers have gained an important role in RA economy and social life⁷.
- More trafficking/human being exploitation issues have been revealed in Armenia which is a new phenomenon in post-soviet Armenia⁸.

In order to fill the gaps, as well as to take into account new realities, the development of a new Concept Paper became crucial. The new Concept of State Regulation of Migration in the Republic of Armenia was approved by the RA government protocol decision N 51, in December 30, 2010. Fourteen priority issues are set in it, each priority issue has its goal and main approaches and mechanisms for achieving the objective.

Three priority issues out of mentioned 14 ones are quite new problems with their solution approaches:

1. Approximation of the RA legislative framework of migration regulation and the administrative system with the corresponding EU legislation and the best institutional structures of the EU member states taking into consideration national and state interests.
2. Development of an information system for registering migration flows.
3. On the basis of the analysis and evaluation of the migration situation of the Republic of Armenia, the monitoring and evaluation of the progress of the implemented migration policy, introduction of a system of its day-to-day review and adjustment.

Five priority tasks were previously defined, but the Concept suggests new approaches for their solutions. These are:

1. Assistance to the return of RA nationals from foreign countries and to their reintegration in their homecountry.
2. Prevention of irregular migration originating in the RA, improvement of the legislative framework related to irregular migration.
3. Regulation of the employment conditions of foreign nationals in the RA with a view to ensure the priority right of RA nationals to employment vis-a-vis foreign nationals in the territory of the RA.

⁵ Volumes of International Border Crossings in 2000-2010 according to Data of Passengers' Record on Border Crossing Points of the RA: <http://www.backtoarmenia.com/?hcat=85&scat=87>

⁶ Minasyan A., Poghosyan A., Gevorgyan L., Chobanyan H. (2008). Study on Return Migration to Armenia in 2002-2008. Yerevan. Asoghik. http://www.osce.org/yerevan/item_11_35901.html. Chobanyan, H. (2010). The Reintegration Issues of Migrants Returning to Armenia.

⁷ RA Central Bank data on money transfers via the Armenian banking system and for non-commercial purposes during 2005-2010: http://www.smsmta.am/?menu_id=52

⁸ Migration and Human Development: Opportunities and Challenges. Human Development National Report Armenia. UNDP, 2009, pp. 92-94.

4. Protection of rights and interests of the RA citizens leaving for work abroad.
5. Ensuring the implementation of the policy of integration of the refugees forcibly deported from Azerbaijan in 1988-1992 into the Armenian society.

Two priority issues are new. These mainly refer to the introduction of the system of biometric e-passports and identity cards, and the improvement of the RA border management system. Moreover, several issues remain of high priority for the Government. These are the improvement of the asylum system, organization of the fight against trafficking and protection of the victims of trafficking, regulation of mass movements of the population at times of emergencies and mainstreaming of the internal migration processes.

In order to ensure implementation of the Concept Paper, the “Action Plan for Implementation of the Policy Concept for the State Regulation of Migration in the Republic of Armenia in 2012-2016” was adopted by the RA Governmental Decree # 1593 –N in November 10, 2011.

The Action Plan solves 14 issues set in the Concept of State Regulation of Population Migration. Particularly, as a result of the measures carried out in the framework of the Action Plan, the legislation of the Republic of Armenia in the area of migration has to conform with the EU legislation and the best institutional infrastructures;⁹ the system of border management¹⁰ and provision of asylum should be improved; the fight against human trafficking and protection of victims of human trafficking should also become more effective. The action plan will also introduce an information system for recording migration flow¹¹. The latter will allow competent authorities to work together and gain more reliable, comprehensive understanding of the migration situation. Besides the abovementioned, mechanisms for receiving information on migration from alternative sources, including a representative research on migration flows every 2-3 years, will be developed.

The Action Plan will also be intended for protecting the rights and interests of RA citizens leaving for work abroad. At the same time, several measures¹² are intended to prevent irregular migration originated from Armenia, as well as support the return and future reintegration of the RA citizens in Armenia.

The integration of refugees deported from Azerbaijan during 1988-1992 will continue. A program will be developed to address the housing issues of refugees and the involvement of international donors.

For the upcoming five years, as a result of the implementation of the Action Plan of the Policy Concept for the State Regulation of Migration in the Republic of Armenia in 2012-2016, the system of providing protection to foreigners and stateless persons on the humanitarian bases by the RA will be improved. The action plan will also help introduce electronic passports with biometric information and IDs (to increase the level of protection of documents for identification of a person and to facilitate the mobility of RA citizens’).

⁹ The Activities 1.1-1.4 are foreseen for the Issue 1 of the Draft Action Plan, pp. 5-7.

¹⁰ Measures targetting the solution of the Issue 3 on the “*Improvement of the Border Management System of the RA with the help of introduction of integrated border management principle*” are defined by the RA Government Decision N 482-N of April 21, 2011, which approves the 2011-2015 Action Plan of Ensuring Border Security and Integrated Management of State Border.

¹¹ The Activities 4.1-4.3 are foreseen for the Issue 4 of the Draft Action Plan, pp. 9-13.

¹² The Activities 8.1-8.4 are foreseen for the Issue 8 of the Draft Action Plan, pp. 22-25.

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