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Assessment of migration in Belarus in the context of the Common Economic Space

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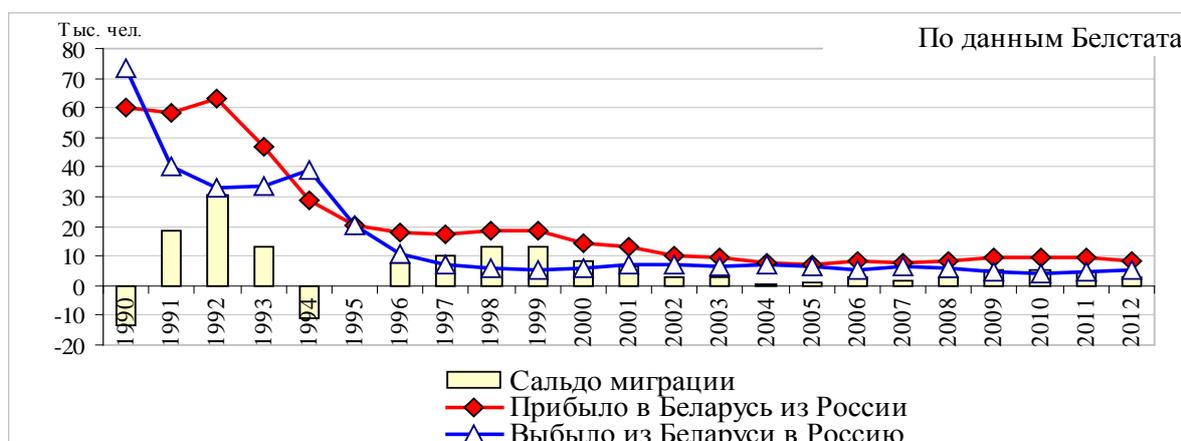
Common Economic Space (CES) was formed on 1 January 2012 and is an integration union of the Customs Union member states, i.e. Belarus, Kazakhstan and Russia. Naturally, integration will be the factor of change and/or enhanced development of all socio-economic processes there.

Customs Union member states provide the widest possible range of rights to migrants, including freedom of movement. These are the legal foundations of the present-day migration policy of the Customs Union member states:

Treaty on Customs Union and Common Economic Space	Signed by Belarus, Kazakhstan, Kyrgyzstan, Tajikistan, Russian Federation in Moscow on 26.02.1999	Entered into force: Belarus, Kazakhstan, Tajikistan – 23.12.1999; Kyrgyzstan – 10.04.2000; Russian Federation 26.09.1999 – 02.07.2001
Agreement on granting equal rights to enter educational institutions to citizens of States Parties of the Treaty on the Deepening of Integration in the Economic and Humanitarian Areas of 29 March 1996	Signed by Belarus, Kazakhstan, Kyrgyzstan, Tajikistan, Russian Federation in Moscow on 24.11.1998	Entered into force – 15.09.1999 (for Tajikistan – 15.02.2000)
Decision of the Supreme Council of the Union of Belarus and Russia No. 4 “On equal rights of citizens to employment, labor remuneration and other social and labor guarantees”	Adopted on 22.06.1996	Entered into force – 22.06.1996
Agreement on legal status of migrant workers and their families	Signed by Belarus, Kazakhstan, Russian Federation in St. Petersburg on 19.11.2010	Entered into force – 1.01.2012
Agreement between the Republic of Belarus and the Russian Federation on ensuring equal rights of citizens of the Republic of Belarus and the Russian Federation to freedom of movement, choice of place of stay and residence in the Union member states	Signed by Belarus, Russian Federation in St. Petersburg on 24.01.2006	Entered into force – 29.06.2006
Decision of the Council of Heads of States of the Commonwealth of Independent States “On proposals regarding coordinated migration policy of the member states of the Commonwealth of Independent States”	Signed by Belarus, Armenia, Kazakhstan, Kyrgyzstan, Russian Federation, Tajikistan, Uzbekistan, Ukraine in Dushanbe on 05.10.2007	Entered into force – 05.10.2007
Treaty between the Republic of Belarus and the Russian Federation on equal rights of citizens	Signed in Moscow on 25.12.1998	Entered into force – 04.02.2009
Treaty between the Republic of Belarus and the Republic of Kazakhstan on legal status of citizens of the Republic of Belarus permanently residing in the territory of the Republic of Kazakhstan and citizens of the Republic of Kazakhstan permanently residing in the territory of the Republic of Belarus	Signed in Minsk on 17.01.1996	Entered into force – 08.06.1999

Evolution of the legislative framework was reflected in the new wave of increased migration transitions. Analysis of migration situation of Belarus and other Customs Union countries gives evidence of high growth rate. For instance, according to official statistics, gross migration in three countries amounted to 0.5 mln. persons in 2011, 415 thousand of them – to and from CIS countries. No doubt, the main share (over 70%) of migration flows is provided by transitions to Russia. Nevertheless, the role of Belarus and Kazakhstan is also significant. Let us consider migration flows between the Republic of Belarus and Russia and Kazakhstan separately.

According to Belarusian statistical bodies, around 710 thousand persons arrived in Belarus from Russia in 1991-2011, and no more than 470 thousand persons went in the opposite direction. Hence migration balance was +240 thousand persons. According to Rosstat, over that period 660 thousand persons went from Russia to Belarus, i.e. 50 thousand less than according to Belstat, and 615 thousand persons went in the opposite direction, i.e. 145 thousand more than according to Belstat. According to Rosstat, migration balance for Belarus was only 45 thousand persons. This leads to doubts about data accuracy. However, one cannot a priori assume that these are errors of the Belarusian statistics only. Migrants both in Russia and in Belarus are accounted for using arrival and departure slips during registration, but not all persons who took themselves off the register and indicated the place of destination will register in the period and location they had indicated. Some might temporarily postpone the registration and change the place of destination. Double counting could also take place. For instance, a person from Belarus registers in one of the Russian settlements, but for some reasons does not feel at home there and changes his/her place of residence. In a new place of registration he or she may indicate Belarus as a country of origin again, as far as he or she does not consider it important to indicate the first place of registration. Despite some inconsistencies in migration accounting, the main trends in the dynamic of indicators for arrivals and departures obtained from Belstat and Rosstat generally concur (fig.1).



According to Belstat

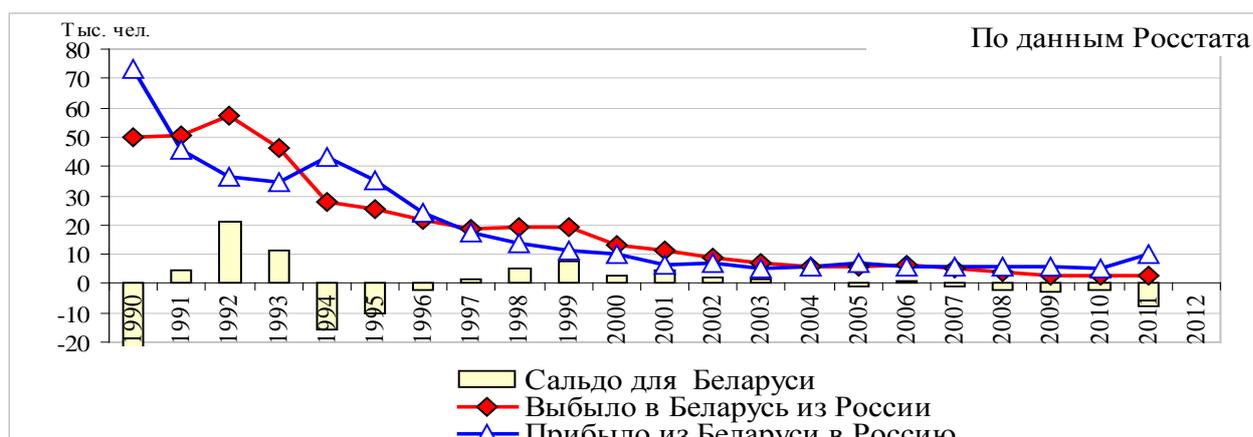
Thousand persons

Migration balance

Arrived in Belarus from Russia

Departed from Belarus to Russia

Figure 1. Comparison of migration dynamic indicators between Belarus and Russia obtained on the basis of Belstat and Rosstat data [1, 2, 3].

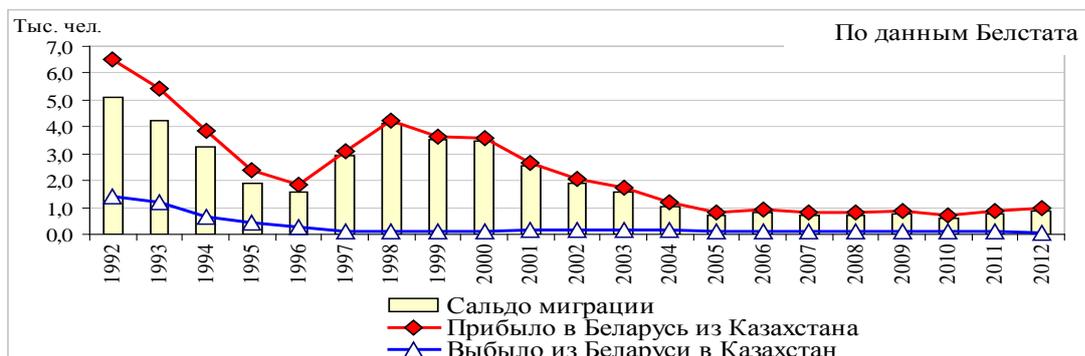


According to Rosstat
 Thousand persons
 Migration balance for Belarus
 Departed from Russia to Belarus
 Arrived in Russia from Belarus

As one can see, overall positive migration balance is registered for Belarus over 20 years, according to the data of both Belstat and Rosstat. Discrepancies in the data in the 1990s and early 2000s were insignificant. Discrepancies became somewhat more prominent in the second half of the first decade. Belstat data demonstrated small positive migration balance for the republic, while Rosstat data showed a small negative figure.

Migration exchange between Belarus and Kazakhstan is considerably smaller than with Russia (fig. 2). This is due to the fact that Russia itself is much larger than Kazakhstan in terms of both territory and population and also due to the rather significant distance between Kazakhstan and Belarus. Growth rate dynamic of Belarusian population by way of migration from Kazakhstan was mainly defined by dynamic of the incoming migrants. Dynamic of departing migrants from Belarus gradually went down practically over the whole period.

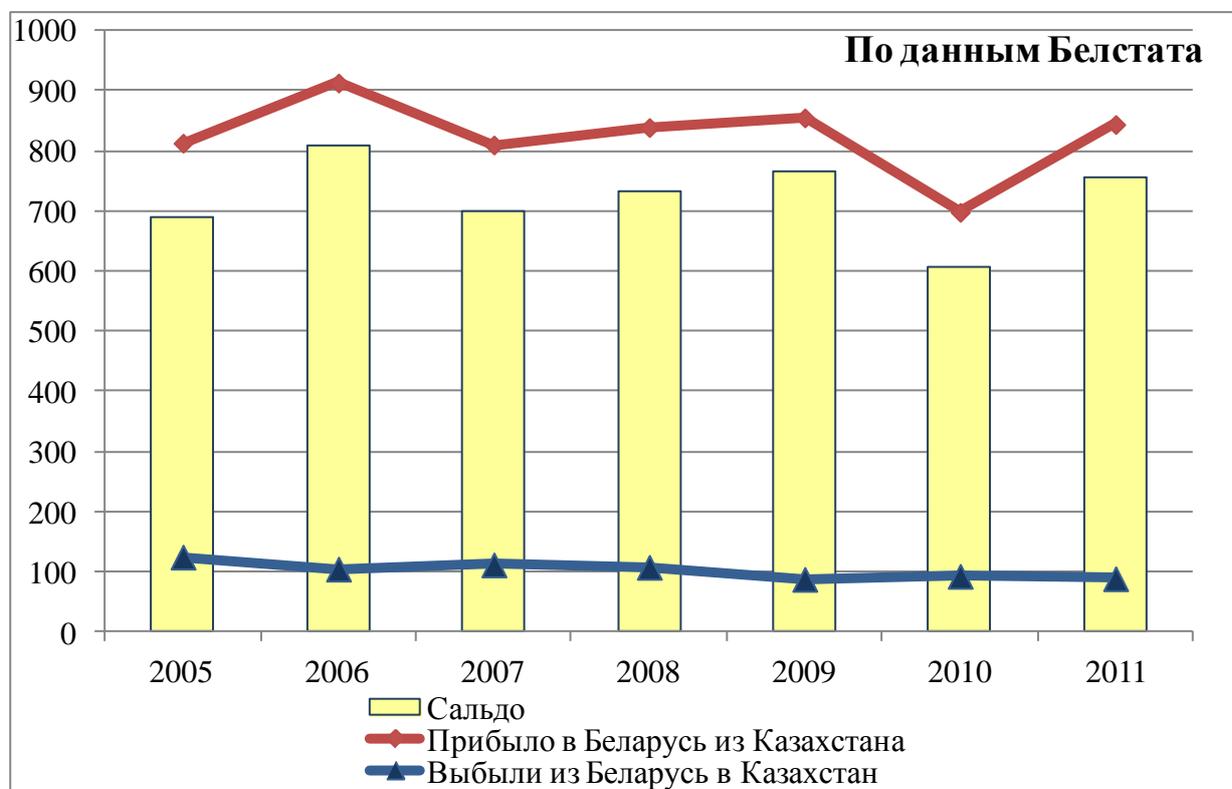
Figure 2. Dynamic of migration movement indicators between Belarus and Kazakhstan obtained on the basis of Belstat data [1]



According to Belstat
 Thousand persons
 Migration balance
 Arrived in Belarus from Kazakhstan
 Departed from Belarus to Kazakhstan

Comparison of data between statistical offices of Belarus and Kazakhstan also demonstrates rather consistent statistics regarding official migration transitions (fig. 3 and 4).

Figures 3 and 4. Dynamic of migration movement indicators between Belarus and Kazakhstan, calculated on the basis of Belstat data and Statistics Agency of Kazakhstan

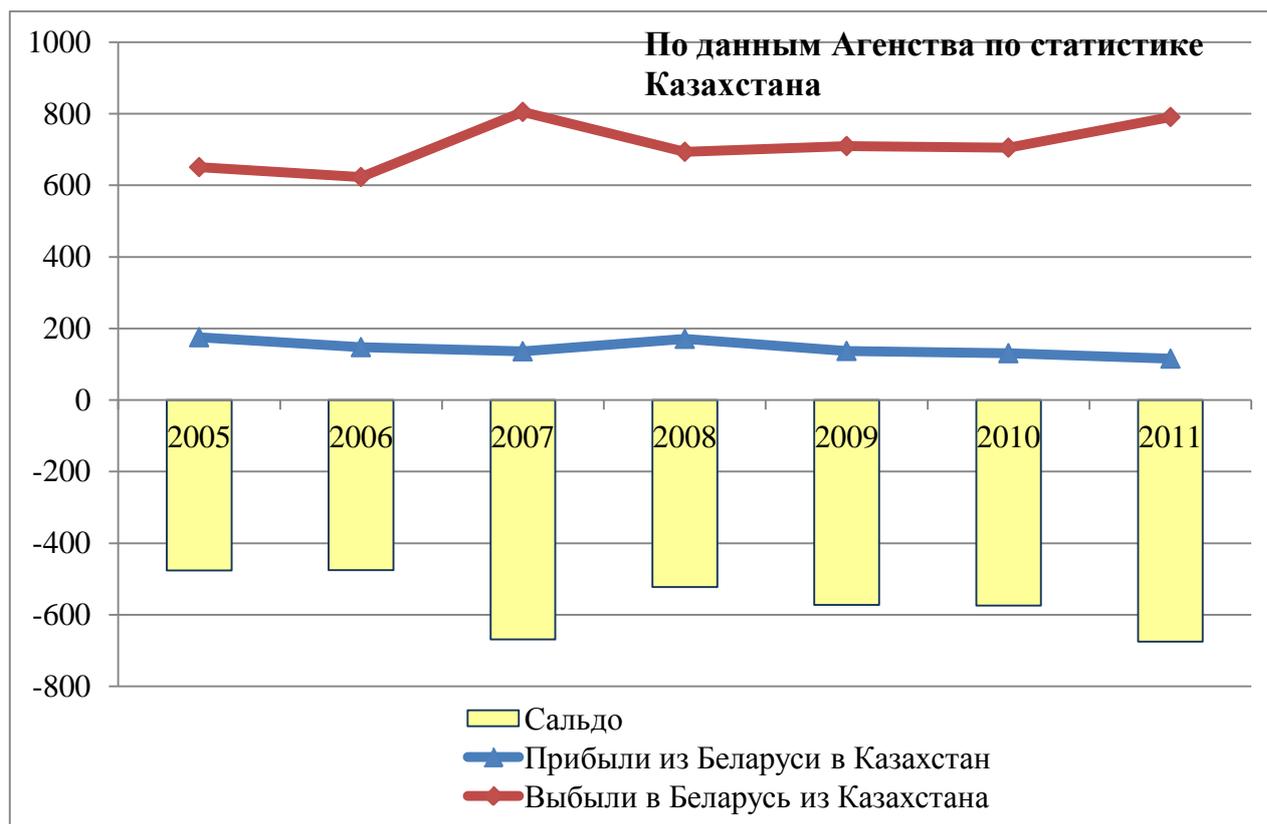


According to Belstat

Balance

Arrived in Belarus from Kazakhstan

Departed from Belarus to Kazakhstan



According to Kazakhstan Statistic Agency

Balance

Arrived in Kazakhstan from Belarus

Departed from Kazakhstan to Belarus

Official statistics does not allow fully evaluating migration volumes in Belarus. A more accurate assessment is offered by the census results, according to which the shortage of population was 134 thousand people in 1999 and 158 thousand people in 2009. Taking into account expert opinions, this represents unregistered volume of labor migration to Russia (Zagorets V. (2011), Luchenok A., Kolesnikova I. (2011)).

Similar result is also obtained when calculating the underestimation of migrants on the basis of workforce balance. The number of unemployed persons actively looking for a job and ready to take it was 211 thousand persons in 2012. This category does not include registered unemployed persons, those who do not need or do not want to work and those who think that it is impossible to find a job. Thus, 211 thousand persons are active labor resources that are highly likely to be past, present or potential labor migrants. At the same time, according to workforce balance, external labor migration is officially estimated at 55.7 thousand persons.

Deepening of integration between Russia, Belarus and Kazakhstan lead to changes in migration policy of those states, which ought to intensify migration of the population. This can be considered a positive development, taking into account target figures for external migration balance in the National Demographic Security Program for 2011-2015. Planned volume of migration balance for 5 years is 60 thousand. However, according to the data for 2011-2012 annual target figures were not achieved. Productivity is assessed on the basis of officially registered migration volume, though the number of unaccounted labor migrants demonstrated an even bigger discrepancy compared to planned volume of migration to and from the country (Zagorets V. (2011), Luchenok A., Kolesnikova I. (2011)).

As for practical measures, a number of international legal acts successfully implemented today laid the foundation for emergence of conditions for pursuit of coordinated migration policy, convergence of national legislations in the field of migration, enhanced cooperation and information exchange between governmental and non-governmental institutions in the field of migration.

At present full freedom of movement is ensured for citizens of third countries in the Customs Union space (visa-free entry and in case of Russia – absence of border). A rather long period of stay is allowed in the territory of the Customs Union member states without the need for them to get registered with corresponding government bodies), and the scope of rights that they enjoy in the member states is practically equal to the rights enjoyed by citizens of the countries of stay. Equal rights are ensured in education, property relations, including real estate, labor relations (employment, remuneration and labor terms, working schedule and leisure time, work safety (let us specifically emphasize the right to labor activities without corresponding permits)); social security, and medical care¹. The only exceptions are the rights to elect and be elected to the highest public offices and representative government bodies in the country of stay, to participate in national referendums, to take up posts appointment to which is linked to the citizenship of the country of stay. The degree of integration in this area is also emphasized by the fact that Russian and Belarusian citizens enjoy the same rights to elect and be elected to elected bodies in the Union of Belarus and Russia².

Furthermore, migration policy in the Customs Union member states is backed by measures to counteract illegal migration. Forms of interstate cooperation envisaged in this field allow constructing an efficient system of counteraction to different manifestations of illegal migration. The following measures are envisaged and implemented: exchange of normative legal acts between states (regarding migration and labor activities of foreign citizens); exchange of information regarding counteraction to illegal labor migration; preventive events and special operations to counteract illegal labor migration; exchange of experience, internships, workshops and training sessions; conclusion of readmission agreements³. Coordinated measures were developed and are implemented to counteract illegal labor migration, including measures with regards to illegal migrant workers, physical and legal persons organizing and/or assisting in illegal labor migration. Thus, for instance, the following measures are undertaken: identification and accounting for illegal migrant workers; identification and suppression of channels and organizations arranging or assisting in illegal labor migration; monitoring of the volume of illegal labor migration; development and improvement of the mechanism for expulsion (deportation) of illegal migrant workers; restriction of entry with a purpose of employment in the Customs Union member states for persons expelled (deported) earlier⁴.

However, let us note that the framework of bilateral interagency treaties on cooperation in the field of migration is better developed with Russia than with Kazakhstan, which certainly needs to be rectified. After accession to the Customs Union the volume of rights citizens of the latter enjoy became wider. For instance, Russia and Belarus ensure the summing up of working experience acquired in the territory of Belarus and Russia. As a result there is a need to ensure equal rights for citizens of the Customs Union member states in the field of migration.

Prospects:

The Eurasian Economic Commission has recommended speeding up consideration of the Agreement between the Republic of Belarus and the Republic of Kazakhstan on procedure of stay of citizens in the territory of these countries and Agreements on readmission between Russia and Belarus and between Belarus and Kazakhstan. Taking into account this and adoption of the draft law “On

¹ Also see – http://www.carim-east.eu/media/exno/Explanatory%20Notes_2012-63.pdf

² Also see – <http://www.carim-east.eu/media/CARIM-East-RR-2013-32.pdf>

³ For more details see – http://www.carim-east.eu/media/exno/Explanatory%20Notes_2013-35.pdf

⁴ Also see – <http://www.carim-east.eu/media/CARIM-East-2012-RU-10.pdf> <http://www.carim-east.eu/media/CARIM-East-RR-2013-19.pdf>

Labor Migration in the EUrAsEC Member States” by the Inter-Parliamentary Assembly of the Eurasian Economic Community, one can see that the current member states are interested in integration, and so are potential newcomers.

However, the degree of change in the migration situation to a large extent depends on migration policy pursued in Russia. If rules of stay and residence become stricter, migrants can move to Belarus. Taking into account that the total number of external immigrants to Belarus is only 5% of the number of external migrants to Russia, even a change of flow that could be considered insignificant for Russia would have a considerable effect on Belarus. Besides, in the future, when the Customs Union is joined by new member states of the Eurasian Economic Community, one can expect the influx of non-target migrants, i.e. migrants whose qualitative characteristics contradict Belarusian migration policy (persons older than 40 and without higher or secondary education). At present there are qualitative disproportions in the migrant flows. The outflow of highly qualified well-educated workers is compensated by the influx of low-qualified personnel (Shakhotko L., Bobrova A. (2012), Bobrova A. (2012)).

The growth of illegal migration is also possible. Being a country of transit, Belarus accommodates some migrants who are heading for the European Union. According to the Ministry of Interior, 14.5 thousand foreigners were held administratively liable in 2012 for violation of the rules of stay. Creation of common databases on illegal migrants, on persons whose entry was banned, on invalid documents, as well as their active use in practice allow identifying and preventing crimes associated with violation of legislation in the field of migration.

By and large, migration trends formed over the past decade will persist. Comparison of the indicators that are the main pulling or pushing factors for Belarus (Shakhotko L., Bobrova A. (2012), Bobrova et al. (2012), Zagorets V. (2011), Luchenok A., Kolesnikova I. (2011)) does not yet allow considering the common space as a source of migrant influx, particularly workforce, for Belarus: living standards and unemployment for the three countries vary insignificantly⁵, while average salary in Belarus is several times lower than in Kazakhstan and certainly Russia.

Special programs are developed in Belarus to attract migrants. A one-time payment of 500 USD offered to migrants to cover the costs of movement and settlement cannot compete with the average monthly salary in Russia that is equivalent to 1000 USD. In this case a more visible effect will be achieved by successfully implementing the program of Belarusian socio-economic development, particularly by raising the wages of highly qualified workers.

Main conclusions: There is a need to enhance authenticity of information on migration. In the context of common economic space there is a real opportunity for countries in question to coordinate the data obtained. With contemporary technology and good will of the states there is an opportunity to arrange united accounting for migration flows by arrival place that could be considered more accurate. There is also an opportunity to carry out large-scale international studies focusing on regularities and consequences of migration, which will enhance their research and practical value and will give an opportunity to regulate these processes in a more rational manner.

Under present-day circumstances it is no less important to harmonize migration policies and improve legislation of the Customs Union member states. One can mention further development of the common migration policy (management of migration processes), coordination of states’ efforts in this field; convergence of national legislations and guarantees of migrant workers’ rights in the field of labor relations (due to emergence of the common labor market there is a need to further develop international treaties aimed at further integration in the field of labor migration, as well as a need to create an efficient system of organized recruitment and attraction of migrant workers to the Customs Union member states); improvement of legal and organizational foundations for combat against illegal

⁵ According to 2009 census, in Belarus the level of unemployment was 6.1%; in Russia, according to Rosstat, unemployment is 7.5%.

migration and human trafficking (improvement of international and national legislation aimed at enhancing the mechanism of migration management, including migration monitoring; increase of efficiency of interaction between competent migration agencies of the Customs Union member states to ensure protection of rights of migrants and their families, as well as to prevent illegal migration and illegal use of migrant labor and human trafficking. Importance of this effort can be explained by the openness of borders that is exploited by organized criminal groups trying to create the channels of illegal migration into the EU member states through Belarusian territory).

References

- Belarus and Russia, 2012 Statistics Collection, Minsk 2013
http://belstat.gov.by/homep/ru/publications/Belarus_Russia/2012/about.php [in Russian]
- Bobrova A. (2012). Socio-political influence of labor migration in Belarus [in Russian], CARIM-East RR 2012/16, Robert Shuman Center for Advanced Studies, San Domenico di Fiesole (FI): European University Institute, 2012.
- Zagorets V. (2011) International migration as a factor in formation of labor resources of the Republic of Belarus [in Russian] / Management issues, Minsk, 2011. – No. 3. – p. 78-83.
- Luchenok A., Kolesnikova I. (2011). Impact of migration flows on Belarusian socio-political indicators [in Russian]. Belarus Public Police Fund, Minsk, 2011.
- National Statistics Committee of the Republic of Belarus. Belarus and CIS countries [in Russian]. Minsk, 2012, p.-66.
- Russian Statistical Yearbook, 2012: Statistics Collection / Rosstat. Moscow, 2012. -113 [in Russian]
- Shakhotko L., Bobrova A. (2012) Impact of labor migration on Belarus: demographic perspective [in Russian], CARIM-East RR 2012/20, Robert Shuman Center for Advanced Studies, San Domenico di Fiesole (FI): European University Institute, 2012.
- Bobrova A., Shakhotsa L., Shymanovich G. (2012) Social impact of emigration and rural-urban migration in Central and Eastern Europe. Final country report. GVG, Cologne, 2012.