

ICMPD Working Paper 07
Changing Migration Realities:
Why Migration between the EU,
Russia and the Eastern
Neighbourhood Will Change

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About ICMPD

The International Centre for Migration Policy Development (ICMPD), established in 1993 by Austria and Switzerland, is an international organisation headquartered in Vienna working in migration-related fields. The organisation was created as a support mechanism to facilitate consultations on migration and to provide expertise and services in the emerging landscape of multilateral cooperation on migration and asylum issues. Today, ICMPD provides its 15 Member States and numerous partners with in-depth knowledge and expertise in the area of migration. Although ICMPD has a European basis, it carries out its activities throughout the world, including in Europe, Africa, Central Asia, the Middle East and Latin America.

Over the years, ICMPD has been a key European player in the migration field, working with partners in creating innovative concepts and mechanisms like integrated border management, the interactive map on migration and transnational referral mechanisms for trafficked persons, as well as carrying out in-depth research on important topics. It has also been a leader in promoting migrants' contributions to their home communities and their receiving societies. One of ICMPD's most important contributions to the migration field is its advancement of multilateral migration dialogues.

ICMPD's working philosophy is based upon conviction that the complexities of migration challenges can only be met by working in partnership with governments, research institutes, intergovernmental institutions, international organisations and civil society. The principles of partnership on an equal footing, a forward-looking perspective and a balancing of interests are the foundation of ICMPD.

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Abstract

This paper examines the changing environment concerning migration between the EU, Russia and Eastern Neighbourhood countries. It assesses the impact of key factors that have shaped migration in the region over the past few decades and will continue to do so in the future. Specifically, it examines four main drivers for change:

- the approximation process of the EaP and the integration process of the Eurasian Economic Community and Customs Union, and their effects on migration in the region;
- the continuities and changes in migration patterns and flows;
- the long-term demographic developments and the resulting demand for immigration;
- the recent amendments to Russian migration legislation and implementation mechanisms.

The paper argues that more attention must be paid to the resulting dynamics in migration and migration management in order to truly prevent the emergence of new dividing lines between the EU and its Eastern Neighbours. It also shows how migration-related policy instruments have the potential to influence both the migration patterns and the relationships between countries in the region.

Comment from the Authors

The present paper was written as a working paper for ICMPD's Eastern Dimension to examine long-term developments in the area of migration in the Eastern Neighbourhood and to provide input to the work and planning of ICMPD and its Member States. It is well understood that developments related to the Ukraine crisis could render some of the observations and conclusions obsolete. However, as the projected changes cover a much wider geographic area and are foreseen to occur over a mid- to long-term period, many of the findings and conclusions will stay relevant.

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Introduction

The present paper argues that migration between the EU, Russia and the EaP countries as it has existed throughout the last 15 years will change dramatically in the coming years. It identifies a number of key factors which have shaped and will continue to shape the movement of persons in the region. These factors include both long-term causes like economic imbalances, demographic trends, and migration patterns, which have developed over time, and the more recent effects of a changing policies linked to the promotion of the European Neighbourhood Policy and the Eastern Partnership on the one hand, and the Eurasian Economic Community and the Customs Union, on the other. Finally, the recent amendments to migration legislation in Russia and the introduction of robust implementation mechanisms have had an immediate impact on migrants and the sending countries. Therefore, they have the potential to change the fundamentals of migration between the EU and its Eastern Neighbours for years to come.

The first chapter addresses the regional cooperation frameworks and questions related to Eurasian integration on the one hand and the EU-EaP approximation on the other. The second chapter provides an overview of the general features of migration and the main drivers that have shaped migration thus far and that are likely to influence it in the future. It analyses past and present migration flows between the main sending and receiving countries, and illustrates their significance for overall migration in the region. The third chapter outlines the demographic developments amongst all partners in the region that are expected to continue and that are already having an impact. The fourth and final chapter describes the new Russian migration policy, legislation, and law enforcement system. The immediate impact of the latter and its potential future implications are particularly highlighted.

1. Regional Cooperation Frameworks

1.1 European Neighbourhood Policy and Eastern Partnership

The European Neighbourhood Policy (ENP) was established after the 2004 enlargement of the European Union with the aim of fostering closer co-operation between the EU and its neighbours. The fundamental idea behind this EU policy was to develop the relations with the Union's neighbours in such a way that would prevent the emergence of new dividing lines between the enlarged EU and its neighbours and strengthen prosperity, stability and security for all. The ENP aims at enhanced cooperation with a number of states, although these states do not necessarily attain full membership of the EU.¹

Alongside its expansion, the ENP has also divided its focus between the Euro-Mediterranean Partnership in the South and the Eastern Partnership (EaP) in the East. The latter initiative was launched at the Prague Summit in May 2009 with the aim of bringing six countries of Eastern Europe and the South Caucasus (namely Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine) closer to the EU. The EaP is intended to bring about political cooperation and economic integration based on EU standards. While the key objective is the facilitation of trade, increased mobility between the EU and the partner states is also high on the agenda. Joint management of migration has been both a pillar of and a catalyst for ever intensifying cooperation in the region.

As regards migration, enhanced bilateral and multilateral cooperation in the framework of the EaP has definitely yielded results, as is testified by the existence of various mobility partnerships, visa liberalisation agreements, action plans, readmission agreements and association agreements.

The ENP and the EaP neither promise nor explicitly exclude the prospect of EU membership for the partner states. Yet, the gradual approximation of the EaP countries to the EU at least potentially touches upon core interests of the Russian Federation. The states in question were part of the Soviet Union until some 25 years ago. The Ukraine crisis has shown how uncomfortable the Russian government actually is when it comes to the gradually intensified cooperation between the Union and the Eastern Partnership countries. In view of this, the presence of considerable numbers of ethnic Russians in EaP countries such as Belarus and Ukraine, the demographic decline in the Russian Federation, the related "outreach activities" to persons the Russian government considers as compatriots, the sceptical stance of Russia towards the EU policies in the region, and Russia's proactive efforts to promote regional integration amongst the successor states of the Soviet Union pose challenges to the ENP in the East.

1.2 The Eurasian Economic Union

The creation of a common economic space, a free trade area and deepened cooperation in various policy fields is an objective not exclusive to the Members of the European Union. Initiatives to mitigate the effects of state disintegration after the dissolution of the Soviet Union started more than 20 years ago with the establishment of the Commonwealth of Independent States (CIS) in 1991. However, due to severe economic and political challenges in the aftermath of gaining their independence, cooperation

¹ The countries covered by the ENP include Algeria, Morocco, Egypt, Israel, Jordan, Lebanon, Libya, the Palestinian Authority, Syria, Tunisia in the South and Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine in the East. Russia has a special status with the EU-Russia Common Spaces instead of ENP participation.

between the successor states of the USSR in creating an integrated economic space lacked the necessary momentum until 2005. In recent years, this picture has started to change. In August 2006, an informal EurAsEC summit in Sochi decided that the member countries would step up efforts aimed at the establishment of the Customs Union, while Kyrgyzstan and Tajikistan would join the organisation as soon as they were ready. Based on these arrangements, the Treaty on the Establishment of the Common Customs Territory and Formation of the Customs Union between Belarus, Kazakhstan and Russia was signed in October 2007, and the Union has become active as of January 2010.

The creation of the Customs Union, which set basic goals for integration, including the creation of common markets for goods, services, capitals, labour and the development of single transport, energy and information systems, can be perceived as a targeted measure on behalf of the Russian Federation to offer an alternative to the EaP policy and to the increased influence of the EU. As the envisaged Single Economic Space (SES), operational as of January 2012, is based on 'four freedoms' similar to the EU, i.e. the free movement of goods, capital, services and persons within the SES, participation or non-participation will have far-reaching consequences for the states involved. The desired level of integration inevitably touches upon other forms of cooperation in the region, the EaP being one of them.

Today, the main difference between the two alternatives offered by the EU and the Russian Federation towards the region is the degree and quality of integration and cooperation they promise. The possibility of an eventual EU membership for the EaP countries is neither guaranteed as the final outcome of an approximation process nor likely to materialise in the foreseeable future. This enhances the appeal of the viable economic cooperation with more immediate tangible benefits as made available by the Russian Federation for some of them, as the recent example of Armenia revealed. As will be shown below, the stakes are high for the countries involved, and the final choice will have an important impact also on the migration situation in the region.

2. Migration between the EU, Russia and EaP Countries

When discussing the migration situation in the EU-EaP-Russia region, three main questions emerge. What are its main features? How has it changed over time? What are the key drivers that have shaped it and will continue to shape it in the future?

The present situation involves two core receiving countries/group of countries, the Russian Federation on the one hand and Member States of the European Union (to varying degrees) on the other. The newly independent states represent – also to varying degrees – the main migrant sending countries. Both Russia and the EU represent 'migration magnets', as they are main destinations for large-scale international migration movements in the region over long time periods.

The key factors, which have started to show their impact and will shape the future of migration in the region, can be summarised as follows. Both Russia and the EU are already now affected by demographic ageing and a decline in working age populations, although Russia more than the EU. However, demographic ageing and decline also affect the traditional migrant-sending countries. Migrants will become subject to increased competition between Russia and the EU, which will unfold against the background of a fundamentally changed political environment. The traditional countries of origin will be faced with a significantly stepped-up migration regime in Russia, which will cut their citizens off from irregular yet tolerated forms of labour migration, and increase the pressure on their governments to fully participate in regional frameworks, which would guarantee the unrestricted mobility of their citizens as

regards Russia. The envisaged far-reaching regional integration process of the Customs Union interferes with the approximation process between the EU and the EaP countries, in general terms as well as in the area of migration. At present, these two processes – regional integration and EU-EaP states approximation – are partly overlapping and not coordinated or aligned.

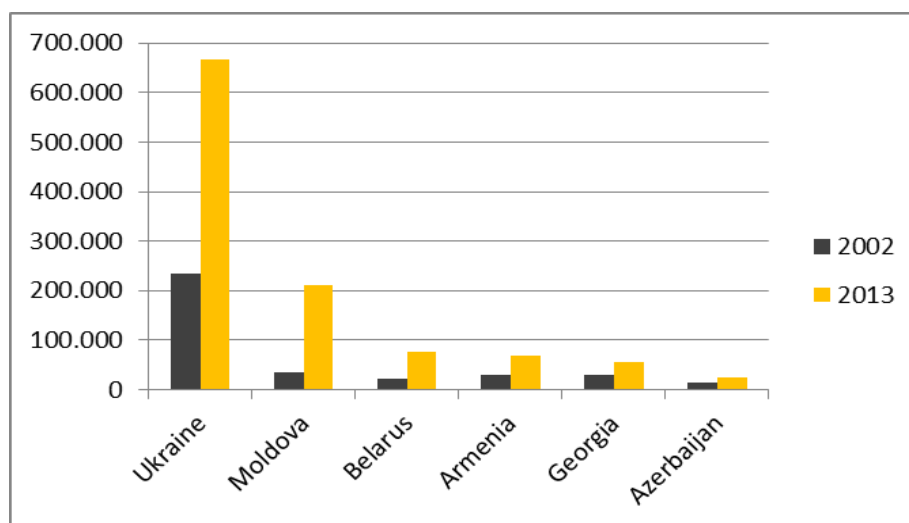
2.1 Immigration to the EU from EaP countries

Shortly after the break-up of the Soviet Union in the early 1990s, the (now) Member States of the EU started to develop into important countries of destination for migrants from the successor states of the Soviet Union. Migration patterns are marked by two distinct trends, namely the uneven distribution of immigration flows from the CIS countries within the EU, and the uneven share of migrants from different CIS countries amongst the total share of migrants from the region.

According to the available data², the total number of recorded immigrants from the EaP countries residing on the territory of an EU MS tripled from app. 370,000 to 1.1 million persons between 2002 and 2013. With a total of 666,000 immigrants, Ukraine represented the most important country of origin amongst all EaP countries (60.4% of all immigrants originating from the EaP countries), followed by Moldova (210,000 persons or 19.0%), Belarus (78,000 persons or 7.0%), Armenia (69,000 persons or 6.3%), Georgia (55,000 or 5.0%), and Azerbaijan (24,000 persons or 2.2%). Between 2002 and 2013, immigration to the EU from all EaP countries grew, but the extent of the respective increases varied significantly. The total number of immigrants from Moldova increased by 500% (from 35,000 to 210,000), from Belarus by 237% (from 23,000 to 78,000), from Ukraine by 183% (from 235,000 to 666,000), from Armenia by 134% (from 30,000 to 69,000), from Georgia by 89% (from 29,000 to 55,000), and from Azerbaijan by 60% (from 15,000 to 24,000).

In 2013, Italy hosted the largest number of immigrants from the EaP countries (361,000 or 33%), followed by Germany (213,000 or 19%), Spain (126,000 or 11.5%), the Czech Republic (121,000 or 11%), Portugal (61,000 or 5.6%), France (34,000 or 3.1%), and Poland (20,000 or 1.8%). It is, however, important to note that the actual number of EaP citizens moving to the EU every year is higher than immigration data would suggest. Those EaP citizens who stay in an EU MS for the purpose of work or study for less than 12 months are often not recorded as immigrants. Ukrainian citizens moving to Poland might serve as an example of that. In 2012, Poland issued 122,000 residence permits for Ukrainian citizens. 72% of which were issued for durations between 3 and 11 months. Consequently, these persons were not registered as immigrants.

² All presented data is based on own calculations using data from the Eurostat database, table 'Immigration by sex, age group and citizenship [migr_imm1ctz]', the OECD International Migration Database, table 'Stock of foreign population by nationality', the UK Office for National Statistics, Datasets and Reference Tables, table 'Estimated population resident in the United Kingdom, by country of birth' (data extracted in June 2014). Data is rounded to the nearest thousand.

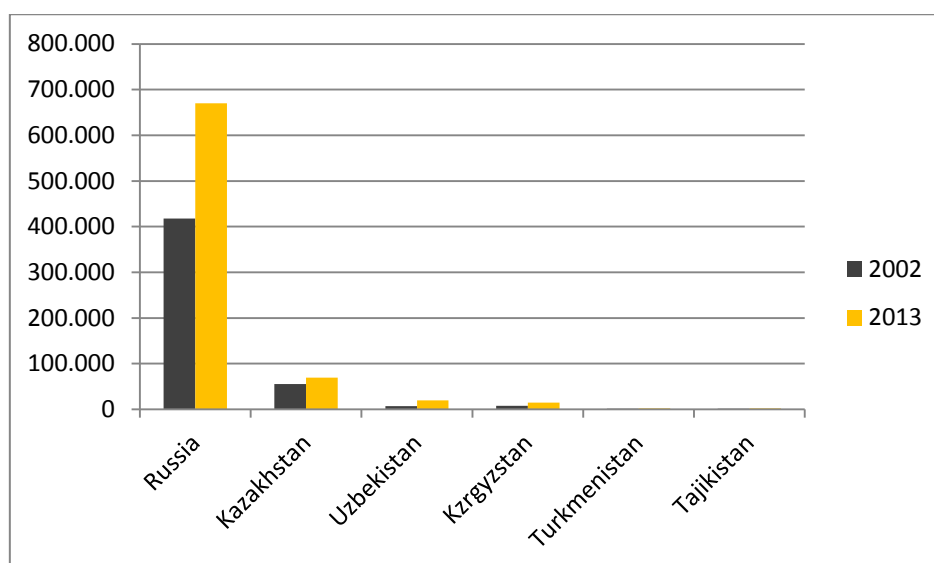
Chart 1: Total number of immigrants from EaP countries in the EU 2002 and 2013

Sources: Eurostat database, OECD International Migration Database, UK Office for National Statistics

It has been frequently observed that migrants from a specific country of origin focus on a selected group of destinations within the EU. This ‘clustering’ of immigration flows also refers to migrants from EaP countries. 65% of all migrants from Ukraine stay in three EU Member States, namely Italy (29%), Germany (20%) and the Czech Republic (16%). Moldovans have mostly moved to Italy (62%); Belarusians to Italy (36%) and Germany (27%); Armenians to Germany (19%), France (19%) and Spain (15%); Georgians to Germany (29%), Spain (18%), and Italy (16%); and Azeri to Germany (67%).

2.2 Immigration to the EU from Russia and Central Asian countries

With a total of 670,000 persons, Russian citizens represented 83% of all non-EaP immigrants from the region in 2013 (801,000 in total), and thus is by far the most important country of origin. Some 69,000 (8.6%) immigrants to the EU originated from Kazakhstan, 19,500 (2.4%) from Uzbekistan, 14,500 (1.8%) from Kyrgyzstan, and 2,000 (0.3%) from Turkmenistan and Tajikistan respectively. Thus, the concentration of non-EaP immigrants from the region on a specific destination is even more significant than in case of EaP countries. Germany is the most important receiving country for all of them, hosting over 36% of all non-EaP immigrants from Russia and Central Asian countries. Estonia and Spain are important countries of residence, hosting 91,000 and 59,500 Russian citizens respectively. Immigration from non-EaP CIS countries to the EU increased between 2002 and 2013 but at lower levels in comparison to the EaP countries. In 2013 the total number of non-EaP immigrants from the CIS was 1.6 times higher than in 2002 (increase from 505,000 to 801,000).

Chart 2: Total number of immigrants from CIS countries other than EaP in the EU 2002 and 2013

Sources: Eurostat database, OECD International Migration Database, UK Office for National Statistics

Since 2003, more than 395,000 naturalisations of CIS citizens have been reported in 27 EU Member States: 201,000 for citizens from the EaP countries, and 194,500 for citizens from the non-EaP CIS countries (mainly, Russia). Germany was by far the most important EU Member State in terms of acquisition of citizenship. With a total of 119,500, over 30% of all naturalisations of CIS citizens in the EU for the period between 2003 and 2012 were reported by Germany: 68,000 citizens from the EaP countries and an additional 51,500 citizens from the non-EaP countries.

Immigration from the EaP and the CIS countries to the EU has followed both recent and more traditional migration patterns. Bilateral migration flows have increased between Moldova and Italy, Ukraine and Italy, and Ukraine and Spain as a result of large-scale movements for seasonal jobs in agriculture that gradually transformed into more permanent migration. The total number of Moldovan migrants having a legal residence status in Italy, for example, has increased by 19 times between 2002 and 2013 (from 7,000 to 131,000); the total number of Ukrainians in Italy by 15 times (from 12,500 to 131,000) and in Spain by 4 times (from 21,000 to 84,000). The more traditional mobility of people linked to geographical proximity, historical ties or the existence of ethnic minorities saw significant increases as well. The total number of Ukrainians in the Czech Republic increased by almost 3 times between 2002 and 2013 (from 44,000 to 107,500), and the number of Russians in Germany 1.6 times (from 136,000 to 216,500).

The exceptional role of Germany as the main destination country for immigrants from the CIS can largely be explained by the repatriation of ethnic Germans, the so-called 'Ethnic German Resettlers' – 'Aussiedler' or 'Spätaussiedler' (since 1993), – from Central and Eastern Europe and the former Soviet Union. Between 1950 and 2005, a total of 4.4 million resettlers came to Germany. Between 1992 and 2012, 940,000 resettlers entered from Kazakhstan, 702,000 from the Russian Federation, and 41,500 from Ukraine. When recognised as resettlers, the beneficiaries automatically receive German citizenship in a specific certification procedure. Consequently, the annually arriving resettlers and their accompanying family members are not regarded as immigrants. They are registered in a separate data

base, and they are therefore not included in the general immigration statistics. Since 1999, 'Spätaussiedler' and their children and spouses are also not included into German naturalisation statistics. According to the German micro census 2011, previously, 612,000 German citizens held Russian citizenship, 575,000 held Kazakh citizenship, and 40,000 held Ukrainian citizenship. Jewish emigrants from the former Soviet Union comprise another significant immigrant group in Germany. Related flows had begun to grow in the early 1990s and had been admitted on humanitarian grounds but also to strengthen the Jewish communities in Germany. Based on different legal instruments to ensure the fulfilment of this commitment, 207,000 Jewish immigrants from the CIS have entered Germany since 1993. Between 2002 and 2013, a total of 28,000 of them have acquired German citizenship.

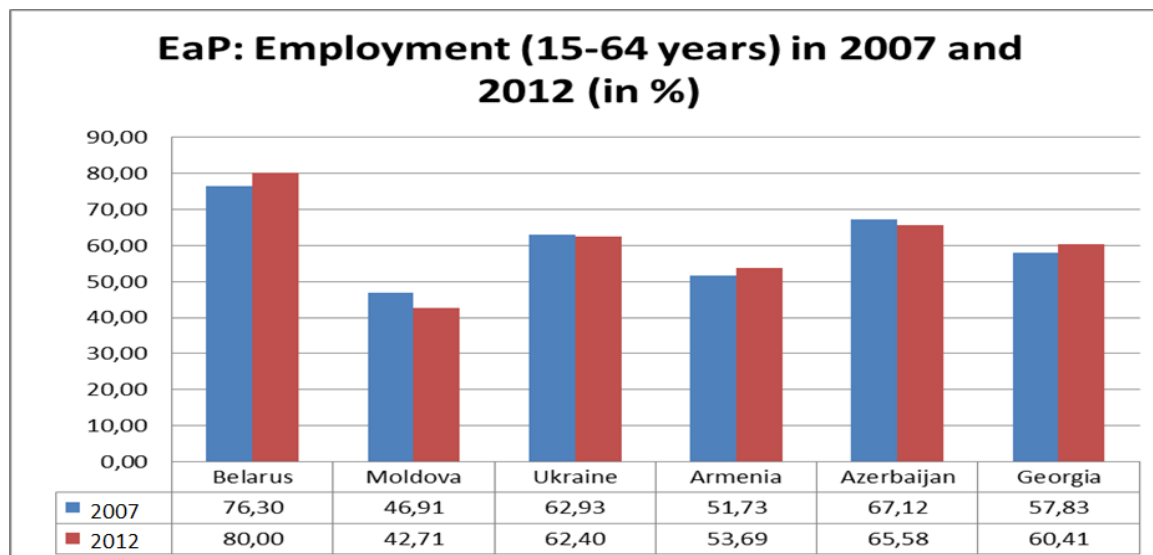
As stated above, German resettlers from the CIS are not considered as immigrants in Germany, legally or statistically. Due to their significant size and long-standing immigration history, however, the communities of resettlers represent an important source of social capital for subsequent migrants from their respective ethnic or national contexts. Taking into account the importance of social and family networks in migration, the existence of these groups has to be perceived as the main explanatory factor for Germany's attractiveness for onward migration from certain CIS countries, even though the individuals recorded in German immigration statistics do not benefit from the same legal privileges as the ethnic resettlers coming from the same country of origin. This conclusion applies to other important European countries of destination as well. Italy, Spain, the Czech Republic and Portugal host significant immigrant groups from the EaP or other CIS countries, and they will remain attractive destinations for subsequent migrants from the region.

2.3 Russia as the main country of destination for EaP migrants

Although the EU is an important destination for migrants from the EaP and other CIS countries, their numbers are considerably higher in Russia. The dissolution of the Soviet Union divided the country into fifteen independent states separated from each other by borders that had transformed from internal administrative to international borders. This created large-scale minorities on the territories of the newly founded states and turned previously internal movements into international migration. These movements continued to be extensive, with Russia as the preferred destination for logistical, linguistic and geographical reasons. Thus, immigration statistics provide only a partial picture of the real magnitude of immigration from these countries to Russia. The actual numbers are believed to be higher than the reported ones, as the statistics do not capture those persons who fall under the definition of international migrants but are not officially recorded – and indeed also often not recognised – as such.

The decision to migrate is mainly triggered by high levels of unemployment in the respective sending countries. In EaP countries such as Moldova, Armenia and Georgia, the unemployment rates in some sectors of the economy, for certain category of persons and in certain regions exceed 50%. Under these conditions, labour emigration remains the preferred – or the only viable – solution to secure one's livelihood and that of the family.

Chart 3: Employment situation in the EaP countries in 2007 and 2012

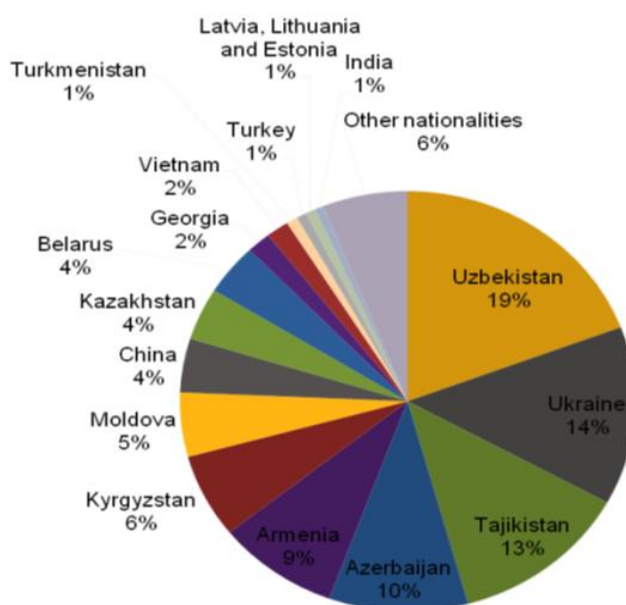


Source: Eurostat database

Labour migrants constitute a predominant share of all migrants in the Russian Federation. In 2011, the largest groups of migrants came from Uzbekistan (131,000 persons, or 19%), Ukraine (93,400 persons, or 14%), and Tajikistan (87,100 persons, or 13%), followed by Azerbaijan (67,900 persons, or 10%), Armenia (59,400 persons, or 9%) and Kyrgyzstan (44,500 persons, or 6%).

Amongst other foreign nationals presently residing legally on the territory of the Federation, 70,000 originate from Asia (including 28,400 Chinese); 29,000 are EU citizens; and 6,000 are citizens of various African countries, while an additional 3,000 have arrived from the countries of North and South America.

Since 1992, over 8 million persons have entered the Russian Federation and remained in the country legally. According to the Federal Migration Service, [male] labour migrants constitute the largest number of migrants coming to the Russian Federation. As of March 2013, 2,411,135 foreign nationals from both visa regime countries and the CIS countries were registered as legally working in Russia. Yet these figures are under-representative; actual numbers are believed to be at least 5 times higher. The unregistered categories comprise CIS citizens who enter the territory of the Federation with their national passports and do not need to register as international migrants at the moment of crossing the border, as well as migrants in possession of two – or double – nationalities who enter Russia as Russian nationals.

Chart 4: Migrant stocks in the Russian Federation, 2011

Source: Federal State Statistics Service

Due to their large numbers and some shortfalls of the Russian migration management system, migration flows to Russia have always included a considerable share of **irregular migration**. According to the FMS, every year approximately 3 to 5 million foreign citizens are considered **illegally working persons**, that is, aliens working without the obligatory official permit, which can be added to the official immigration figures. According to the Russian Institute of Strategic Research, the total number of irregular migrants is approximately 16–18 million persons. Moscow, with an estimated population exceeding 12 million, constitutes the main migrant destination, although data on the exact numbers vary. According to the Moscow mayor, 2 million illegal migrants are currently working in the city, while according to the FMS, the number is 200,000 persons. Up to 80% of all irregular migrants come from the CIS countries.

Two related trends were observed recently: a decrease in illegal migration flows from Kazakhstan and Ukraine, and increase in illegal migration from Central Asian countries. Similarly to the EU, a significant number of irregular migrants are '**overstayers**'. According to the FMS, every year over 20% of all labour migrants entering the Federation stay longer than the permissible time period.

3. Changing Demographic Realities in the EU, EaP Countries, and Russia

Demographic developments are a key determinant of the mid- and long-term changes to the existing migration patterns in the region and will be even more so in the future. Available estimates³ predict that without immigration, the population of EU Member States and other Western European States would decrease by 57 million by 2050. Population decline – again without immigration – would be even more significant in the countries of Eastern Europe and the Caucasus with a projected decrease of 55.9 million. South East Europe would face a decrease of 10.1 million. Demographic change will also manifest itself due to the increasing proportion of aged populations. By 2050, the median age of the European population will be 48 years in comparison to 39 years as it is now, implying that by then nearly half of Europe’s population will be 50 years of age or older. The age group of 65 years and older will increase by 79.3 million, while labour force will decrease by 83.4 million.

According to official statistics, the population of the Russian Federation was 148.7 million persons in 1991. Since the disintegration of the USSR, the population of Russia declined rapidly at a rate of approximately 0.5% (data from 700,000 to 1,000,000 persons) per year due to low birth rates, high mortality, and emigration. In recent years, Russia’s population has been growing again, albeit at low levels. According to an official estimate from January 2014, the population of Russia is at 143.7 million, a value clearly above scenarios based on the available data with an approximate loss of population at 380,000 persons per year. The reason for this discrepancy is that while it is true that fertility rates have increased in the new millennium, the natural population decline has mainly been outweighed by immigration. The graph below depicts these two trends: the dotted line represents the natural decline of the Russian population, and the full line represents the actual number of persons registered in the Federation, including a substantial share of immigrants, predominantly from other CIS countries.

Chart 5: Russia’s demography 1992–2014

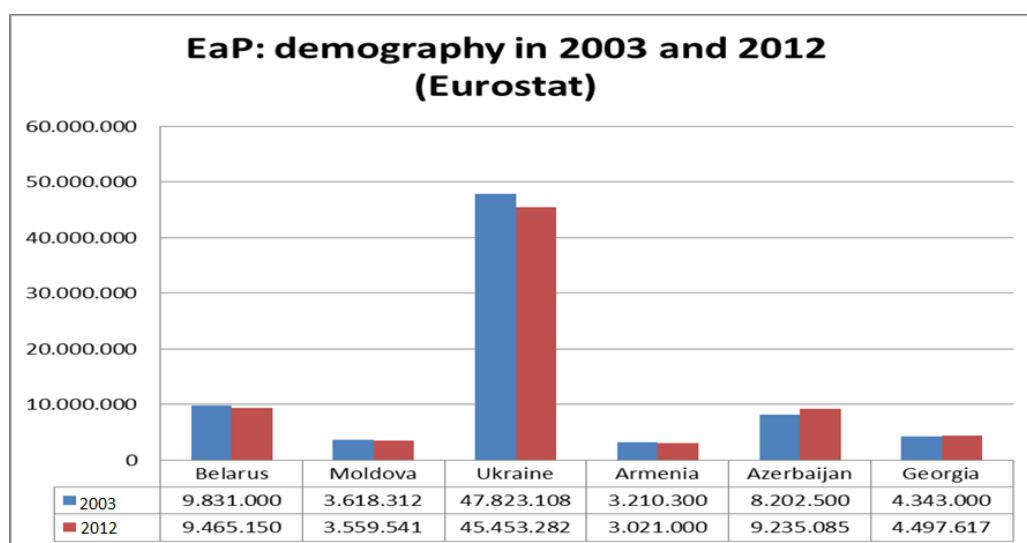


Source: Forbes, 04.04.2014

³ E.g. Rainer Muenz, 'Aging and Demographic Change in European Societies: Main Trends and Alternative Policy Options', SP Discussion Paper NO. 0703, March 2007, p. 23

'Replacement migration' was the key response strategy to the challenges presented by population ageing, shrinking labour force and increasing demands on the health and pension systems. The EaP countries traditionally represent sending countries both to Russia and the EU, due to their geographical proximity, high educational standards, historical and cultural ties, and migration patterns already in place. Turning attention to this part of the world for increased labour immigration is a logical future step for the receiving countries. The EaP countries, however, face a similar challenge to the EU and Russia, namely population decline due to low fertility rates. The most significant developments will take place in the migrant-sending countries to the EU: by 2025, the population will have declined by 17% in Georgia, and by 14% in Belarus.

Chart 6: EaP population in 2003 and 2012



Source: Forbes, 04.04.2014

To sum up, in view of the outlined demographic developments, the EU and Russia will have to face an ever-shrinking pool of labour immigrants from the EaP countries in the future. They will also have to turn to the population-rich countries from the region and Central Asia as a main source for labour immigration. Azerbaijan and the Central Asian states are expected to see steady population growth above natural replacement rates. For 2025, population growth in Azerbaijan is projected to approach 18%. In the Central Asian states, the annual population growth currently ranges from 1.22% (Kyrgyzstan) to 2.8% (Tajikistan) and 2.5% (Uzbekistan). Most importantly, not only will the populations of these countries continue to grow, they also have a different composition, namely a high and ever-increasing share of persons of a working age between 15 and 65 years.

4. New Russian Migration Policy and Legislation

Together with the demand for cheap foreign labour force and the demographic challenges described above, the Russian government saw the imperfections of its migration management system as the main reason for the large and growing numbers of illegal migrants within the Federation and set about to change that. Previous targeted attempts had borne little fruit. The first Concept of Migration Process Regulation, issued in 2003, failed to be implemented due to over-ambitious goals and a lack of implementation mechanisms.

The second Concept of Migration Policy for the period 2013–2025, adopted in 2012, defines the Russian Federation as a multi-ethnic, multi-religious, and multi-national country. The key objective is to become an attractive country of destination, particularly for migrants from other CIS countries. While this is not a novelty, the main change clearly introduced in the Concept is the prioritisation of permanent legal immigration of highly-skilled labour migrants and their families to Russia. Also new is the focus on a more balanced distribution of the immigrant population in the Russian Federation. Enhanced numbers of immigrants shall settle in Siberia, the Far East, and other strategically important areas, including border regions in the south and in the east. The removal of administrative procedures that complicate internal migration within Russia is envisaged. In addition, a number of priorities for a more effective Russian migration policy have been identified: differentiated mechanisms for selecting, attracting and employing short-term and long-term migrants; a score-based system for selecting migrants; simplified entrance and departure procedures for selected categories such as investors and business owners; and a modernised and simplified system for the allocation of quotas and issuance of residence permits. To achieve these goals, a number of amendments have been introduced to the Russian legal framework on migration and the corresponding governmental measures have been developed.

4.1 Governmental measures aimed at migration regulation

Measure 1 is the reduction of the review period for applications for ‘Voluntary resettlement to the RF of compatriots living abroad’⁴ from 6 to 3 months. Applicants will be issued a residence permit valid for 3 years, without the obligation to obtain a temporary residence permit first. The residence permit is revoked after 2 years in case an application for citizenship is not submitted.

Since 2006 (the year of introduction), 258,900 persons have applied for participation in the programme. By 1 January, 2013, 166,600 compatriots had entered the territory of the RF (36,800 in 2013 and 56,874 in 2012). For the year 2014, 200 million roubles (over €4,6 million in January 2014) have been allocated for the measure’s implementation. Funds are mainly distributed amongst those regions, which have already participated in the programme and have a proven settlement record (41 regions total at the present).

The measure targets border regions, particularly in the Russian Far East, the South and Siberia. The reasoning behind the choice of region is to strengthen the Russian presence in strategically important and currently under-populated areas. The Federal Cities of Moscow and St.

⁴ Compatriots are defined as Russian nationals living abroad. Most potential participants in the program currently reside in Kazakhstan, Uzbekistan, Moldova, and Armenia. There is also a substantial immigration potential amongst Russian nationals in Kyrgyzstan, Tajikistan, and Ukraine, as well as Georgia, Azerbaijan, Belarus, the EU (Germany, Latvia, Lithuania and Estonia), Israel, the United States and Bolivia.

Petersburg, as well as the Moscow and Leningrad oblasts, are excluded from the programme, and the main flows of settlers will be directed towards other urban centres and rural areas.

Measure 2 is the Law on the simplification of the procedure for granting Russian citizenship for compatriots and Russian speakers (in force as of April 2014). The Law introduces a new procedure for foreigners and stateless persons recognised as native Russian speakers, i.e. speaking Russian fluently and regularly using it, to obtain Russian citizenship. Knowledge of Russian is a prerequisite: an assessment of a person's Russian language skills is carried out during an interview held by a special commission. As a condition, applicants need to prove their previous – or their lineal ancestors' – residency on the territory of the Russian Federation, also while it was part of the Russian Empire or the USSR. The third indispensable condition is the renunciation of their present citizenship, although exceptions can be made if the renunciation is not possible. The law specifically applies to the so-called 'new subjects', i.e. the 'Republic of Crimea' and the 'Federal city of Sevastopol'. No data is yet available on the number of persons concerned due to the recent adoption of the Law.

The successful implementation of the Law would imply a gradual increase of the number of Russian citizens with a good command of Russian, which enables them to access the Russian labour market immediately without any additional language training. It would also entail enhanced emigration pressure on the EaP and other CIS countries, including a loss of members of their populations, as the latter might consider the acquisition of the Russian citizenship as an option.

Measure 3 is the amendment to the Law on citizenship (in force since August 2014). Russian citizens holding a residence permit/citizenship of another state are obliged to inform the Russian authorities within 2 months. Non-compliance constitutes an administrative offence and can result in a fine of up to 200,000 roubles (approximately €4,000) or 400 hours of community service. Based on the official census data for 2002, over 42,000 Russian nationals are also citizens of other states; over 400,000 persons on the Russian territory do not have citizenship; and 1.3 million persons have not indicated/disclosed their citizenship.

As a consequence of this measure, the Russian authorities will obtain more thorough data on Russian citizens in possession of a *second* citizenship or a *dual* citizenship where both nationalities are of equal value (currently only applicable to Turkmenistan and Tajikistan), and on Russian citizens who reside and/or work abroad.

These measures have the potential to fundamentally change the migration situation in the region and thus directly impact Russia and the migrant-sending EaP and CIS countries. Indirectly, it also affects migration movements from the region to the EU. The overall impact of these legal changes will depend on the actual implementation mechanisms in place. Also in this regard, there have been some recent significant developments. Russia has developed a number of enforcement tools, which shall ensure targeted and strict enforcement of the 2002 Law on the Legal Status of Foreign Citizens (amended in 2007, 2010 and 2012).

An **automated system of enforcement** of the 2002 Law on the Legal Status of Foreign Citizens was introduced shortly before the Olympic Games in Sochi in 2014 as a security measure. Effectively, it established a new system for monitoring migration. Technically, it is based on a number of interconnected automated systems that have been installed across the border check-points and within the various national institutions dealing with the monitoring and enforcement of Russian national law.

These include:

- an automated programme recording migrants' violation of immigration law;
- an monitoring system at the border applicable to all foreign citizens across the country.

These two components allow an automated monitoring of both the entry and exit of all foreign citizens and, most importantly, identification of those who had committed criminal and administrative offences on Russian soil. The currently active components of this database also register infringements pertaining to migration legislation. Presently, a total of 600,000 persons on the territory of the Russian Federation are cited as having infringed immigration legislation. To this group belong:

- 245,000 Moldovan labour migrants (50% of all Moldovans currently working in Russia), in addition to which 21,500 have already been banned to enter the territory of the Federation;
- 220,000 Armenian labour migrants, of whom app. 50,000 have been blacklisted already; another 170,000 who fall under a similar category and are currently present on the territory of the Russian Federation;
- approximately 135,000 persons from other states.

The number of 600,000 is hardly a definite one, as families and dependents of migrants will also be affected. Thus the actual number of persons affected may exceed 1 million of the CIS citizens. Until now, some 300,000 persons have been refused entry into the Federation and banned for a period of 3 years based on the violation of migration legislation. Decisions on an individual case are final, without the right to appeal. While the law excludes the possibility of reviewing the decision on an individual case-by-case basis, a solution is offered at the state level via the possibility of joining the Customs Union. In such a case, migratory restrictions do not apply to citizens of participating states.

4.2 Possible consequences and outcomes

Notwithstanding the fact that the implementation of the monitoring system has to be seen as an attempt to finally enforce migration legislation which – also partly – has been in place for a long time, it still has the potential to become a real game changer in the EU–Russian migration system. There are a number of potential significant consequences, as described below:

For the **Russian Federation**, potential consequences and scenarios include:

- a decrease of cheap foreign labour force, which has thus far entered the country illegally or stayed on it its territory illegally, as well as a potentially significant outflow of large groups of labour migrants, including irregular migrants, from the national labour market
- a strong demand for a change in or legalisation of their status within the Russian Federation, including acquisition of Russian citizenship
- the expansion of the Customs Union to other EaP and neighbouring countries and increased legal mobility of labour force from these countries to the Russian Federation.

For the **countries of origin**, potential consequences and scenarios include:

- the return of large numbers of persons, mainly labour migrants, including illegal migrants, to their country of origin, who are expelled from Russia or cannot keep their employment there

- on a related note, the loss of vital migrant remittances and the return of large numbers of people who cannot be absorbed by domestic labour markets
- a loss of citizens, as labour emigrants might prefer or feel forced to revoke their citizenship in order to acquire Russian citizenship to continue being employed in the Russian labour market;
- labour emigration to destinations other than Russia, namely the EU and the Gulf region
- stronger motivation or increased pressure to join the Customs Union to ensure their citizens simplified access to the Russian labour market.

For the **EU**, potential consequences and scenarios include:

- in the short- to mid-term, a possible increased inflow of labour migrants from the EaP and CIS countries, including a certain share of illegal migrants who have lost their access to the Russian labour market and will seek employment elsewhere
- a slowdown or standstill in negotiations on visa liberalisation with some countries out of fear for larger movements from these countries and related possible abuse of the freedom to enter without a visa
- with some countries, a slowdown or standstill in the process of promoting the neighbourhood policy via the conclusion of Association Agreements due to the expansion of the Customs Union involving EaP countries.⁵

As stated above, the legislative and policy changes in Russia's migration policy are not ad-hoc measures. They were presented already in 2012 in the framework of the **Concept for the Russian Federation's State Policy on Migration up to 2025**, which specifically outlines the national strategy in key spheres of migration as well as potential state responses. Moreover, many elements of the legal framework of migration management in Russia had been formulated much earlier even though it was previously not possible to enforce them due to limited capacities.

It has to be stated, however, that the outlined measures, legal regulations and enforcement mechanisms represent a comprehensive mix of migration management policies that will have a significant impact. The incentives offered to individuals are considerable – most importantly, direct and unrestricted access to the Russian labour market and the acquisition of a legal status and/or citizenship. For the traditional sending countries, the new Russian migration policy, when fully implemented, leaves the following options: to cooperate more closely in the framework of the Customs Union as an area of free mobility; to stay outside the Customs Union and lose their wide access to the Russian labour market; or to lose members of their population when they decide to accept the offer of naturalisation in Russia.

The stringent implementation of the aforementioned measures started only recently (2013 and 2014), and the real consequences are yet to be seen. One decisive question is whether the new Russian migration regime can ensure a sufficient supply of foreign work force for the domestic market. As already stated, the Russian economy strongly depends on labour immigration, which thus far has mainly unfolded as irregular migration. It will be a challenge to replace irregular migrants with regular ones, as the former have a number of 'advantages' for employers like low pay, flexibility in the treatment of irregular workers due to their lack of a legal status, and the absence of any labour rights for this particular group. If a shift of labour immigration to legal channels fails, economic necessities and market pressures might require a softening of the envisaged strict migration regime.

⁵ There is already such a precedent: the Association Agreement Armenia-EU, which was intended to substitute the agreement on partnership and cooperation and which was supposed to be signed in late 2013, has not been signed. Instead, Armenia decided to establish closer relationships with the Russian Federation instead.

5. Conclusions

The present paper has provided an analysis of the main features of the EU-EaP-Russia migration realities, the main factors that shape it, the transformations it has undergone, and the changes that can be expected in the future.

It has argued that the demographic developments in the EU, Russia and the EaP countries will increase the need for foreign labour force in the receiving countries in the future and decrease the pool of potential labour emigrants in the sending countries at the same time. This will result in increased competition between the EU and Russia over a shrinking labour force supply from traditional sources and a need to turn to Azerbaijan and the Central Asian countries with their young and growing populations. This will be less of a challenge for Russia, as it already hosts large immigrant populations from these countries, than for the EU Member States, where such immigration has occurred at very low levels thus far. However, both will have to invest more effort in developing and implementing effective integration measures for immigrants from these countries, as they have a linguistic, cultural and educational background that is different from the receiving societies (as opposed to migrants from the EaP countries).

Demographic developments will also induce changes in migration between the EU, Russia and the EaP countries, and these changes will unfold against the background of fundamentally changed regulatory frameworks concerning the field of migration. Russia has introduced far-reaching changes into its migration laws. The corresponding enforcement mechanisms are in line with the overarching goal most states' migration policies have in common, namely the promotion of legal migration and effective control of irregular migration. However, taking into account the large number of irregular labour migrants from the region that are already present on Russian territory, the strict enforcement of migration legislation immediately impacts on the situation of hundreds of thousands of migrants from the neighbouring countries, who find themselves cut off from migration opportunities. Incentives exist for individuals to obtain Russian citizenship and for governments to join the Customs Union, which grants the citizens of its member states freedom of movement and full access to these states' labour markets. If these possibilities are utilised, they again will have an impact on the size and distribution of migration flows, as well as on the economic and labour market situation of the countries involved.

Thus, while migration should not be seen as the key factor for state relations in the region, it is an important policy area embedded in a broader field of potentially conflicting interests and priorities. As such, migration-related policy instruments and decisions will not only affect migration flows but will also have the potential to directly affect relations between the countries.

The enhanced efforts to promote regional integration processes in the framework of the Customs Union also influence the approximation process of the Eastern Partnership. Both processes have gained momentum in recent years; however, coordination between the EU and Russia concerning these processes has thus far been lacking. This situation is to the detriment of the smaller countries in the region, which find themselves under pressure to opt for one side or the other. The EU-Russia Dialogue on Migration and the EU-Russia Visa Dialogue have achieved significant progress in bilateral cooperation on migration. However, they have not established a dialogue on the implications of the Eastern Partnership and Customs Union on the situation of the other countries in the region. Such a dialogue is needed both to fully utilise the potential of migration and mobility to the benefit of all partners and to avoid frictions emanating from regional integration and approximation processes.