

ДЕМОГРАФІЯ, ЕКОНОМІКА ПРАЦІ ТА СОЦІАЛЬНА ПОЛІТИКА

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**INTERNATIONAL LABOR MIGRATION AND MIGRATION POLICY**

The actual problems of theoretical and practical nature relating to government regulation of labor migration has been reflected in the article. Current trends of labor migration and not regulated by law issues related to labor migration abroad have been defined. Conditions of a comprehensive approach to improving migration policy and conditions of qualitative changes in this area, identified gaps in the legislative regulation of migratory relations. The basic directions of Regulation of labour migration processes by public authorities. The view of the author at ways to improve the legal regulation of labour migration processes in Ukraine has been expounded.

**Key words:** labor migration, migration policy, labor, region, economic development, international agreements.

Гоблик В.В.

**МІЖНАРОДНА ТРУДОВА МІГРАЦІЯ І ДЕРЖАВНА МІГРАЦІЙНА ПОЛІТИКА**

У статті висвітлено актуальні проблеми теоретичного і практичного характеру, пов'язані з державним регулюванням трудової міграції. Визначено сучасні тенденції трудової міграції та не врегульовані на законодавчому рівні питання пов'язані з трудовою міграцією за межами країни. З'ясовано умови комплексного підходу до удосконалення міграційної політики держави та передумови якісних змін у даній сфері, виявлені прогалини в законодавчому регулюванні міграційних відносин. Запропоновано основні напрями регулювання трудовіміграційних процесів з боку державних органів влади. Викладено погляд автора на шляхи удосконалення нормативно-правового регулювання трудовіміграційних процесів в Україні.

**Ключові слова:** трудова міграція, міграційна політика, трудові ресурси, регіон, економічний розвиток, міжнародні угоди.

Гоблык В.В.

**МЕЖДУНАРОДНАЯ ТРУДОВАЯ МИГРАЦИЯ И ГОСУДАРСТВЕННАЯ  
МИГРАЦИОННАЯ ПОЛИТИКА**

В статье раскрыты актуальные проблемы теоретического и практического характера, связанные с государственным регулированием трудовой миграции. Определены современные тенденции трудовой миграции и не урегулированные на законодательном уровне вопросы, связанные с трудовой миграцией за пределами страны. Выявлены условия комплексного подхода к совершенствованию миграционной политики государства и предпосылки качественных изменений в данной сфере, выявлены пробелы в законодательном регулировании миграционных отношений. Предложены основные направления регулирования трудовомиграционных процессов со стороны государственных органов власти. Изложен взгляд автора на пути совершенствования нормативно-правового регулирования трудовомиграционных процессов в Украине.

**Ключевые слова:** трудовая миграция, миграционная политика, трудовые ресурсы, регион, экономическое развитие, международные соглашения.

**Formulation of the problem in general and its connection with important scientific and practical tasks.** Labor migration of economically active population - an essential element of social and economic life. In the current circumstances it becomes qualitatively new forms, changing the spatial vector of labour migration flows from east to west. The explicit bias is the tendency to flow in a plane of labour interstate migration. A range of expert estimates its size ranges from 1,5 mln people to 7,000,000. No significant changes were the

population structure included in the orbit of migration by women, youth, students and graduates of vocational schools. A relatively new phenomenon is the constant increase in the proportion of people in the structure of labor migrants have a high professional qualification and level of education and significant experience.

No significant changes were motivational component of the labor movement. Motivation determines labor movement, along with a whole set of other economic components that should be considered in the process of regulation of migration flows strategy both at national and regional levels of development.

Despite the large number of regulations, legal regulation of labor migration in Ukraine is somewhat limited. There is a need to overcome the existing gaps in the institutional support regulation of migration processes and continuing harmonization of national legislation with EU countries.

Thoroughly analyzed migration patterns and characteristics of exposure to the state in the works of E. Libanova O. Malinowski, B. Minenko, S. PyrozHKov, M. Pityulycha A. Pozniak, A. Khomra, S. Czechowicz, M. Shulga and others. However, little research questions remain regulation of foreign labor migration, improving organizational and legal support, the state's influence on the process of labor migration which leads to the relevance of this study.

**The aim of the article.** The study is to outline the main directions of state regulation trudomihratsiynih processes.

**The main material of research with full substantiation of scientific results.** International labor migration serves one of the most important forms of international economic relations, which is based in the redistribution of the economically active population from one country to another. It is global in nature, which is manifested in the movement of the working population between nations around the world. Its solution is possible by joint efforts of the whole international community.

Research of labour migration processes in Ukraine, with few exceptions, in the early stages, many methodological and organizational aspects of regulation are not properly disclosed, and scientific revision, elaborated during the reforms are not brought to the level of practical use and do not account for all the variability of situations and depths transformation processes.

Unregulated at the legislative level are issues related to Ukrainian labor migration abroad. Today the agreement on employment of citizens of Ukraine abroad with Azerbaijan, Belarus, Armenia, Vietnam, Latvia, Libya, Lithuania, Moldova, Poland, Portugal, Russia, Slovakia and the Czech Republic. In the area of social protection - from Bulgaria, Spain, Kazakhstan, Latvia, Lithuania, Moldova, Russia, Slovakia and succession - with Mongolia, Romania and Hungary. In addition, Ukraine is a party to 11 international multilateral agreements (within the CIS) in the area of employment and social protection and the European Convention on the legal status of workers - migrants from 1977 (Parties which are Spain, Italy, Moldova, Netherlands, Norway, Portugal, Turkey, France, Sweden).

The main problem that hinders the efficient use of the mechanism of bilateral agreements to address employment of Ukrainian citizens abroad is that their effect applies only to those citizens who entered the country of employment based on a work visa, with a work permit and residence.

Qualitative shifts in the development and implementation of state regional policy on migration primarily require political will, that is a clear understanding of the direction of benefits and challenges associated with migration. This crucial role of politicians in recognizing the need to include migration to the priorities of social development sector belongs to science, which has the power to provide analytical information, scientifically based conclusions, establish systematic studies and reliable statistics on migration.

A requirement for qualitative changes in migration policy is a favorable climate in society. This society must realize that remittances from migrant workers abroad have an

important role in poverty alleviation, small business development and formation of the middle class. Both directly and indirectly, they can contribute to economic development. Similarly positive impact on the economy produces immigration into the country through which human resources are replenished, filled jobs unattractive to Ukrainian. In promoting a positive perception of migration and minimize anti-immigrant sentiment, raising the level of tolerance in society is extremely important role played by the media, which are fully and objectively cover the migration situation in the country, get rid of negative stereotypes and uncritical copying dubious facts [1].

Thus, the policy on labor migration should be formed in the long-term development strategy of countries have comprehensive, multi-level nature, ensured coordinated activities of various departments, based on scientifically based approaches have the understanding and support in the community.

In order to provide the policy on labor migration a new impetus, it seems appropriate to consider the following:

1. Developing a strategic vision for political purposes, designed to ensure that the State Migration Policy of Ukraine, to be held on the basis of deep scientific analysis of demographic trends, Lane prospects of economic development and the migration situation in the country as well as international experience, to be free from political speculations and myths household and stereotypes.

2. Concept development and approval should be accompanied by public discussion of the project, which should take an active part associations of migrants, human rights organizations.

3. In the development of the concept should proceed from the fact that the task of the document - to determine the approach to state regulation of migration processes, the main purpose of such activities. Specific measures of legal, financial, economic, organizational nature have become part of various regulations and government programs.

The analysis of the migration situation in the world and in Ukraine, as well as forecasts of socio-economic and demographic development of the country help to define the strategic goal of migration policy as the preservation of its own population and its replenishment from outside on the basis of certain ethnic, professional qualifications, age and other criteria.

Accordingly, the concept of the state migration policy of Ukraine should direct the authorities and society to: reduce the loss of the state's population (region, regions, cities, towns, villages) because of emigration, provide citizens with decent social and economic situation at home; protect the rights and interests of Ukrainian workers abroad, developing close ties with them, using the potential of diasporas for the development of Ukraine; the return of migrant workers, creating attractive conditions for use of their foreign exchange savings in small and medium business, agriculture, housing, etc; facilitate the repatriation of ethnic Ukrainian and their descendants, people of other nationalities Ukraine, that is similar in language and culture of the population; dosed expansion admission of certain categories of economic immigrants on a temporary basis, develop mechanisms to allow for in accordance with certain criteria transform their temporary status to permanent; integration of migrants into Ukrainian society, prevention of racism and xenophobia.

Thus, in the country there are significant gaps in the legislative regulation of migratory relations. However, without a clear definition of priority directions of migration policy in Ukraine will develop migration legislation fragmented, without a common conceptual line. The development of the Concept of Migration Policy or Migration Code of Ukraine.

Given the marked above can be summarized that the main areas of regulation labor migration processes by public authorities are:

1. Develop and approve legal documents on management and regulation of international labor migration, the priority of which is the strategy of migration policy, the Law of Ukraine "On the status of migrant workers," bilateral agreements in the field of regulation of job placement, social security, pension, taxation, mutual recognition of diplomas and control flow transfers to international labor migrants, which would provide some economic stimulus in the event of re-emigration and investing migrant workers in priority sectors, therefore - participation of migrants in investment activity and performance of socio-economic system of Ukraine.

2. Finalize draft "State Program of cooperation with foreign Ukrainian to 2015", namely to include items on the financial, economic, trade, scientific innovation and investment cooperation and approve the State program of cooperation with foreign Ukrainian.

3. To sign bilateral agreements with the host countries of migrants (of which there are none, including Italy, Hungary, the UK, Germany, France) for legalization of stay of migrants and settlement of labor relations and pension avoidance of double taxation of income of migrant workers.

4. Ensure the mechanism of legalization of wages of workers abroad and introduce methods of indirect taxation (as an example, a flat tax), which aims to streamline the pension protection. If a person works in the territory of which it is not, the agreement must be clearly defined country under whose legislation the defined retirement age, retirement conditions, the size of benefits, seniority and authority responsible for these payments. If a person is working in the country of which he is not, and has experience in the country participating in the agreement, the agreement must be provided mechanisms terms of length of service performed abroad, and pension benefits for the period. The agreement should be spelled out mechanisms of pension charges and refunds of pension funds.

Under bilateral agreements must provide so-called territorial principle pension migrants and their families, implemented and funded under the laws of the country in which they now live. In establishing the right to a pension, including concessional and seniority is taken into account seniority acquired in the territory of a State Party Agreement. Pensions are calculated on the earnings (income) for periods of work are counted in employment. This experience is widely used by migrants from CEE countries.

Thus, the legal framework on migration does not provide the basis for migration policy of Ukraine. No goals, objectives, tools, implementation tools and financial support for migration policy. The required active position of Ukraine on the conclusion of international agreements on the protection of workers - migrants abroad in countries-recipients of Ukrainian migrants.

**Conclusions:** The main measures on legal regulation of labor migration processes are:

Development and approval of legal documents on management and regulation of international labor migration, the priority of which is the strategy of migration policy, the Law of Ukraine "On the status of migrant workers", bilateral agreements in the field of regulation of job placement, social security, pensions, taxation, mutual recognition of diplomas and regulating the flow of international transfers of migrant workers, which would provide some economic stimulus in the event of re-emigration and migrant investments in priority sectors of the economy, then - participation of migrants in investment activity and performance of socio-economic system of Ukraine.

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