

Artículo de investigación

Main trends in development of migration policy in Ukraine

Основні тенденції розвитку міграційної політики України

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Abstract

This Article is devoted to the interdisciplinary research of Migration Policy and determination of Main Trends of its realization in Ukraine at the current stage. The Basic Steps of Migration Policy-making have been defined. We have also identified that the efficiency of migration policy is determined by degree of consideration of the factors of political, economic, social and demographic origin, as well as by the trends of international labor migration. On the basis of the study results, the main trends of implementation of Migration Policy in Ukraine have been identified: lack of system of collecting and analyzing the statistical information; low level of protection of rights and economic well-being of the employees; absence of any bilateral agreements with those countries where a large number of Ukrainian migrants have been located; significant volume of educational migration; impact of the military and political situation upon the situation with migration.

Анотація

Метою статті є проведення міждисциплінарного дослідження міграційної політики та визначення тенденцій її реалізації в Україні на сучасному етапі. Визначено основні етапи формування міграційної політики. Встановлено, що ефективність міграційної політики визначається ступенем врахування чинників політичного, економічного, соціального, демографічного характеру, тенденцій міжнародної трудової міграції. За результатами дослідження визначено основні тенденції реалізації міграційної політики в Україні: відсутність системи збору та аналізу статистичної інформації; низький рівень захищеності прав працівників та їх економічного добробуту; відсутність двосторонніх договорів із рядом держав із великою кількістю українців-мігрантів; значні масштаби освітньої міграції; вплив

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Nowadays, migration processes are one of the key factors in formation of well-being and level of social and economic development of the countries. The global trend of decreasing population, in particular, due to the demographic crisis, push many countries to implement the related migration policy, in order to compensate the loss of labor resources by means of its substitution with the migrant workers. While analyzing the main trends of labor migration in Ukraine, we should underline that nowadays the labor outflow is extremely problematic within the country.

The learning of Migration Policy has been realized from the point of view of the principles of historicist tradition, objectivity, complementarity and reasonability, those aspects related to the methodological basis for comprehensive analysis of the subject under study.

Researching of Migration Policy in Ukraine was performed with analysis of historical, demographic, economic, social and legal aspects of development. Nowadays, educational migration has a strong influence on migration policy in the country, that's why it's needed to be studied deeply.

The holistic approach to the problem exploration led to the conclusion that due to the increasing volume of international labor migration, which is closely inter-related with the processes of European integration, there is an increasing need to stipulate and implement the effective migration policy, in particular, in order to reduce the emigration losses for Ukraine and provide conditions for coming of the migrants back to their country.

Keywords: Educational migration, inflation, job market, labor migration, migration policy, migrant workers, salary.

Introduction

During the era of strengthening of integration relations between the countries and dynamic globalization processes, the migration becomes an inevitable phenomenon to provide the exchange of experience, increasing level of professional qualifications, as well as strengthening of business relations between the countries through transfer of labor resources. At the same time, in Ukraine the phenomenon of the

військово-політичної ситуації на стан міграції.

Міграційні процеси в сучасних умовах є одним із ключових факторів формування добробуту та рівня соціально-економічного розвитку держав. Світова тенденція до скорочення населення, в тому числі і внаслідок демографічної кризи, зумовлює проведення рядом країн відповідної міграційної політики для компенсації втрат трудових ресурсів за допомогою працівників-мігрантів. Аналізуючи основні тенденції трудової міграції в Україні, варто підкреслити, що на сьогоднішній день у країні гостро стоїть проблема відтоку робочої сили за кордон.

Процес вивчення проблеми міграційної політики здійснювався з погляду принципів історизму, об'єктивності, взаємодоповнюваності та обґрунтованості, що створило методологічну основу для комплексного аналізу предмета дослідження. Дослідження міграційної політики в Україні здійснювалось комплексно з вивченням історичного, демографічного, економічного, соціально-правового аспектів розвитку. На сучасному етапі розвитку особливої уваги заслуговує освітня міграція, яка істотно впливає на формування міграційної політики у державі.

Холістичний підхід до вивчення проблеми дозволив зробити висновки, що внаслідок збільшення масштабів міжнародної трудової міграції, в тому числі у зв'язку з євроінтеграційними процесами, зростає необхідність формування та реалізації ефективної міграційної політики, зокрема, з метою зменшення еміграційних втрат для України та створення умов для повернення мігрантів.

Ключові слова: заробітна плата, інфляція, міграційна політика, трудова міграція, освітня міграція, працівники-мігранти, ринок праці.

international labor migration has become so widespread that the status of this issue determined it as a priority problem to be solved in the near future; first of all this situation has been caused by the refusal of people traveling abroad to come back to their native country, being the "catalyst" for a number of another problems, which are related, in particular, to the social and economic and innovative development

of the country. Migration is one of the factors of demographic development in Ukraine, it involves the re-distribution of the population among the regions, while, on the other hand, this re-distribution influences the demographic disbalance within the regions of the country.

Migration should be the subject of interdisciplinary research, because the Governmental Migration Policy should be formed on the basis of international legal standards, taking into account the demographic and economic indicators, conditions of labor market, etc. The purpose of Research is the definition and analysis of the core elements of governmental migration policy of the country, as well as to develop the trends for its implementation in Ukraine and propositions aimed at improving the conditions in the fields of law, economics, education and demography in Ukraine, respectively.

Theoretical framework

Migration itself and Migration Policies are the subjects of Research in the majority countries of the world. Their increasing number has been caused by the mobility development, globalization processes and world crises, by the need to escape and migrate as well. The related global research has been aimed at studying various aspects of Migration Policy, in particular: in terms of migration management (Zanker, 2019, Vimo, 2019), economic and financial results (d'Albis et al., 2018, Schou, 2006), social support of migrants (Lee & Miller, 2000), healthcare (Derose et al., 2007, Devilléet al., 2011), integration of migrants (Penninx, 2019) as well.

The analytic surveys performed in the field of Migration Policy by international organizations play a very significant part (for example, we mean such works as "ILO Global Estimates on Migrant Workers: Results and Methodology (ILO, 2006), "The Global Migration Indicators" (IOM, 2018). The integrated study of globalization processes in the field of education and cross-border mobility of the students has been performed under the auspices of UNESCO - Varghese (2008). The actual trends for mobility of the students in European educational environment have been detailed in the field study of European researchers within the framework of the activities of Education, Audiovisual and Culture Executive Agency (EACEA, 2012).

In Ukraine, the issue of labor migration has been studied by the researches in various fields. Thus,

such authors as Malynovska (2018), Kukurudza & Romashchenko (2012) used to study the issues related to the history of formation, origins, historical background for the formation of the principles of contemporary Migration Policy in Ukraine. The issues related to improving the Migration Policy in terms of globalizations (Buz, 2014) and international migration processes (Petroe & Vasiliev, 2015) have been studied as well. The issues related to problematics of labor migration in Ukraine, along with contemporary challenges which push the population to further migration, have been revealed by such authors as Mezentsev et al. (2014, 2015), the issues related to economic and geographic transformations and their impact upon migration processes have been analyzed by such authors as Libanova (2018), Libanova & Pozniak (2010). The research works performed by the author Palian et al. (2015) have been dedicated to the analysis of the parameters of Ukrainian population survival. Besides, many other topics have been involved into study, in particular: the problems related to educational migration in Ukraine, as the subject for chart-making (Gorozhankina, 2011), along with the research of experience of integration into European mobility process (Kobchekova, 2012), institutional environment and the trends of governmental regulations (Hrynkevych, 2013) as well.

Methodology

The historical method allowed retracing the origin and evolution of Ukrainian Migration Policy and the impact of historical events upon the formation of its principles. The dogmatic method, in complex with the comparative – law method, became the methodological basis for the analysis of the national legislative regulations and international agreements in the field of migration.

Collection of primary statistical materials, their treatment and regional analysis of migratory flow of Ukrainian citizens, identification of the most significant features of similarity and differences in distribution of distinctive features of migration processes of the population have been reflected through the application of statistical and comparative geographical methods of research. Due to the application of chart-making methods, the regional distinctive features of migration increase/decrease of population and the regional distinctive features of migratory flows have been detailed. By means of using the method of correlation analysis, the authors discovered close connection between the indicators of factors and

the actual situation with migration processes related to the population.

The comparative approaches have been applied, in order to compare the levels of salary and inflation fluctuations in Ukraine with similar indicators in the European Union; statistical and graphic methods have been applied, in order to determine the dynamics of changes in salaries as one of the key pre-requisites for the development of labor migration in Ukraine, and the levels of domestic inflation and unemployment.

Results and discussion

The actual need for upgrading the system of government control over migration processes in Ukraine at the regulatory level was firstly defined in the Concept of the Governmental Migration Policy (2011). While analyzing this official document and the Schedule of Measures for its implementation, the following key elements of Migration Policy in Ukraine have been defined, in particular:

- **Legal policy** (further improvement of legislation in terms of external labor migration of Ukrainian citizens);
- **Demographic policy** (definition of immigration quotas in Ukraine, considering the demographic situation and conditions of labor market; encouraging measures for reasonable territorial allocation of the migrants, considering the demographic situation in certain regions);
- **Economic policy** (providing the favorable conditions and mechanisms for returning of migrant workers back to Ukraine);
- **Social policy** (strengthening the social and legal protection of the workers in Ukraine, as well as the same provision for the migrants who work abroad, through the accelerated procedure via conclusion of international treaties as well).

We should identify another important component within the Strategy of the Governmental Migration Policy in Ukraine for the period until 2025 (2017) – it is **Educational policy**, in particular, the promotion of educational exchange through realization of the human right for academic mobility.

Historical Aspect. The process of formation of Migration Policy in Ukraine can be divided into

several steps. Thus, at the first steps (IX - first half of XVIII century), the important factors of migration outflow from Ukraine were the military campaigns, devastating invasions of the nomads into Ukrainian territory, international trade, colonization of uninhabited lands. Those migration flows were both voluntary and coercive, yet they remained almost completely uncontrolled.

The Second Step (second half of XVIII - early XX centuries) was closely related to the fact when Ukraine has lost its sovereignty. As a result, the migration processes on its territory were regulated in accordance with the legislation of the states, which existed upon Ukrainian territory. In those times, in the Russian and Austrian Empires, the right to freedom of movement was limited for their citizens, while this right for the representatives of the lower classes (the peasants, in particular) were deprived of this right in general. In the XVIII century they introduced the circulation of passports, which were used as a mechanism of regulating the people's flow. It was precisely this period which at can be considered as the beginning stage of the labor migration of Ukrainian population. The Third Step (the years of 1917-1921, 1917-1921 were the periods of the national liberation struggle) has been particular for the attempts to restore the Ukrainian state. The first concepts for Migration Policy were established, along with the other governmental and law-making processes, the freedom of movement was firstly established at the constitutional level in those times.

During the Fourth Step (the years of 1921-1991, period of Soviet History) the migration flows, their dynamics and structure in Ukraine were considerably supported by the economic policy, followed by the absence of free market of real estate, requirement of household registration, high level of strict control over the procedure of departure from the country. On the other hand, intensive migration flows within the Soviet Union, which was significant in those times, settled the steady migration connections that were furtherly used for migration procedure.

The Fifth Step (1991-2019) began right after the restoration of Ukrainian independence and was realized under complicated transition conditions, along with the lack of experience, personnel and resources. The establishing of contemporary Migration Policy in Ukraine can be divided into several stages. At the first stage (1991-2010) the Migration Policy has been formed within the framework of general orientation to

democratization of public life, yet without having any clear strategic principle. The external factor became the “catalyst”, in order to start reformation of the migration system: we’re speaking about the event when the EU - Ukraine Summit took place in November 2010, where they presented the Schedule of Actions on Liberalization of Visa Regime. After that the second period began (from 2010 until today). The institutional reform has been implemented (in 2010 the State Migration Service of Ukraine was established) and the Concept of the Governmental Migration Policy in Ukraine was approved. The current task is to provide the qualitative regulation of migration processes under the terms of visa-free regime and the Association Agreement with the European Union.

Demographic Aspect. The structure, orientation, intensity of migration flows of the population, as well as their consequences (from demographic to social and economic ones) are conditioned by the socio-geographical location of the territory, its level of social and economic development, political situation and a number of other pre-conditions. Within the period from 2002 to 2017, the indicator of migration decrease in Ukraine has turned into positive migration balance, while it is characterized by the following dynamic trends: in 2002-2005, reducing number of migration decrease with its transition to positive migration balance; in 2005-2012 the increasing positive migration balance

and achievement the maximum level were determined; in 2012-2017 the decreasing migration balance was determined. In 2017 the coefficient of positive migration balance amounted to 15.2 per 10 thousand persons. Dynamics of the indicator of migration flows in Ukraine varied, depending on the settlement type. In rural regions, the researched period was characterized by the migration decrease, with the exception of the few recent years (slight positive migration balance starting from 2014). The urban settlements were characterized by the positive migration balance of population (with the exception of the years 2002 and 2016, which were characterized by a slight migration decrease).

In 2017, the maximum values of the indicators of migration decrease were revealed in the Regions of Vinnytsya, Kherson, Khmelnytskyi and Chernihiv (more than 20 people per 10 thousand persons). The Regions of Kirovograd, Mykolaiv, Zaporozhye, Rivne and Ternopil revealed relatively high indicators of migration decrease. Minor indicators of migration decrease were revealed in the Regions of Volyn, Zhytomyr, Sumy, Poltava, Cherkasy and Transcarpathia. Speaking about the rest of the regions of the country, we should mention that migration is characterized by its positive balance, while the maximum values of the positive migration balance have been revealed in the Regions of Kharkiv, Dnipropetrovsk and Kyiv (more than 40 people per 10 thousand persons) (Figure 1).

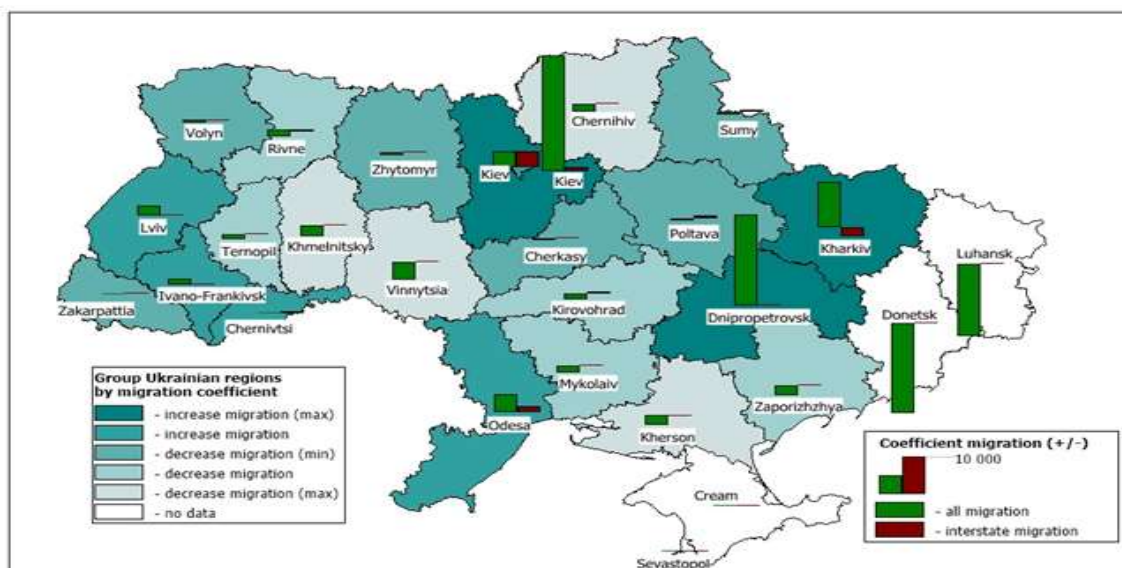


Figure 1. Regional Specific Features of Positive Migration Balance (Migration Decrease) of the Population in Ukraine in 2017

Source: compiled by the authors based on SSSU 2018 (Population of Ukraine)

The correlation analysis has been performed, in order to establish the cause-effect relationships related to the migration flows in Ukraine. The factor indicators were applied as the following indices: overall population, population group of the working age, share of urban and rural population, unemployment level of the population, salary level, unemployment level depending on gender and age indicators, unemployment level by the settlement type. Processing of the correlation coefficients revealed close relations between migration flows and unemployment, unemployment level by gender, salary unemployment in urban settlements and unemployment among the population of the age group of 30 to 35 years. Considering the age groups of the population involved in migration flows, we should underline that among the people who leave their country with the aim of permanent residence, the citizens of the working age prevail.

Speaking about the Ukrainian emigrants, the experts present the following estimated data: by 2017, their number was supposed to be 4,1 million people (16% of the overall working population). One third of them are the so-called "circular" migrants, while the amount of 20% refers to long-term and short-term migration groups. The share of illegal migrants amounts to 10%. The group of migrants also comprises the share of those persons who have returned home (this index amounts to almost 15%), while the rest of the above-mentioned migrants include those persons who left the country with the whole family.

Speaking about the geography of Ukrainian migration flows after 2014, due to the military activities in the Eastern Regions of Ukraine, the direction changed from Russia-oriented flows to Poland in triple amount. For the period from 2014 to 2017, the official migration of Ukrainians to Poland has tripled. Only 27% of Ukrainian migrant workers received due job positions in a foreign country according to their

qualifications that they have acquired in Ukraine (ratio of labor migration of the persons with complete higher education doesn't exceed 4%) (Libanova, 2010).

According to the data presented by the Ministry of Social Policy in 2017, the most numerous flows of Ukrainian labor migrants were determined to Cyprus (17,8 thousand people), to Poland (12,4 thousand people), to Germany (9,2 thousand people), to Great Britain (8,1 thousand people), to Greece (6,3 thousand people), to Panama (2,8 thousand people), to the USA (2,6 thousand people), the Netherlands (2,6 thousand people) (Ministry of Social Policy of Ukraine, 2018). Moreover, there are no signed interstate and intergovernmental agreements on cooperation in the field of labor migration and social protection of migrant workers between Ukraine and the countries with the highest level of Ukrainian labor migration ratio (except for Poland).

Economic Aspect. Traditionally, low salary level in Ukraine holds one of the leading positions among the economic factors of labor emigration of its population which migrates in search of the fair labor compensation. We suggest you to consider it as a factor stimulating the outflow of labor resources from the country, in more detailed way.

The Table 1 presents the dynamics of growth of the minimum wage rate in Ukraine for the period from 2009 till 2019. The Table demonstrates that the highest growth of the minimum wage rate for the analyzed period was revealed in 2017, its value amounted to 216,8%, while the growth rate amounted to 116,8%. In general, within the period from 2009 to 2019, the growth rate of the minimum wage rate in Ukraine amounted to 641,2%, in other words, the size of the minimum wage rate in 2019 increased by 541,2%, as compared with its value in 2009.

Table 1. Dynamics of Growth of Minimum Average Monthly Wage Rate and Inflation Indicators in Ukraine in 2009 – 2019

Year	Minimum wage rate (MWR), UAH	MWR growth rate, %	Inflation index, %	Deviation of MWR Growth Rate from Inflation Growth Rate
2009	650,8	123,26	112,3	10,96
2010	894	137,37	109,1	28,27
2011	972,5	108,78	104,6	4,18
2012	1104,2	113,54	99,8	13,74
2013	1182,5	107,09	100,5	6,59
2014	1218	103,00	124,9	-21,90
2015	1298	106,57	143,3	-36,73
2016	1476	113,71	112,4	1,31
2017	3200	216,80	113,7	103,10
2018	3723	116,34	109,8	6,54
2019	4173	112,09	100,7	11,39

Source: Compiled by the authors based on data Laws of Ukraine on the State Budget (2009-2019), SSSU 2009-2019 (Consumer price indices for goods and service)

The multidirectional character of the growth rate of minimum wage rate and inflation fluctuations can be explained by the reciprocal relations between the indices of economic growth in the country and inflation. Improving of the economic situation result in decreasing unemployment in the country.

proves that there is no clear inter-correlation between those two macroeconomic indicators. In 2014-2015, in particular, a stable picture of the unemployment was determined, along with high inflation rates.

Figure 2 demonstrates the unemployment and inflation dynamics in Ukraine in 2009 – 2018, it

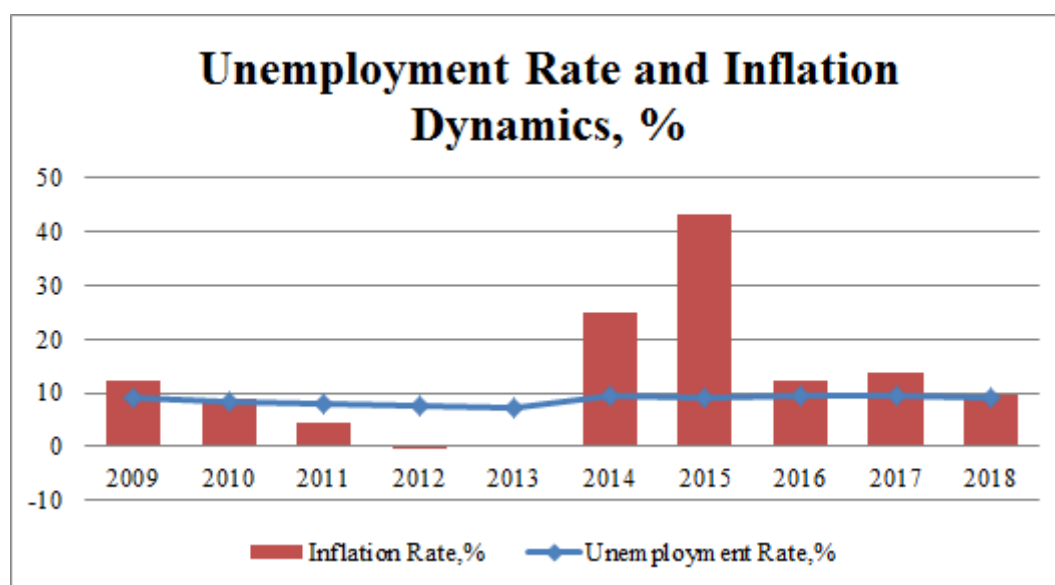


Figure 2. Dynamics of Unemployment and Inflation in Ukraine in 2009 – 2018

Source: compiled by the authors based on data SSSU 2009-2019 (Consumer price indices for goods and service), SSSU 2009-2018 (The main indicators of the labor market)

Ukrainians prefer to get employed by the foreign employers, trying to improve their financial position, as well as to find stability and ways of their personal realization. In case when they make such a choice, the most important criterion is the salary level in those countries which Ukrainians choose for further employment. As a comparison, the lowest level of minimum salary in the countries of the European Union at the beginning of 2019 was recorded in Bulgaria (286 euro), while in Ukraine its amount is approximately 135 euro. In Poland, being one of the most attractive countries for Ukrainian labor emigrants, the minimum salary is over 500 euro.

At the same time, paying attention to the average salary level in Ukraine, on January, 2019 its amount corresponds to the value of the minimum wage rate in the countries of the European Union, that is, 10269 UAH or about 350 euro, which is almost twice lower than the minimum salary in the Republic of Poland (SSSU, 2019, Eurostat, 2019).

Thus, the level of the minimum and average salary, high inflation and unemployment rates in Ukraine are the driving factors for the development of external labor migration, though we evidence its increase year by year.

Socio – Legal Aspect. The low level of social and legal protection of the employees is another reason for the high level of labor migration of Ukrainians abroad. The situation in the social and labor sector has deteriorated significantly, due to the military activities in the Eastern Part of Ukraine and the invasion into the Autonomous Republic of Crimea, which resulted in extensive “internal labor migration”, required additional social protection of the forced migrants and participants in the anti-terrorist operation.

According to the data presented by the State Statistics Service of Ukraine, at the end of 2018 the level of employment among the working - age population was equal to 57,1%, the unemployment rate (according to the ILO Methodology), amounted to 8,8% (SSSU, 2018. Labor Market). According to the results of the assessment performed by the ILO, about 5 million people in Ukraine work in the “shadow” economic sector.

Further improving of the current situation in the labor market and reducing of unemployment requires the related effective Governmental Economic and Social Policy, including the improvement of the provisions of labor legislation, aimed at reducing the unregulated employment, which is one of the priority directions of the State Service of Ukraine on Labor Issues: it has been implemented, in particular, within the framework of the EU/ILO Project on Technical Cooperation “Strengthening of the Labor Administration to Improve Employment Conditions and Reduce Undeclared Labor”. According to the recent data available (2016), 3.961,2 thousand of people were employed informally in Ukraine, which is equal to 24,3% of the total working population. Most of them (2.069 persons, or 52,2% of the total working population) were employed on informal basis (Undeclared Work in Ukraine, 2018) [c.13].

The current data available demonstrate the significant scale of the problem of spreading the undeclared labor in Ukraine: in order to overcome it, the implementation of the targeted Governmental Policy is required. At the same time, the policy of formalizing of the “shadow” employment should be aimed at eliminating the basic reasons for spreading the “shadow” employment: a) possibility to be paid higher salaries in comparison to the salaries to be paid in the formalized (official) sector (for the employees), b) intention to evade taxation and unified social tax (for the employers), in) inconsistency of the legislation to the requirements of labor market.

The working conditions of Ukrainian labor migrants abroad have been characterized by the low level of formalization of employment relations and social protection, along with a longer working week, compared to their schedule in Ukraine. In 2015-2017 (data referred to the later period are not available), only 38% of labor migrants had a signed labor contract with foreign employers, except for the Czech Republic and Portugal, where the level of formalization of employment relations for the migrants is rather high, more than 50% (Center for Ukrainian Strategy, 2018). [c.3].

The legal basis for providing the protection of the rights of Ukrainian citizens who work and reside abroad are international bilateral or multilateral employment agreements. The multilateral agreements include, in particular, the Convention on Legal Status of Migrant Workers and Members of Their Families of the CIS Member States (November, 14 2008), the Agreement on Cooperation in the Field of Labor Migration and Social Protection of Migrant Workers (April, 15 1994). Ukraine has signed intercountry and intergovernmental agreements with the following countries: Spain (May, 12 2009), Libya (October, 14

2003), Portugal (February, 13 2003), Azerbaijan Republic (June, 03 2004), Belarus (July, 17 1995), Armenia (June, 17 1995), Vietnam (April, 08 1996), Latvia (November, 21 1995), Lithuania (March, 28 1995) etc.

Educational Migration. The main reasons why Ukrainian graduates prefer foreign educational institutions include: disadvantages of the Ukrainian educational system, desire of Ukrainian applicants to move abroad for permanent residence, allowance for free educational places for the gifted young people at the foreign institutions, along with the related discounts for training on a contractual basis. Moreover, the foreign educational institutions take care of their graduates, providing them with new international contacts and employment opportunities (Cherba et al., 2017).

According to the data presented by the Research Centre “CEDOS”, the only institution that performed study of the educational migration of the students from Ukraine, the increase in the number of Ukrainian students at the foreign universities from 2009 to 2015 amounted to 129%. Within the period of 2009 -2010, the number of Ukrainian students abroad amounted to 26.063 people, while within the period of 2014 – 2015 it amounted to 59.648 persons (Slobodian & Stadnyi, 2016). During the academic year 2016/2017, 77.424 Ukrainian citizens studied at the foreign universities. Provided that in Ukrainian higher educational institutions about 900 thousand Ukrainian citizens studied on the basis of daytime academic programs during that period, the level of educational migration amounted to 8%. Mostly often the students go to study in such countries as Poland, Russia, Germany, Canada, Czech Republic, Italy, USA, Spain, Austria, France and Slovakia (Stadnyi, 2019).

The majority of Ukrainian students who study at the foreign universities choose social and humanitarian degrees. In Poland, the ratio of the students who follow the programs that refer to the “broad areas of knowledge” is 56% and 13%, respectively. In Germany this ratio is 36% and 23%, respectively. In Italy this ratio is 31% and 39%, respectively. In Austria this ratio is 47% and 26%, respectively. Such popular demands for the social and humanitarian degrees overcome the actual trends both among Ukrainian students who study in Ukraine and the citizens of the mentioned countries. This tendency means that Ukrainian students, who depart from the country, first of all look for the related language, economics, finance, management, marketing, journalism, international relations and law academic programs. On the contrary, Ukrainians consider the degrees in the fields of natural sciences, physics, mathematics and engineering to be popular in German universities, their ratio is 18% and 14%, respectively.

Conclusions

The contemporary Migration Policy in Ukraine, notwithstanding the centuries of absence of the state authority, has been deeply involved into history; no wonder that nowadays, in presently independent Ukrainian state, its formation has been greatly influenced by the factors of previous periods. At the time, when Ukraine has acquired its independence, its Migration Policy almost completely lacked its status, due to the existence of some kind of surrogate sovereignty and the regulations of migration flows in the former USSR by the administrative rather than political methods. That is the reason why nowadays the Ukrainian Governmental Migration Policy has been undergoing its formation stage.

The state of social and legal protection of the employees is another important factor that affects the level of external labor migration. The imperfection of labor legislation, lack of effective regulations in terms of the employer’s liability, pre-determine the amount of violations of the labor rights of the employees. The situation is complicated by the fact that about one third of the workers in Ukraine have been employed in the “shadow” sector, being deprived of the opportunity to protect their rights. Moreover, low salary level in Ukraine, in comparison with the countries of the European Union, also influences the outflow of migrants abroad. Therefore, the improvement of labor legislation and effective provisions for realization of the workers' labor rights should also become one of the trends in Ukrainian Migration Policy. Besides, the problem of establishing the cooperation with the other countries, making bilateral agreements in the field of migration is very important as well.

The governmental policy in the field of education in Ukraine promotes external educational migration; moreover, outflow of the students who study abroad has been increasing every year. The reforming procedure of the educational system and adjustment of the governmental policy in this field has been significantly complicated by the current military activities in the Eastern Part of Ukraine and lack of confidence of the population. The gradual reforming process, providing the institutions of higher education

with broad powers of autonomy, providing the legal background and economic conditions, in order to cooperate with potential employers, development of educational programs with the eventual employment of the graduate students may contribute to suspension of external educational migration from Ukraine.

Under the circumstance of the demographic crisis, many countries have been interested in Ukrainian labor migrants, thus, only the effective governmental policy will allow to suspend the process of the outflow of domestic labor force, along with the simultaneous provision of adequate protection for those citizens who would like to get employed abroad and conditions for their coming back to Ukraine. Nowadays, the negative trends in the Governmental Migration Policy in Ukraine can be specified as follow: 1) absence of a unified system for collecting, integration and analyzing statistical information in terms of labor and educational migration; 2) presence of a significant number of subsidiary legislative acts that determine the trends for Migration Policy and are significantly declarative; 3) emigration of the working-age population and highly skilled labor force, in particular; 4) significant tax burden, in particular, in terms of calculation and payment of salary, for the enterprises of various forms of legal entity's incorporation; 5) low level of protection of labor rights of the employees, domination ratio of the "shadow" employment; 6) absence of bilateral cooperation agreements in the field of migration with the majority of countries, where a large number of labor migrants from Ukraine have been employed; 7) increasing number of migrants, who are represented by the researchers, professors and students. Taking the above – mentioned trends into consideration, the governmental policy in the field of migration should become comprehensive and devoted to determine the methods of reducing the level of labor migration of the employees, outflow of the trained personnel, as well as promotion of coming back of the migrant workers back to Ukraine.

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