

**Meeting
of the Eastern Partnership Panel on Migration and Asylum**

– Circular Migration in the EU and Eastern Partnership Countries –

**18-19 October 2012
Chisinau, Moldova**

EXECUTIVE SUMMARY

The Panel Meeting was dedicated to the information exchange on general developments in the area of migration and asylum with particular focus on circular migration in the EU and Eastern Partnership countries, as well as agreeing on the Panel's work programme for 2013. The objective of the meeting was therefore to look at circular migration trends in the EaP region and between the EU and EaP, including in the times of economic downturn, and identify concrete policy solutions that can be implemented both in the country of origin and country of destination. The meeting was held in Chisinau and co-organized by Republic of Moldova, Poland and the European Commission (EC).

The first day started with opening remarks and welcome addresses by the EC, Moldova and Poland. Session I began with a general Panel business discussion including presentation of the **Report from the Country of Origin Information Expert Workshop** held in Bucharest in September and continued with a discussion and adoption of the **Panel's Work Programme for 2013**. The **roles of the EC and the Swedish Migration Board (SMB) in the framework of the Panel** were described by the representatives of the respective institutions and were followed by the **IOM's presentation of the Panel's web portal**.

The relationship between the Prague Process (PP) and the EaP Panel on Migration and Asylum, as well as **relevant initiatives of the PP** were illustrated by the PP representatives, Hungary and Czech Republic. The session continued with **tour de table on recent developments in the sphere of migration and asylum** at national and regional levels. Later on **the EaP labour migration study** was presented by the Center for Social and Economic Research.

Session II offered an introduction into the topic of circular migration starting with presentation on **circular migration trends in the EaP region** by the Migration Policy Center and continued with **general presentation of the EU combined report and Polish report** by the European Migration Network. IOM Moldova reported on the **best practices and key lessons learned on circular migration** and followed by a **tour de table on circular migration schemes, specific challenges and expectations** based on the questionnaire sent out prior to the meeting.

The second day of the Panel meeting focused on the specific aspects of circular migration. Session III addressed the issue of facilitating circular migration in the country of destination with two presentations on **necessary conditions to be implemented in the country of destination** by Sweden and on **bilateral agreements on circular migration** by Portugal. Session IV contributed to the topic of facilitating circular migration in the country of origin starting with presentation on **necessary conditions for effective circular migration to be implemented by the country of origin** by Poland and continued with Moldova presenting **bilateral agreement with Italy**.

Session V had a specific focus on skills recognition, role of employment agencies and social security aspects in the context of circular migration. The session began with a presentation by the International Labour Organization (ILO) on the **role of employment agencies and overview of the**

ILO standards. Later on **specific challenges in the area of skill recognition** and **social security aspects of circular migration** were introduced in two presentations by Moldova.

The second day of the Panel meeting was summarized by Moldova and Poland outlining the sessions and outcomes of the entire meeting. The Panel meeting was closed by the EC underlining productivity of the discussions.

18 October 2012 - Day 1

Welcome and Opening

Facilitator: **Mr. Rob Rozenburg**, European Commission

In his welcoming remarks **Mr. Rob Rozenburg** greeted all the participants and reminded that this is the 3rd meeting within the framework of the Panel which follows previous two held earlier this year.

Mr. Dumitru Ursachi, Deputy Minister of Interior of Moldova, welcomed participants on behalf of the Ministry and stressed the importance of the Panel meeting addressing major challenges in the region. He expressed gratitude for the organization of the Panel meeting in Chisinau and thanked Polish colleagues for their efforts as co-organizers. Mr. Ursachi stressed the significance of international standards and multilateral cooperation for facilitation of migration processes. Migration management is common for many states and requires joint solutions. EaP plays a great role as a forum for development of mechanisms and exchange of experiences between partners from the EaP countries and the EU MS.

Mr. Tomasz Cytrynowicz, Director of the Department for Legalization of Stay in the Office for Foreigners of Poland, thanked Moldova for holding the event and all EaP states attending the meeting. He mentioned the opportunities that the Panel offers for a multi-perspective discussion of the issues related to improving the circular migration management systems. Mr. Cytrynowicz gave a brief overview of the circular migration trends on the Eastern borders of the EU, indicating increased number of people crossing the borders in recent years. He also mentioned the high numbers of working migrants in Poland as not only challenging, but also beneficial.

Session I. General Panel Business

Facilitator: **Mr. Rob Rozenburg**, European Commission

Mr. Octavian Predescu, Head of European Affairs and International Cooperation Department, General Inspectorate for Immigration – Ministry of Administration and Interior of Romania, reported on the Workshop on Country of Origin Information (COI) organized within the framework of the Panel in Bucharest on 10-11 September 2012 and hosted by Romania and Armenia. The workshop was focused on the importance of COI in refugee status determination procedure and offered extended presentations on COI and its sources, identified the needs of the participating states and created opportunities for sharing best practices of dealing with COI. Recommendations produced during the workshop suggest the establishment of COI units in the EaP countries and developing projects for information sharing with EU MS.

Mr. Rob Rozenburg, the European Commission, followed with a discussion of the Panel's Work Programme for 2013, explaining that the Panel meeting in 1st semester of 2013 will focus on readmission, return and reintegration issues, while an expert workshop will cover the topic of trafficking in human beings. The Panel meeting of the 2nd semester of 2013 will address integration of migrants and refugees and IDP issues, whereas the following expert workshop will deal with statelessness.

The Panel meeting on readmission, return and reintegration will be organized jointly by **Hungary** and **Georgia** and, as was confirmed by the organizing states, it will take place in Tbilisi in February/March

2013. The Panel meeting on integration of migrants and refugees and IDP issues will be co-organized by the **Czech Republic** and **Azerbaijan** in Prague in September/October 2013. The expert workshop on victims of trafficking in human beings will take place in May/June 2013 and will be organized by **Poland, Ukraine** and **Armenia**; the venue is to be confirmed. The expert workshop on statelessness will be co-organized by Moldova and Hungary and held in Budapest in November/December 2013. The organizing countries encouraged all the participants to provide their comments and suggestions regarding the forthcoming events.

Mr. Rob Rozenburg, the European Commission, informed on the 1-2 studies to be conducted within the framework of the Panel and suggested the participating states contribute their topics of a particular interest to be covered in the studies, avoiding overlapping with researches that already exist. He also reminded that the Panel does not include a secretariat and steering committees, meaning all participating countries and stakeholders share responsibility for the effectiveness of the Panel. Hosting states which organize the Panel meetings and expert workshops prepare agendas and look for appropriate speakers. The SMB participates in agenda preparation and compilation of relevant information, communicate with the network of national focal points and provide support to the hosting states. The EC is responsible for putting together the working programme and its further implementation. The new EC contact point will assume his position in December 2012. The IOM manages the web portal, provides translations and meeting reports.

Mr. Lars-Erik Fjellström, Project Officer, SMB, added on the role of the SMB within the Panel, highlighting the continued support Sweden provides to the Panel starting from the Soderkoping Process in the past and its incorporation into the Panel on Migration and Asylum. He indicated support functions of the SMB including contributing to drafting the work programmes, preparing and planning the Panel activities, developing agendas and questionnaires circulating before the meetings, further collection of the answers and its compilation. The SMB liaisons with other counterparts and national focal points, disseminates information in order to avoid overlaps and promote synergies.

Ms. Olga Kulebyakina, Capacity Building in Migration Management Project Specialist, IOM Ukraine, presented the Panel's web portal introducing structural changes and new developments of the website due to incorporation of the Söderkoping Process into the framework of the Panel. The domain of the website was changed into the www.eapmigrationpanel.org although the old version www.soderkoping.org.ua will remain functional until July 2013. The intranet section with limited access was recently developed and the credentials will be circulated among the network of national focal points. The web portal statistics show constantly growing number of visits and unique visitors from month to month. *Please, see presentation "The Web Portal of the EaP Panel on Migration and Asylum".*

Ms. Agnieszka Kondak, Senior expert, Ministry of Interior of Poland, described the relationship between the PP and the EaP Panel on Migration and Asylum. The PP includes 50 participating states and was launched in April 2009 focusing on the targeted migration policy promoting migration partnerships. During 2009-2011 migration profiles and interactive map of migration routes were developed. The Action Plan of the PP for 2012-2013 covers issues of asylum and international protection and its implementation is funded by the EC. The main objectives of the PP are: expert level dialogue and information sharing; update and improvement of BMP knowledge base; implementation of pilot projects addressing legal migration in Poland, Hungary and Czech Republic. The PP includes the same participants as the Panel, so activities of both initiatives have to be coordinated in order to avoid overlap. Coordination and information sharing between the PP and the Panel has to be ensured.

Ms. Timea Lehoczki, Legal expert, Ministry of Interior of Hungary, reported on the pilot project on legal migration implemented in Hungary. The project was launched in August 2012 and serves the purpose of sharing experiences and best practices in organizing labour migration, including improving information flow towards potential migrants, promoting labour matching, discussing common interests and identifying practical difficulties, strengthening common cooperation and building capacities. Phase 1 of the project foresees mapping and analysis and should be completed by September 2013, whereas Phase 2 focuses on practical cooperation and further production of recommendations by September 2014. Expected results of the project include compilation of best

practices mainly focusing on access to information by potential migrants and improvement of labour matching, as well as the PP recommendations. *Please, see presentation "Pilot Project 2: Legal Migration".*

Mr. Zdenek Belonoznik, Unit of International Relations and COI, Ministry of Interior of Czech Republic, delivered a presentation on the pilot project on circular migration under the PP EC Targeted Initiative describing outcomes of the introductory workshop held in Budapest this September. The substance of the pilot project is collection of existing best practices of the EU and non EU countries, as well as compiling guidelines on circular migration management from a perspective of both countries of origin and destination. The kick off workshop initiated discussion on different approaches to circular migration (theory vs. practice, countries of origin vs. destination, state vs. academia) and gave opportunity to set realistic expectations. The outcomes of the meeting showed the efforts already made by both sending/receiving states to manage circular migration. Circular migration hides great potential worth managing effectively in order to maximize its positive effects and minimize the negative ones.

Tour de table on recent developments in the areas covered by the Panel at national and regional levels

Ukraine informed about the creation of the State Migration Service over a year ago which deals with visa liberalization issues and partnerships with the EaP countries. In regard to employment of foreigners there are no bureaucratic obstacles since it is the employer that determines the qualifications. When Ukrainian migrants seek for employment abroad it is regulated by international agreements.

Sweden mentioned the situation in Syria which has become a challenge for the national asylum system by the greatly increased number of asylum applications. Currently asylum seekers from Syria gain temporary residence permit in Sweden for 3 years.

Romania announced the change of the name of the main migration authority due to institutional transformations in Romania, thus since July it is called General Inspectorate for Immigration. The number of asylum seekers has recently increased with a majority of the applications received from nationals of African countries. Romania works closely with Armenia, Azerbaijan and Belarus in different projects aimed at development of the institutional capacities.

Portugal informed on the implementation of new EU directives and corresponding amendments of the national legislation due to this fact. A new form of residence permit for investors has been established.

Poland reported on the new national migration policy adopted in July 2012 with recommendations for future. Migrants in Poland staying there irregularly have been given the opportunity to legalize their stay for two following years legally. 10,000 migrants have already applied for legalization of stay, 5,000 have been assessed and 3,500 positive decisions have been issued. The majority of applicants are nationals from Vietnam, Ukraine and Pakistan. Poland is implementing the EU blue card directive and works on the new law on foreigners. Poland is cooperating with Ukraine concerning reception systems and is involved in a Twinning project in Armenia with Sweden.

CARIM East mentioned their work with experts and research activities on the EaP countries and Russia. The CARIM East website has an accessible database collecting information on a variety of laws and policies from the EaP region. The research paper on labour migration is completed, while the papers on integration and reintegration are in progress.

"Europe without Barriers" - Ukraine elaborated on the progress and main challenges of implementation of the EU-Ukraine Visa Liberalization Action Plan. A report with monitoring findings was published recently and it contains analysis of the official statistics and EU legal acts which concern Ukraine.

The Stefan Batory Foundation briefed on the new website on EaP countries approximating towards visa liberalization requirements.

IOM Moldova informed on the new project on circular migration to be started soon. IOM has been working for two years on the extended migration profile for Moldova which will be presented in the nearest future. Evaluation of the mobility partnership will be publicly available in a short time.

ICMPD reported on the work with extended migration profiles that were developed for Ukraine, Armenia and Azerbaijan and on plans on their further update in the nearest future.

International Labour Organization described joint initiatives between ILO and EU on labour migration. ILO provides support to national partners, including employment agency, in building capacities.

UNHCR Moldova pointed out positive developments in Moldova in the sphere of migration and asylum. The Government of Moldova drafted provisions on statelessness determination and a separate law on integration of foreigners. The number of asylum applications has risen recently mostly from nationals of Syria.

Ministry of Foreign Affairs of Moldova informed on the coordination of the efforts to ensure proper implementation of the second phase of the EU-Moldova Visa Liberalization Action Plan and the success of Moldova in existing projects on migration management.

Bureau for Migration and Asylum of Moldova reported on the new law concerning integration of foreigners that entered into force this year. In July 2012 indicators for the extended migration profile for Moldova were introduced. A new procedure on stateless status determination was developed.

Lithuania mentioned that migration and asylum are not problematic spheres for the country and mentioned amendments of the national legislation planned to be introduced next year. It has concluded a readmission agreement with Ukraine and has also accepted relocation of beneficiaries of international protection from Malta.

Georgia indicated the possibility to collect biometric information thanks to the EU-funded project. A new law on data protection has entered into force. Georgia became a part of 1954 convention on statelessness, thus the national legislation had to be amended accordingly. The implementation of the EU-Georgia readmission agreement and the negotiations on EU-Georgia visa facilitation agreement are running smoothly.

Finland described work on the issue of migrants in detention and the attempts to abolish the possibility to detain minors. Finland is looking into improving the system of counteracting trafficking in human beings. Finland is currently amending policy on migration and asylum.

Azerbaijan reported on the establishment of the public agency where a person can get wide variety of different documents. The public agency does not adopt the functions of other state agencies, but rather facilitates the process of issuing documents. There is no clear definition of circular migration and Azerbaijan would appreciate if the EU could provide one.

Belarus informed on the abolishment of earlier required license for employment of foreigners. New laws concerning labour migration and counteracting trafficking in human beings were adopted.

Armenia highlighted the national concept on state regulation of migration which was recently adopted. More asylum applications had been received due to the situation in Syria. Armenia and EU signed joint declaration on mobility partnership in 2011. Armenia participates in a Twinning project with Sweden and Poland.

Mr. Matthias Luecke, Senior Research Economist, Center for Social and Economic research, Poland, presented an analysis of cost and benefits of labour mobility between the EU and the EaP countries. An analysis of the macroeconomic and labour market developments in the EaP region demonstrated the huge role migration plays for some EaP countries. Remittances proved to be a very stable financial flow despite economic crisis and support to national economies, thus large remittances have to be managed by national policies. Potential costs and benefits of migration and remittances take into account household level effects (higher incomes/less poverty, skill gain/loss, changes in values, new caregiving arrangements) and economy-wide effects (GDP growth, higher wages, fiscal effects, brain drain/gain, financial sector developments). The analysis of the labour migration and demographic trends indicates that age-group-specific migration prevalence rates have stabilized in most EaP countries, hence migration flows will decline. Policies which affect labour migration include not only migration-specific legislation, but also non-migration specific one. *Please, see presentation "Synthesis Paper – EaP Country Studies".*

Session II. Introduction into the topic of circular migrationFacilitator: **Ms. Olga Poalelungi**, Moldova

Ms. Agnieszka Weinar, CARIM EAST Coordinator, Migration Policy Center, European University Institute, reported on circular migration trends in EaP region. The definition of circular migration is rather complex due to a variety of aspects, though by definition implies positive impact on development. Most movement in the region can be defined as spontaneous circulation. More people from the EaP states circulate between the CIS countries than between EU and EaP. Circulation to the EU is relatively limited mostly owing to visa restrictions, as the costs of entry are higher and the risk of non-circulation upon return is high, migrants prefer to overstay and avoid circulation. The visa-free regime within the CIS is not accompanied by complex work or residence permit solutions. Innovative policy frameworks targeting diaspora and migrant communities abroad influence migration flows (Armenia and Moldova). *Please, see presentation “Circular Migration Trends in the EaP Region”.*

Ms. Joanna Sosnowska, National Coordinator in the European Migration Network (EMN), Ministry of Interior of Poland, added on the circular migration in the EU based on the main results from the national contributions. The synthesis report on temporary and circular migration prepared within the EMN framework in 2011 highlights the most important aspects and places them as much as possible within the EU perspective. The EU interest in circular migration is perceived as a “triple win” policy tool, beneficial for host society, migrant and migrant’s country of origin, by meeting the needs of national labour markets, supporting development in third countries and reducing “brain drain”. Few member states currently have legislation in place that specifically sets out to impose temporary migration, and none of the MS regulate the return of circular migrants. EU MS have developed programmes and projects which combine temporary stay with mechanisms that enforce the “triple win”. National approaches show great diversity in their visions and policies. *Please, see presentation “Circular Migration in the EU: Main Results from the National Contributions”.*

Mr. Ghenadie Cretu, Migration and Development Programme Coordinator, IOM Moldova, presented experience in dealing with circular migration from the IOM’s perspective. Developing successful circular migration schemes involves measures to support circular migration and collaboration between countries of origin and destination. The IOM’s global and regional experience with circular migration was illustrated by the Temporary and Circular Labour Migration (TCLM) project between Colombia and Spain and by the Temporary and Circular Labour Migration between Portugal and Ukraine (TEMPORTU) project. Moldovan perspective was introduced with the structured circular migration approach within the EU-Moldova Mobility Partnership context; the bilateral agreement between Italy and Moldova; and the Making Migration in Moldova Work for Development (MIGDEV) project to be implemented in 2013-2014. *Please, see presentation “Circular Migration – Practices and Key Lessons Learnt from a Global and Regional Perspective; IOM Moldova’s Experience”.*

Tour de Table regarding up to date situation with circular migration schemes, specific challenges and expectations for the ongoing work of the Panel

Azerbaijan stressed the absence of a specific definition of circular migration in national legal acts. Legal entities registered in Azerbaijan can mediate employment of Azerbaijani nationals abroad. There are agreements with Ukraine and Belarus on ensuring social rights of labour migrants and agreements on diploma recognition with Russia, Ukraine and Belarus. Any foreigner or stateless person who intends to carry out labour activity in Azerbaijan should confirm the relevance of his/her specialization to the requested job.

Armenia reported that national legislation does not provide for circular migration schemes and definition of circular migration as such. Generally the concepts of seasonal migration and circular migration have the same definition. There is no policy supporting its’ own nationals in searching for employment opportunities abroad. Agreements on temporary working activities and social protection of citizens working abroad, as well as bilateral agreements on recognition of qualifications and skills

were signed with Belarus, Ukraine, Russian Federation and Georgia. There is a lack of experience in identification of circular migration.

Belarus mentioned that there is no definition of circular migration within the national legal framework and the closest concept would be labour migration. Work permit is required for foreigners seeking employment in Belarus, at the same time nationals of Russian Federation and Kazakhstan are exempted from this requirement. In 2008 Belarus signed the Convention on legal status of labour migrants and their families, adopted by CIS Member States; however, there are no bilateral agreements with other countries on migrants working abroad.

Czech Republic highlighted the ambiguity of the circular migration definition in the current national legislative system, although some policy elements incorporate certain aspects of circular migration. The new law on foreigners to be produced by 2014 will include provisions on circular migration and change the current situation. There are no policies facilitating circular migration of its' own nationals abroad.

Georgia reiterated that the concept of circular migration is a novelty to the EaP countries and emphasized the need of a proper definition, as existing definitions vary from country to country. A priority for Georgia is to develop schemes of circular migration, thus negotiations with Germany on the pilot projects in this sphere are taking place. One of the problematic issues for employment of foreigners is recruitment procedures and standards which have to be more transparent and high. Currently Georgia is negotiating agreement on labour migration with France.

Finland informed that the concept of circular migration is mostly discussed within the EU context and there is no national definition. There are no bilateral agreements on the facilitation of circular migration and generally the national labour market is a "demand-driven" system. There is a possibility to ask for that the residence permit does not expire when person leaves Finland and would like to return after a while.

Hungary noted that there is no common agreed definition at EU level on circular migration and there are different concepts as to what exactly constitutes circularity in migration movements. The new Working Holiday Scheme for young people through bilateral agreements signed with third countries provide for a short-term period of admission to the territory of a third-country for the purpose of tourism and a limited period of employment. The ministry responsible for labour affairs is entitled to set the quota of work permits to be issued to third-country nationals, but the quota is never filled.

Lithuania informed on the stable situation with migrants in the country and circular migration policy is therefore not a priority for national legislation. Circular migration is not defined in national legal acts, though it is mentioned in Lithuanian immigration policy guidelines in a sense of the "return migration", which is understood as one migration cycle (come-out) concept.

Moldova shared that the definition of seasonal migration in the national legislation being the closest concept to the circular migration. The definition is strongly connected with the idea of specific work performed within a certain period of the calendar year and to a certain extent reflects circularity of such migration. The agreement with Italy on labor migration was signed in 2011 and provides a scheme for seasonal migration. There are 48 agreements signed on avoiding double taxation, but they do not cover the sphere of labour migration.

Poland has no formal definition of circular migration in any national legal acts. At the same time, the Government document on migration policy entitled "Polish migration policy – state of play and further activities" recommends supporting and fostering circular migration. Existing short-term migration scheme allowing citizens of Belarus, Georgia, Moldova, Russia and Ukraine to work in Poland for up to six months within twelve consecutive months without a work permit provides a framework for circular labour mobility.

Portugal underlined circular migration remaining mostly an academic concept and very often missing legal context. Thus the legal definition should be framed within the existing rules and regulations. Proper tools for the stimulation of circular migration exist and are promoted when it concerns development aspects.

Romania mentioned the strong connection of circular migration phenomenon to the problem of residence permit issuance on the national level. Recently the concept of legal migration has been actively discussed and should be developed by 2014, including a special chapter on legal circular

migration. An internal working group is employed with harmonization of Romanian legislation on legal migration in accordance with the EU standards.

Sweden indicated the definition of circular migration as temporary or long term movements between countries, which often are recurrent and can contribute to development. In Sweden the term circular migration is mainly used to describe how migrants possessing a permanent residence permit in Sweden can return and contribute to development in their country of origin. Circular migration in the Swedish context is not a term used to describe guest worker programs.

Ukraine reported that national legal acts do not define circular migration as a separate category. Migrant workers and seasonal migrants are employed according to general provisions pertaining to employment of foreigners in Ukraine. National authorities of Ukraine participate in international cooperation and information exchange in the sphere of labour, employment and labour migration with counterpart agencies of other countries by means of communication, bilateral meetings, consultations and other events.

Ms. Olga Poalelungi, Director of the Bureau for Migration and Asylum, Ministry of Interior of Moldova, summarized the session and closed the first day of the Panel Meeting.

19 October 2012 - Day 2

Session III. Facilitating circular migration in the country of destination

Facilitator: **Mr. Tomasz Cytrynowicz**, Poland

Ms. Anna Tillander, delivered a presentation on necessary conditions for effective circular migration to be implemented by the country of origin focusing on circular migration policy in Sweden. There is no single definition of circular migration, but in Sweden it involves the possibility to move without too many obstacles, strong connection to development and spontaneous movement. The Parliamentary Committee on circular migration operated in 2009-2011 included representatives from all parties of the Parliament. The Committee was tasked with mapping circular migration to/from Sweden identifying factors which influence circulation and making proposals for legislative changes to facilitate back-and-forth mobility. Factors which facilitate circular migration and development are integration, portability of social benefits, legal framework that facilitates mobility, acceptance of the new forms of migration, transfer cost of remittances, social remittances, diasporas and trade. *Please, see presentation "Circular Migration Policy in Sweden".*

Mr. Joao Ataide, Head of Unit, Immigration and Borders Service of Portugal, reported on bilateral agreements on circular migration building on a Ukraine-Portuguese case study. The national strategy on migration perceives circular migration as a vital element for the global coherence of legal migration management policies and relevant mechanism to meet national labour needs of a limited duration. The bilateral agreement for recruitment of Ukrainian workers was signed in 2003 as a response to Portuguese labour shortages in some sectors of the economy, as well as a contribution to the development of the country of origin. The target group consisted of 50 Ukrainian unemployed workers to be employed in tourism, agriculture and construction sectors. The project activities included profiling and matching suitable candidates for the jobs, pre-departure orientation and training, logistic support and travel assistance, follow-up during the stay and post-return assistance. Portuguese employers showed particular interest in circular recruitment and provided positive evaluations of the project.

Session IV. Facilitating circular migration in the country of origin

Facilitator: **Ms. Olga Poalelungi**, Moldova

Ms. Agnieszka Skiba, Expert, Migration Policy Department, Ministry of Interior of Poland, presented some necessary conditions for effective circular migration to be implemented by the country of origin. The concept of effectiveness of circular migration has to take into account the perspective of

the migrant, the point of view of the country of origin and the context of country of destination. The country of origin perspective lies in better organization and informing about the various forms of legal movement between countries, balanced partnership among stakeholders, and mutual links with the migrant. Effective circularity gives real perspective of movement and includes flexible scheme of mobility, legal certainty, social/financial aspects, prevention of brain waste and contact with the country of origin. Triple-win effect is possible only when migration is circular and when circular migration is well managed. *Please, see presentation “Necessary conditions for effective circular migration to be implemented by the country of origin”.*

Ms. Valentina Ungureanu, Head of Migration Policy Division, Ministry of Labour, Family and Social Protection of Moldova, added on bilateral agreement between Italy and Moldova in the field of labour migration. The extension of the dialogue between Italy in Moldova resulted in establishment of local coordination bureau, regular consultations on implementation of the agreement and addressing challenges of the implementation. The agreement and the implementing protocol provide for the facilitation of labour migrant’s return and effective reintegration, as for promotion of joint programmes on circular migration. Circular migration in this context offers flexibility of the work force for the country of destination; addresses the “brain drain” problem and other negative factors of migration in the country of origin; and provides opportunities of legal migration and optional return to the country of destination for another term. The use of bilateral agreements is an effective migration policy tool allowing the development of circular migration schemes. *Please, see presentation “Bilateral Agreement between Italy and Republic of Moldova in the Field of Labour Migration” (in Russian).*

Session V. Specific focus on skills recognition, the role of employment agencies and social security aspects in the context of circular migration

Facilitator: **Mr. Krzysztof Lewandowski**, Poland

Ms. Oxana Lipcanu, Project Coordinator, International Labour Organization (ILO), described the role of employment agencies in the context of circular migration according to the ILO standards. In Moldova the first recruitment for foreign jobs on the national level was introduced with the signing of the bilateral labour agreement between Italy and Moldova. The ILO standards on migrant workers and employment agencies are regulated by the Migration for Employment Convention (revised), Migrant Workers (Supplementary Provisions) Convention, Employment Service Convention and Private Employment Agencies Convention. Strategies to regulate recruiters and protect migrants include appropriate national legislation and effective enforcement mechanisms and sanctions to eliminate fraudulent malpractices; minimum standards for employment contracts; bilateral agreements including on social security; standardized system of licensing or recruitment services; monitoring of private employment agencies by the Governments; and awareness raising among job-seekers and migrants. *Please, see presentation “The Role of Employment Agencies in the Context of Circular Migration – Overview of ILO Standards”.*

Ms. Mariana Stratan, Deputy Project Director, Project on the Consolidation of Migration Management Capacities, presented the specific challenges in the area of recognition of skills and diplomas related to circular migration based on the Project experience. The European Training Foundation (ETF) worked out three dimensions of skills transparency (basis for skills recognition and relevant skills) making visible the content of national “qualifications”; gained skills and their levels; which national labour market sectors could benefit from through the skills gained. The ETF approach encourages active participation of the Ministry of Labour/National Employment Agency, close involvement of Ministry of Education, social partners, group work and capacity building. Circular migration may help tackling the skills shortage, while instruments for validation of skills contribute to circularity of migration. The skills dimension has to be a part of migration management taking into account that human capital benefits migrants, countries of origin and destination. *Please, see presentation “Vocational Skills, Non-Formal and Informal Learning, Migration. ETF Contribution to the EU-Republic of Moldova Mobility Partnership”.*

Ms. Mariana Rolinski, Ministry of Labour, Social Protection and Family of Moldova, informed on the social security aspects of circular migration. Moldova has signed bilateral agreements on social protection of migrant workers with Bulgaria, Portugal, Romania, Estonia, Czech Republic, Luxembourg, Austria and Belgium. The scope of the typical agreement includes provisions regarding the applicable legislation, old-age pensions, disability pensions in case of ordinary diseases, disability pensions and indemnities in case of industrial injury and occupational diseases, survivors' pensions, unemployment benefits, indemnities in case of sickness and maternity and death grants. The agreements provisions on social security do not introduce new types of benefits and do not change the national legislation, their only purpose is to protect migrant workers residing or staying on the territory of other state part of the Agreement. *Please, see presentation "Bilateral Agreements on Social Security"*.

Closure of the Panel meeting

Facilitator: **Mr. Rob Rozenburg**, European Commission

Mr. Rob Rozenburg, the European Commission, introduced updates to the Panel's Work Programme for 2013 and encouraged participants to discuss on the national level after the Panel meeting and provide their comments and suggestions. Since labour migration is not on the agenda for 2013, Mr. Rozenburg proposed the first meeting of 2014 to have specific focus on this, issues that could be discussed are portability of social rights and monitoring of the rights of migrant workers in the country of destination. Participating states should also provide their recommendations regarding the topics for the studies to the IOM and SMB before 1 November 2012.

Ms. Olga Poalelungi, Director of the Bureau for Migration and Asylum, Ministry of Interior of Moldova, thanked the EC, SMB and participating countries for organizing this meeting in Chisinau. She underlined the importance of such meetings as opportunities to share real expertise which helps to resolve problems. Ms. Poalelungi outlined the topics covered during the two days of the Panel meeting and confirmed Moldova's openness to further cooperation and discussion in the sphere of migration and asylum.

Mr. Tomasz Cytrynowicz, Director of the Department for Legalization of Stay in the Office for Foreigners of Poland, expressed gratitude to all participants and presenters, as well as to hosting countries, EC and SMB. He noted the lively discussion during the Panel meeting and invited all the participants to be as active in the Panel activities. Mr. Cytrynowicz expressed his hopes that shared information will help managing circularity of migration, which would benefit both EaP countries and EU MS.

Mr. Rob Rozenburg, the European Commission, thanked everyone involved in the Panel meeting organization and participation for a productive approach and reminded about the next meeting in Tbilisi.