

Annex to Protocol Decree No. 12  
of the RA Government Session of 23 March 2017

2017-2021 STRATEGY FOR MIGRATION POLICY  
OF THE REPUBLIC OF ARMENIA

YEREVAN

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## I. FOREWORD

1. 2017-2021 Strategy for Migration Policy of the Republic of Armenia is the 4-th (fourth) fundamental document for formulation of Armenia's Migration Policy.

2. For the first time the Government of the Republic of Armenia adopted the Concept for state regulation of migration of the population in the Republic of Armenia in 2000, which was amended in 2004. Approaches of the Armenian Government to regulation of population movement are summarized in the said documents based on internationally accepted principles and criteria of the rights of migrants and refugees. It was in those years when foundations for the national Migration legislation of the Republic of Armenia were laid down, the issue for the regulation of migration was included in the agenda of the interstate relations of the Republic of Armenia and the Republic of Armenia acceded to a series of international conventions regulating migration. Nevertheless, documents adopted in 2000 and 2004 were rather of declarative nature and were not linked to specific action plans. "2012-2016 Action plan for implementation of the Concept for state regulation of migration in the Republic of Armenia" of the third programme of the Strategy for migration policy of the Republic of Armenia was developed for ensuring the implementation of the guidelines for migration policy provided for by the Concept for state regulation of migration in the Republic of Armenia approved by the RA Government's Protocol Decree No. 51 of 30 December 2010. Action plan provided grounds for aligning the system of migration governance of the Republic of Armenia with the one of the European Union in legislative and institutional terms. Notable progress in the issues of cooperation on the basis of legal migration with EU and other countries worldwide and fight against illegal (unlawful) migration and prevention thereof was made.

3. Particular efforts were made in the matters of creation of mechanisms facilitating the return of citizens of the Republic of Armenia and re-integration thereof, protection of the rights of refugees (particularly Syrian-Armenians) and asylum seekers arriving in the Republic of Armenia and integration thereof.

4. The RA Law on changes and amendments to the Law on Refugees and Asylum was adopted by the RA National Assembly on 16 December 2015, with relevant supporting legislative acts adopted in 2016, whereby rights of refugees and asylum seekers in Armenia were aligned, to the highest level possible, with international and EU standards.

5. International Centre for Migration Policy Development, a widely known organisation active in the field of migration, established its representative office in Yerevan in 2016. ICMPD is currently implementing an EU funded project titled Support to Migration and Border Management in Armenia (MIBMA).

6. Improvement of the migration governance and border management systems in 2016-2020 is one of the expected outcomes under the UN-Armenia Development Assistance Framework.

7. This Strategy was developed considering the progress made during recent years and challenges encountered, as well as the targeted mechanisms for meeting the said challenges.

8. Migration regulation policies should provide for effective utilisation of the potential of the Diaspora and migrants to the benefit of the country's development. Involvement of returning migrants into the process of economic development is also important in the context of ensuring Armenia's continuous economic development.

9. Regulation of free movement of people enables expanding the limits of legal migration and thereby reduce the risks and threats related to illegal migration.

10. From the viewpoint of migration-related situation in Armenia the major challenge is still the decrease of general population of the Republic. Official statistics of the Republic of Armenia shows that since 2000 the population decreased from 3,226.90 thousand residents to 228.3 thousand residents in 2016, thus making 2,998.3 thousand residents. The results of "Estimates of the volumes of migration flows departing from Armenia, countries of departure, reasons for departure, social-demographic composition and other quantitative and qualitative characteristic of those flows" sampled surveys performed in 2013 and 2015 demonstrate that during 2007-2015 a certain increase in the volume of migration outflow was recorded: on average annually 35 thousand people during 2013-2015 versus 30 thousand people during 2007-2012.

11. Development of return policies for returning RA citizens is considered an important objective in the light of continuous population decrease.

12. Issues of integration of long-term migrants and refugees continue to maintain their urgency.

13. Ensuring sustainability of visa liberalisation process with the EU is emphasized among the challenges. Armenia's accession to the Eurasian Economic Union Treaty is particularly emphasized and it provides wider opportunities for free movement of labour force in the territory of member states of the Eurasian Economic Union.

14. Goals, objectives and main directions of this Strategy were predetermined by the "approaches set forth in the migration complex governance framework (model)" that were developed and received universal recognition on the basis of the requirements of the Declaration followed by the UNO (2013) High-level dialogue for international migration and development. Comprehensive Migration Management model groups the activities implemented for regulation of population movements into four basic areas of migration: "migration and development", "facilitating migration", "regulating migration" and "forced migration".

15. Policies conducted in the "migration and development" area require using to the maximum the positive effects of migration to the benefit of the migrant community and the society in general.

16. The key requirement of the "facilitating migration" area is to ensure safe and free movement of particular groups of population from one country to another with minimum barriers and on legal grounds.

17. "Regulating migration" deals with problems of issuance of permits to enter into the territory of the country, residence therein for persons who wished to do so, border management including border crossing points, fight against human trafficking and smuggling. In general, the

subject of regulation of this area of migration is to replace irregular migration flows with the normalized (consistent) and regulated migration flows to the benefit of the country.

18. Issues of "forced migration" that still remain urgent include prevention of forced migration, protection and support to people who were subjected to forced migration and seeking long-term and sustainable solutions to deal with displacements.

19. Tendencies for the development of the policy conducted in the above-mentioned areas of migration must be linked to development priorities in the relevant branches of economy.

20. This Strategy was developed by the State Migration Service of the Ministry of Territorial Administration and Development of the Republic of Armenia. In the course of the development of the policy, the outcomes of implementation of the 2012-2016 Action Plan, lessons learnt, as well as recommendations received as a result of discussions with experts from civil society and international organizations were taken into consideration.

## **II. VISION, PRINCIPLES AND TARGET GROUPS OF THE MIGRATION POLICY OF THE REPUBLIC OF ARMENIA**

### **21. Long-term vision of the Strategy for Migration Policy of the Republic of Armenia**

22. Long-term objectives of the migration policy of the Republic of Armenia are as follows:

- 1) Use to the maximum the positive effects of migration on the development of the national economy in general and each migrant and their families in particular;
- 2) Protect the rights and interests of RA citizens residing abroad;
- 3) Protect the rights of migrants and refugees and provide conditions for their successful integration into the Armenian society;
- 4) Facilitate re-integration of returning migrants;
- 5) Expand the possibilities for legal migration for RA citizens;
- 6) Undertake effective measures against illegal migration;
- 7) Expand and deepen the cooperation on migration issues at bilateral, regional and global levels;
- 8) Develop such a legal and institutional framework for migration management that will ensure Armenia's approximation with the EU and EAEU.

### **23. Fundamental principles of the Migration policy of the Republic of Armenia**

24. Strategic objectives of the migration policy must arise from and conform with the following principles:

- 1) equality of all migrants and refugees regardless of their gender, race, colour, ethnic or social origin, genetic traits, language, religion, world view, political or other commitments, belonging to the national minorities, property status, or personal or other social circumstances;
- 2) the right of any person lawfully residing in the Republic of Armenia for free movement within the country and choosing the place of residence at its own discretion, departing from the country and returning to the country;
- 3) enforcement of laws and other legislative acts aimed at regulation of migration processes, as well as of international commitments undertaken by the Republic of Armenia;
- 4) combining of efforts of Government agencies, non-governmental and international organizations in addressing key migration issues;
- 5) involvement of civil society in the processes of development of policy for the state regulation of migration and its implementation;
- 6) mutual alignment of interests based on equitable cooperation with the states engaged in migration exchange of population with the Republic of Armenia;
- 7) protection by the Republic of Armenia of the rights and lawful interests of RA citizens residing outside the Republic of Armenia.

25. As a general rule, the above-mentioned principles of migration are interlinked to a wider range of state interests of the country, particularly to social and economic development, demography and national security of the country.

**26. Target (beneficiary) groups of the Strategy for migration policy of the Republic of Armenia**

27. This Strategy is aimed at:

- 1) citizens of the Republic of Armenia permanently residing in the Republic of Armenia including those citizens of the Republic of Armenia who have double citizenship,
- 2) citizens of the Republic of Armenia residing outside the Republic of Armenia including those citizens of the Republic of Armenia who have double citizenship,
- 3) foreign citizens and stateless persons residing in the Republic of Armenia,
- 4) persons recognized as refugees or granted asylum in the Republic of Armenia, as well as asylum seekers,
- 5) RA citizens who returned to the Republic of Armenia.

**III. KEY OBJECTIVES OF THE STRATEGY FOR MIGRATION POLICY OF THE REPUBLIC OF ARMENIA**

28. Key objectives of the Strategy for migration policy of the Republic of Armenia are determined in sync with the areas of comprehensive migration management and are based on the challenges facing Armenia. They are as follows:

- 1) Facilitation of legal migration,
- 2) Improvement of the international protection system,
- 3) Support to integration of long-term immigrants and refugees and re-integration of returning migrants,
- 4) Migration and development,
- 5) Protection of rights and interests of RA citizens leaving for outbound labour,
- 6) Prevention of and fight against illegal migration,
- 7) Expansion of international cooperation,
- 8) Further development of the migration management system.

29. This Strategy does not cover the key objectives for the areas of border management and trafficking, since those are already set forth in other strategic documents adopted by the Government of the Republic of Armenia.

**1. FACILITATION OF LEGAL MIGRATION**

30. This key objective of the Strategy covers the issuance of RA entry visas and granting residence status therein, regulation of labour migration, support to internationalisation of education.

### **31. Situational analysis**

32. Visa policy is one of the key components of the national security system, a major vehicle for free movement of people and an important tool for preventing illegal migration. Defining flexible visa policy over the last years was one of the conditions for the development of tourism in Armenia and outward investments. In this regard, creation and provision of conditions for citizens of partner states for free entry into and simplified travelling within Armenia is emphasized.

33. Consequently, over the last years Armenia kept implementing more simplified entry and travelling visa policy that is free from bureaucratic delays. Currently the citizens of more than 40 states can travel to Armenia visa-free and this list is continuously updated. The most recent example is the bilateral MoU on visa-free regime with the neighbouring Islamic Republic of Iran signed on 5 June 2016 whereby from August 2016 and on entry of the citizens of both countries into the territories thereof is visa-free.

34. In parallel with that foreign citizens can be issued Armenian entry visas both through diplomatic representations or consulates abroad and via the system of electronic visa portal (e-visa portal). Citizens of selected countries may be issued Armenian entry visas directly upon arrival at border crossing points of the Republic of Armenia. In addition to this, legislation provides for issuance of entry visas in the territory of the country by the Passport and Visa Department of RA Police. Nevertheless, such a variety of visa issuance options requires continuous improvement of the current visa issuance system: improvement of visa issuance mechanisms, simplification of administrative processes and reduction of issuance times.

35. Apart from visa policies, procedures for granting residence status to foreigners are also worth appropriate attention.

36. Prevailing majority of foreign citizens who were issued temporary or permanent residence permit in the Republic of Armenia over the last 5-6 years are ethnic Armenians who are citizens of foreign states. Non-Armenians constitute as little as 4.2% who are mainly students or family members.

37. The Analysis of Armenian Migration Legislation and Practice as Compared to EU Standards study conducted by the International Organization for Migration suggests specifying in more detail the types of issuance of residence status, grounds for issuance and set forth requirements for issuance, renewal and withdrawal thereof such as: health insurance, accommodation, availability of the means of sustenance, waiting period (for example - three years) and others. In terms of special residence status, it is proposed to extend the grounds for issuance thereof thus covering foreigners, staying in Armenia for a certain time period, as well as refugees.

38. Even though the requirements for engaging into labour activity by foreign citizens in the territory of the Republic of Armenia were specified by the RA Law "On foreigners", the latter provision was not applied in practice due to lack of relevant supporting legislation. On 12 May 2016, the RA Government Decree No. 493-N was adopted that filled this gap through detailed formulation of the procedure for issuance of labour permits to foreigners. Nevertheless, despite



the introduction of labour permit issuance system, procedures and modes of cooperation between the RA Ministry of Labour and Social Affairs and Police, as well as of information exchange within the Border Management Information System (BMIS) in the context of existing processes of residency issuance on the ground of employment are not yet developed and clearly formulated. Additionally, exemptions from labour permit requirements provided for by Article 23 of the current law on foreigners in some cases are not clear and give grounds for misinterpretation, which can delay the process of employment-based residency granting. The latter in its turn can result in foreigners becoming illegal migrants. Based on the above, execution of this Decree was temporary suspended by the RA Government Decree No. 827-N of 11 August 2016 and the Minister of Labour and Social Affairs was assigned to find alternative solutions.

39. In the education sector, Armenia is striving to present itself as a country rendering high-quality educational services which also participates in the EU Erasmus Mundus programme intending to increase the level of academic mobility towards Armenia. The rate of migrants who arrived in Armenia for educational purposes amounts to 41% out of the total number of migrants.

40. Enrollment of a large number of foreigners in academic institutions of the Republic of Armenia both provides financial benefits and creates conditions for improvement of academic programmes and extension of educational infrastructures. In its turn, internationalization of the educational system depends mainly on implementation of adequate migration policies.

41. At the same time, the existing national legal framework is still rather limited as long as admission of students and researchers is concerned. Requirements and criteria for residence for educational purposes are not clearly formulated. Conditions for issuance of residence permits for researchers, students, school students engaged in student exchange programmes, voluntary trainers and volunteers are not defined.

## **42. Goal**

43. Improve the processes of legal migration by simplifying the existing entry regimes, clearly formulating the procedures for granting residence status, regulating the conditions for conducting labour activity by foreigners in the Republic of Armenia and facilitating internationalization of education.

## **44. Objectives**

- 1) Improve the existing system for issuance of visas and granting residence status through clear formulation of mechanisms for visa issuance, acceleration of administrative processes and reducing issuance times.**
  - a. Perform an analysis of functions of visa issuing authorities and develop recommendations for establishing a single authorized body responsible for visa issuance;
  - b. Evaluate the operational efficiency of the Armenian electronic visa (e-visa) system, develop proposals for further improvements and expansion of the system;

- c. Review the international practices for granting the given state's citizenship to foreigners who have made an investment exceeding a certain limit, submit recommendations on feasibility of introduction of the above-mentioned system in the Republic of Armenia.

## **2) Improvement of conditions for conducting labour activity by foreign citizens in the Republic of Armenia**

- a. Review the existing regulatory provisions relating to labour permit for foreigners;
- b. Consider the possibilities and develop recommendations for the introduction of a system for issuance of labour permits for foreigners by specific countries and occupation quotas.

## **3) Facilitate internationalization of education**

- a. Expansion of legal grounds for issuing Armenian residence permits to foreigners including revision of conditions and requirements for issuing residence permits to researchers, participants of student exchange programs, voluntary trainers and volunteers;
- b. In order to support repatriation, enhance employment opportunities for foreigners of Armenian descent who graduated from higher and secondary educational institutions in the Republic of Armenia.

## **2. IMPROVEMENT OF THE INTERNATIONAL PROTECTION SYSTEM**

45. This section covers the issues related to regulatory arrangements for asylum seekers and refugees and improvement of the institutional system.

### **46. Situational analysis**

47. Republic of Armenia has been, under its national legislation, providing protection to foreign nationals and stateless persons in need of international protection since 1999. Average numbers of asylum seekers in the Republic of Armenia annually amounts to 80-100 persons. The number of asylum requests in specific years sharply increased by up to 5-6 times due to armed conflicts taking place in the region. The Iraqi crisis resulted in 1,450 persons (since 2002), the Israeli-Lebanese conflict (2006) resulted in 1,234 persons, the Georgian-Ossetian (2008) conflict - 207 persons, the Russian-Ukrainian (since 2014) - 255 persons and, finally, the Syrian war, that resulted in 1,118 persons out of 22,000 that arrived in Armenia having been granted refugee status.

48. In 16 December 2015, the National Assembly of the Republic of Armenia adopted the Law of the Republic of Armenia "On making changes and amendments to the Law of the Republic of Armenia "On refugees and asylum"" that enabled to harmonize the rights of asylum seekers and refugees with international, in particular with European standards.

49. Over the last few years the Government of the Republic of Armenia was focused on capacity building of government agencies and their staff involved in the asylum system. A scenario of mass influx of refugees was included in "SHANT-2015" command and staff strategic

exercise held in the Republic of Armenia, which was designed to reconfirm the cooperation between the stakeholder agencies and their interchangeability capabilities in emergency situations, as well as to identify the existing gaps and deficiencies. Nevertheless the exercise apparently did not include any war gaming related to entry of refugees on the border. Besides, the information about ID cards that asylum seekers are issued is not available in BMIS, and those cards are still issued manually.

50. Even though the number of asylum seekers is currently small and the situation has been controllable so far, nevertheless, in case of a mass influx, expedited registration of all migrants, proper processing of their personal data and data check verification is emphasized both in terms of affording proper protection, lending assistance to refugees and identifying forged data and other risks to national security.

51. Conflicts in Syria and Ukraine demonstrated that accommodations available at the current temporary accommodation center where asylum seekers are placed until the final decision on their request is made are far from being satisfactory. This circumstance raised the need for designing and building a new internationally compliant temporary accommodation center.

## **52. Objective**

53. Improve the existing national legal and institutional framework on asylum seekers, refugees and stateless persons

## **54. Objectives**

### **1) Improvement of the legal framework**

- a. Specify, through adoption of relevant legislation, the relations involved in granting of status of stateless person as well as the rights and responsibilities of the person who was granted such status;
- b. Bringing the term for the appeal against the decision of the authorized body made in a judicial proceeding in conformity with the term for filing a claim to the court provided for by the Administrative Procedure Code of the Republic of Armenia;
- c. Bringing the provisions on denying the surrender of asylum seekers in the Republic of Armenia to competent authorities of the foreign state provided for by the Criminal Procedure Code of the Republic of Armenia in conformity with the requirements of the Geneva Convention of 1951 on the Status of Refugees;
- d. Submit recommendations on capturing fingerprints of asylum seekers in accordance with the requirements provided for by the "EURODAC" regulation and on feasibility of its application in the Republic of Armenia;

- e. Develop recommendations on bringing the asylum application form in the Republic of Armenia completed by foreign citizens or stateless persons to conformity with European standards;
- f. Develop and introduce standard operating procedures (SOPs) for activities constituting the process of granting asylum;
- g. Discuss the issue of arranging for the return of rejected asylum seekers to their countries of origin with international organisations;
- h. Analyse the national legislation regulating the application of alternative options instead of arrest and/or detention of asylum seekers and submit relevant recommendations

## **2) Improvement of the institutional framework**

- a. Develop the professional capacities of staff of government agencies dealing with asylum granting by arranging and conducting workshops and training courses through involvement of the UNHCR office in Armenia;
- b. Improve the function of collecting country of origin information for asylum seekers;
- c. Discuss the feasibility of developing educational materials on international protection to be included in basic training programs for newly recruited staff of NSS Border Troops and delivering training courses based on them;
- d. Prepare design and project documentation for the EU-funded construction of a new internationally compliant centre for temporary accommodation of asylum seekers in the vicinity of Yerevan;
- e. Hold negotiations with various international organizations to attract funding for the construction of the new temporary accommodation centre for asylum seekers;
- f. Arrange discussions with stakeholder Government agencies on envisaging budget expenditure for translation services provided in the framework of administrative proceedings related to asylum applications.

## **3) Improvement of mechanisms for data collection on asylum seekers, registration thereof and granting them asylum**

- a. Conduct a research and develop recommendations for methods and techniques for registration in asylum seekers information database of biometric data of foreign citizens and stateless persons seeking asylum (including cases of mass influx), complying with international data protection standards (including by application of mobile devices designed for registration of biometric data);
- b. Develop recommendations for on-line access by the BMIS system or the electronic database of the Passport and Visa Department of RA Police to data from the asylum seekers information database, subject to compliance with the RA Law on Protection of Personal Data;
- c. Discuss the possibility of and develop recommendations on arranging electronic issuance (printing) of ID cards for asylum seekers.

### **3. ASSISTANCE TO INTEGRATION OF LONG-TERM IMMIGRANTS AND REFUGEES RE-INTEGRATION OF RETURNING MIGRANTS**

55. This Chapter of the Strategy covers issues relating to integration of foreign citizens residing in Armenia and re-integration of returning Armenian citizens.

#### **56. Situational analysis**

57. Over the last years, certain legal prerequisites for integration of immigrants have already been formed in the Republic of Armenia in the following areas: labour, family reunification, education, healthcare and involvement in the national political life and in activities of local self-government authorities, obtainment of citizenship, protection from discrimination.

58. Along with this, there are still some gaps, such as:

- None of the government agencies is assigned responsibility for providing foreigners with information on immigration requirements and opportunities of the labour market, labour rights, availability of social insurance, fight against discrimination and other issues;
- There are no laws or other legislative acts regulating delivery of Armenian language courses to foreigners.

59. Over the last six years about 12.000 returnees have been provided re-integration assistance mainly with funding from international organisations. Nevertheless, efforts aimed at re-integration of returning citizens are not sustainable as they are not continued upon termination of funding under those programmes. The issue of coordination of activities implemented in this field by various organisations also remains unsolved. Assistance packages provided through implemented programmes are also not uniform.

60. The Policy Concept for integration of persons recognized as refugees and granted asylum and of long-term migrants in the Republic of Armenia was approved by a Government Protocol Decree No. 28 on 21 July 2016, which specified the target groups of the integration policy, as well as types of assistance or integration components they are to be provided with.

#### **61. Goal**

62. Develop a uniform Government policy for re-integration of returning migrants and ensure implementation of the integration policy for long-term migrants and refugees in the Republic of Armenia.

#### **63. Objectives**

**1) Improve the efficiency of assistance provided to returning citizens of the Republic of Armenia**

- a) Study of international experience in the field of integration of immigrants;
- b) Develop an action plan aimed at implementation of the Policy Concept for integration of persons granted asylum and refugee status in the Republic of Armenia as well as of long-term migrants in close coordination with stakeholder Government agencies, NGOs and international organisations;
- c) Implement the activities provided for in the Policy Concept for integration of persons granted asylum and refugee status in the Republic of Armenia as well as of long-term migrants.

#### **4. MIGRATION AND DEVELOPMENT**

64. This section covers issues related to effective utilization of migrants' knowledge and skills as well as of the investment potential of circular migration and emigrants to the benefit of development.

##### **65. Situational analysis**

66. The role of migration in the development and poverty reduction of migrants' country of origin, as well as in the prosperity of target countries is internationally recognized. The so-called "Development actors" can be either emigrants staying abroad and members of their families living in the homeland or immigrants who bring in international practices, skills and, in particular cases, financial capital.

67. Strengthening of positive effects of migration is associated with consolidation of financial resources of emigrants, immigrants and returning migrants and with the involvement of these groups in the economic development of the country both at the national and local levels. According to the Central Bank of the Republic of Armenia, total amount of non-commercial remittances received in Armenia by physical persons in 2015 amounted to 1,208.5 million USD that makes 11.5% of the GDP. The main source countries of remittances to Armenia are Russia, USA, Kazakhstan, Germany and France.

68. Vast majority of money transfers from abroad is directed at consumption, at that mainly for covering the expenses for services and goods of prime necessity (food, clothes, utility payments, etc.).

69. The share of funds accumulated through remittances and invested in business activity in Armenia is very small. Directing the potential of remittances towards social and economic development and enhancement of financial awareness of members of households receiving remittances is emphasized.

70. According to the estimate of the majority (57.7%) of returned migrants, their knowledge and skills were improved as a result of migration, at that 15.5% of them believe the said improvement was "considerable".

71. The supply and demand of labour force in Armenia's labour market must serve as a basis for designing circular migration schemes and development of bilateral agreements on labour force movements.

72. Proactive reporting and preparation for future overseas employment of potential migrants is a precondition for successful circular migration. Pre-departure orientation courses should cover such topics as relevant laws and regulatory provisions, employment opportunities, education, employment following the return and re-integration.

### **73. Goal**

74. Directing economic and human potential of migrants towards the development of the country.

### **75. Issues**

#### **1) Utilization of the migration potential**

- a) Develop, jointly with international organisations, targeted programmes for ensuring utilisation in Armenia of skills, intellectual potential and experience of highly-qualified citizens of the Republic of Armenia residing abroad;
- b) Develop and conduct targeted financial literacy courses for emigrants and members of their families living in Armenia;
- c) Implement measures aimed at reducing the expenses related to sending remittances by emigrants.

#### **2) Facilitating the development of circular migration**

- a) Develop bilateral cooperation aimed at organising circular migration of young and highly-skilled specialists;
- b) Raise awareness of staff of government agencies involved in organising circular migration as well as of diplomatic missions and consular services of the Republic of Armenia in the states of residence on the concept of circular migration and practical aspects of its implementation;
- c) Keep, on regular basis, institutions of vocational education in Armenia informed of the needs of labour markets in partner states and in basic target countries of Armenian emigrants.

#### **3) Mobilization of the investment potential of emigrants and returning migrants**

- a) Undertake, with the support of international organisations, a study of the investment potential and a needs assessment of emigrants and returning migrants;
- b) Establish contacts between local communities and emigrant organisations for involving them in local community development programmes;
- c) Ensure availability of investment programs aimed at attracting the financial resources of emigrants;
- d) Develop and implement, through cooperation with donor organizations, pilot cost-sharing projects that involve investments by emigrants and returning migrants and provide support through relevant training programmes;
- e) Conduct studies and develop recommendations to introduce a system for transfer of remittances directly from payment cards and bank accounts of migrants and instantly credit them to payment cards of their family members residing in the Republic of Armenia.

## **5. PROTECTION OF RIGHTS AND INTERESTS OF CITIZENS OF THE REPUBLIC OF ARMENIA LEAVING FOR OUTBOUND LABOUR**

76. This section covers issues relating to expansion of opportunities for legal labour migration and protection of rights and interests of the citizens of the Republic of Armenia leaving for outbound labour

### **77. Situational analysis**

78. Armenia is predominantly generating labour migration flows, while Russian Federation is the principal receiving country for Armenian labour migrants.

79. Core activities undertaken under the 2012-2016 Action Plan for implementation of the Concept for state regulation of migration in the Republic of Armenia were aimed at identification of opportunities for legal labour migration in target countries. Memoranda on cooperation have been signed between the RA Ministry of Labour and Social Affairs and private foreign organizations delivering intermediary services associated with outbound labour. From 2015 and on, information campaigns launched were mainly geared at clarification of labour migration provisions of the Treaty on the Eurasian Economic Union.

80. Seven (7) migrant resource centres were launched at regional centres under the State Employment Agency offering hot-line advice to those leaving for outbound labour. Dozens of on migration related TV, radio and multimedia materials have been prepared, as well as contests have been arranged for mass media. UN Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families of 18 December 1990 was signed on 26 September 2013, as well as the list of countries that are most interesting to the Republic of Armenia from the viewpoint of labour migration was compiled.



81. Despite specific targeted measures undertaken, no considerable results have been achieved in terms of protection of rights and interests of migrant workers. Consequently, issues related to expansion of opportunities for legal labour migration in target countries, as well as to actual protection of rights and interests of citizens leaving for outbound labour are still high on the agenda.

82. Private employment agencies have played no significant role so far in the process of regulation of labour migration, thus development of their capacities and establishment of partnerships with government agencies is of utmost importance.

83. Consular services can play a significant role in maintaining the protection of rights and interests of migrant workers in target countries. Given the geography of labour migration flows from the Republic of Armenia, introduction of the function of consular attaches responsible for labour migration or improvement of activities aimed at protection of rights and interests of migrant workers continues to remain relevant, particularly in the Russian Federation.

84. Limited financial resources hindered the introduction of this internationally accepted advanced approach, nevertheless involvement of consular services in activities associated with providing information to and offering advice to migrant workers, their adaptation in foreign states and preservation of cultural relations with their home culture, providing support and intervention in cases of disagreement with the employer or in other awkward situations continue to be relevant.

85. The following is also emphasized in terms of protection of rights and interests of persons leaving for outbound labour:

- 1) Provision of free legal advice and translation services for migrant workers (including potential ones) with the help of civil society organisations active in the Diaspora and Armenia;
- 2) Preparing for practical, legal, social, cultural and psychological challenges, arranging pre-departure orientation workshops covering particular countries. In this regard, the expansion of the network of migrant resource centres is particularly important;
- 3) Reaching agreements on social protection of migrant workers by signing mutually applied social security agreements with target countries, as well as in the framework of the Eurasian Economic Union (EEU);
- 4) Identification of the issues threatening the health of migrant workers, counteracting the spread and entry of contagious diseases by them into Armenia.

## **86. Goal**

87. Expansion of opportunities for legal labour migration, ensuring protection of rights and interests of RA labour migrants

## **88. Objectives**

### **1) Expansion of opportunities for legal labour migration**

- a) Conduct analysis of labour and employment legislation and labour market of host countries, including that in the framework of the EAEU, and provide information, on a regular basis, to mediator employment agencies and labour migrants;
- b) Implement programs aiming at capacity building of private organizations performing mediation activities in relation to labour migration and enhancing partnerships with government agencies;
- c) Expand the migration resource center network and enhance their capacities;
- d) Undertake appropriate steps and hold negotiations with regard to preparation of bilateral agreements on issues of protection of rights of labour migrants and their family members with countries that represent particular interest for Armenia from the perspective of labour migration.

### **2) Improvement of protection of rights and interests of RA labour migrants**

- a) Submit the UN International Convention “On the Protection of the Rights of All Migrant Workers and Members of their Families” of December 18, 1990, signed on September 26, 2013, to RA National Assembly for ratification
- b) Establish partnerships with Diaspora organizations having willingness and capabilities to provide legal and translation services;
- c) Organise, through migration resource centers, pre-departure briefings for potential labour migrants on general migration issues and specific host countries;
- d) Organise, in cooperation with international organizations, award ceremonies for mass media in regard to advocacy campaigns aiming at awareness raising of RA citizens about the procedure and conditions of labor activity in foreign countries.

### **3) Procedural clarifications and ensuring social and health protection of migrant workers**

- a) Conduct negotiations with EAEU Member States on concluding bilateral agreements aiming at simplification of current procedures for entry of citizens into the parties' territories and their registration;
- b) Conclude agreements on social security based on the reciprocity principle in the framework of the EAEU, as well as with other target countries;
- c) Exercising, by Armenian labour migrants abroad, the right to safe and secure labor conditions, as well as to restoring violated health rights, and rights to receive free medical care and services abroad;
- d) Undertake measures to respond to problems threatening migrants' health, particularly communicable diseases, including HIV/AIDS

## 6. FIGHT AGAINST ILLEGAL MIGRATION

89. This key section of the Strategy covers the issues relating to fight against illegal migration flows both originating from Armenia and directed towards Armenia.

### 90. Situational analysis

91. The Republic of Armenia is a country of origin of mainly illegal migration. Usually illegal migration originates from the Republic of Armenia as a legal movement then turning into illegal migration in the country of destination due to staying therein with an expired visa or due to employment without a relevant permit.

92. In its fight against illegal migration, RA Government adopted a comprehensive approach by implementing adequate measures addressing every single phase of the phenomenon's generation and development.

93. Particularly, according to Decree No. 1404 of the Government of the Republic of Armenia of 11 December 2014, introduction of a new integrated border management system kicked off aiming to ensure simplified but at the same time controllable and safe cross-border movement of people, goods and means of transportation. It also provides conditions for prevention of illegal migration.

94. During the border crossing phase, the issue of digitalization of ID documents of persons crossing the border and especially the issue of data protection in conditions of introduction of travel documents containing biometric data are emphasized. In this regard, the process of introduction of 2<sup>nd</sup> generation biometric passports is still in demand.

95. In the phase when illegal migration is manifested through illegal migrants detected in the countries of destination, **the agreements on readmission of illegal migrants are applied**. From 2003 and onwards, the Republic of Armenia has been actively involved in this process and entered into bilateral agreements with twelve (12) countries, and on 19 April 2013 the Agreement between the European Union and the Republic of Armenia on readmission of persons residing without authorization was signed and entered into force on 1 January 2014. Negotiations on signing readmission agreements with Moldova, Ukraine, Belarus and Kazakhstan are still underway.

96. In order to prevent recycling of illegal migration, the process of readmission is supplemented by carrying out programmes facilitating re-integration of the returning migrants. The Republic of Armenia is and has been cooperating with various European countries on implementation of such programmes.

97. In addition to the above-mentioned focus areas, measures aimed at improvement of legal framework related to illegal migration are being undertaken. In June 2014, facilitation of illegal migration was defined in the Criminal Code of the Republic of Armenia as a criminal offence. The problem refers to those common cases when persons or institutions organise transportation of our citizens to other countries for a profit violating by doing so the migration legislation of the

latter. 3 criminal cases under the article "Organization of illegal migration" were initiated against organizers in 2014, 13 cases in 2015 and 9 cases in first half of 2016.

98. Entry by foreign citizens into the Republic of Armenia with forged documents or using the territory of the Republic of Armenia for illegal transit to third countries is consistently fought against. Recently it is becoming increasingly common for citizens of third countries to arrive in the Republic of Armenia with their original passports and then attempting to leave the country with forged documents of citizens of Schengen states. Such attempts are taken by citizens of Iran, Syria, Lebanon, and African countries in order to reach Europe and such cases were timely prevented by law enforcement authorities. According to the data for the first half of 2016, criminal cases were initiated against 27 persons for illegal crossing of the state border. And for the same time period, 1,849 cases of violation of migration legislation, including procedures for entry, exit and residence, were recorded, 242 foreigners were deported from the country, total amount of imposed administrative fines constituted more than 93 million AMD, of which 72 million AMD were charged.

99. To effectively counteract the above-mentioned phenomena, the list of the so-called "countries of risk" compiled under RA Government Decree No. 329-N of 4 April 2008 is regularly updated. Requirements for issuance of an entry visa to citizens of the said countries are more stringent as they are issued entry visas only by diplomatic missions of the Republic of Armenia in foreign states and solely upon availability of an invitation.

**100. Goal**

101. Efficient fight against illegal migration

**102. Issues**

**1) Improvement of border management mechanisms**

103. Develop an action plan for management of migration flows resulting from major disasters or military operations

**2) Improvement of legislative environment relating to illegal migration**

a. Conduct a review of relevant national legislation and develop an action plan to bridge the gaps existing in the processes related to deportation and safe, dignified and informed return of foreigners;

b. Develop and implement measures aimed at increasing the protection level of RA citizens' passports containing biometric data;

c. Engage in negotiations for the purpose of signing readmission agreements with countries of illegal migration origin for the RA;

d. Improve cooperation between government agencies involved in activities aimed at identification of illegal migrants entering into and staying in Armenia; undertake measures aimed at enhancing information exchange and development of joint SOPs;

e. Arrange discussions with stakeholder government agencies on issues related to capturing fingerprints of persons illegally staying in Armenia, and submission of appropriate recommendations;

f. Organize, with the support of international organizations, training courses for officials of border and other law enforcement bodies focusing on introduction of latest international practices and methods of document security.

## **7. EXPANSION OF INTERNATIONAL COOPERATION IN THE SPHERE OF MIGRATION**

103. This chapter of the Strategy covers issues related to international cooperation in the sphere of migration within the EU and the EAEU and with international organisations, as well as in the frameworks of bilateral and multilateral relations.

### **104. Situational analysis**

105. The Government of the Republic of Armenia emphasizes international cooperation in the sphere of migration and particularly cooperation within the EU and the EAEU which is implemented in both multilateral and bilateral formats.

106. At present, ensuring the continuity of visa liberalization process and willingness of both parties to move to the second phase of visa liberalization are the most important areas of the EU-Armenia migration cooperation (the EU-Armenia Visa Facilitation Agreement was signed on 17 December 2012). The importance of this issue was also highlighted in a joint declaration of the Riga summit of 21-22 May 2015.

107. Accession to the Eurasian Economic Union brought new opportunities for the Republic of Armenia to broaden the cooperation in the sphere of migration. At present, Armenian labour migrants are granted right for employment and stay in the member states without having to meet the requirements applied for protection of national labour markets and solely on the basis of an employment contract.

108. In terms of migration flows, cooperation with the Russian Federation within the framework of international bilateral cooperation is of utmost importance, since 70-75% of long-term migrants and 96% of short-term, seasonal Armenian migrant workers reside in the Russian Federation. From July 2013 and on, due to the fact that the Russian migration legislation and existing practices became stricter, a 10 year entry ban into the Russian Federation is being applied with respect to many foreign citizens including citizens of the Republic of Armenia.

109. Due to effective cooperation between Migration Services of the Republic of Armenia and of the Russian Federation, the entry ban has been cancelled for more than 5,500 citizens of the Republic of Armenia. According to the data on the Russian side, the number of Armenian citizens on the list of foreigners banned from entering the Russian Federation has decreased approximately tenfold according to the data for the first 10 months of 2015.

110. Over the last 5-6 years Armenia has expanded and intensified its participation in various existing and new regional and global initiatives and platforms on migration issues. In 2015 Armenia joined the Executive Committee of the Programme of the UN High Commissioner for Refugees.

111. The Republic of Armenia entered into close international cooperation in the area of fight against trafficking in human beings both at regional or bilateral levels. Through Interpol's National Central Bureau (NCB), Armenia entered into cooperation with law enforcement authorities of Turkey, UAE, China and Georgia in connection with cases of human

trafficking and exploitation and persons who are internationally wanted for being charged with such crimes.

112. Joint activities with relevant EU and Russian authorities are underway within the framework of application of readmission agreements signed with them. Diplomatic missions of the Republic of Armenia are also actively involved in the process.

113. Agreement on Cooperation in the sphere of migration between the Government of the Republic of Armenia and the Government of the French Republic was signed on 27 October 2016. The key point of the Agreement is facilitation of mobility through regulation of issues associated with the exchange of students as well as young professionals and skilled specialists for the purpose of gaining professional experience.

#### **114.Goal**

115. Create conditions for free movement of citizens of the Republic of Armenia and for protection of their rights and interests in their professional activities in target countries

#### **116. Objectives**

**1) Ensuring fulfillment of international obligations undertaken by the RA in the sphere of migration arising from accession to the Treaty on the Eurasian Economic Union.**

a) Conduct negotiations with EAEU Member States to sign readmission agreements for persons not having the right of residence and take practical steps to implement such agreements;

b) Conduct a review of agreements signed with EAEU Member States on mutual visa-free regime.

c) Conduct consultations with competent government agencies of EAEU Member States regarding adjustment of lists of documents authorising to citizens' entry, exit, residence and movements;

d) Undertake measures aimed at signing and implementing the Pension Agreement for Employees of EAEU Member States.

**2) Awareness raising of RA citizens and foreign citizens about their rights and obligations arising from agreements signed within the framework of the EAEU**

a) Ensure, on an ongoing basis, provision of information to RA citizens about specificities of entry into, stay, engaging in labor activity, making use of the social security, pension, educational and healthcare systems in Member States of the Eurasian Economic Union;

b) Ensure, on an ongoing basis, provision of information to citizens of Member States of the Eurasian Economic Union about specificities of entry into, stay, engaging in labor activity, making use of the social security, pension, educational and healthcare systems in the Republic of Armenia.

### **3) Further enhancement of cooperation on migration issues with the EU, its Member States, as well as other countries**

- a) Initiate a dialogue on visa regime liberalization with the EU, develop a roadmap; elaborate and implement capacity building programs for government authorities to be potentially incorporated in the Armenian negotiating team;
- b) Develop and introduce a readmission case management electronic system with the view of efficient fulfillment of commitments undertaken under the readmission agreement signed with the EU;
- c) Conduct negotiations aimed at signing implementation protocols for readmission agreements signed with EU Member States;
- d) Enhance cooperation with the EU for the purpose of introducing integrated border management system based on the Single Window/One-Stop Shop concept;
- e) Conduct negotiations with specific EU countries on simplified conditions of entry and further stay in the parties' territories for particular categories of persons (young and high-skilled professionals, university graduates, artists, etc.);
- f) Negotiations with appropriate agencies of specific countries on establishing visa-free entry regime for citizens based on the reciprocity.

## **8. FURTHER DEVELOPMENT OF THE MIGRATION MANAGEMENT SYSTEM**

117. This chapter of the Strategy covers issues related to regulation of the process of collection and analysis of migration-related data from the viewpoint of consolidation of indicators for migration statistics.

### **118.Situational analysis**

119. Among most significant challenges in the process of development and implementation of migration policies is the lack of reliable migration data which directly impacts the formation of migration statistics and, as a final result, the quality of making and planning decisions on migration policy.

120. Within the framework of implementation of the 2012-2016 Action Plan, significant steps were made in the process of migration data collection and formation of migration statistics on the basis of that data. In particular, it was decided that statistical indicators for migration data in the Republic of Armenia should be developed in compliance with the requirements and on the basis of procedures and methodologies provided for by Regulation No. 862/2007 of the European Parliament and the European Council of 11 July 2007. The latter stipulates both the review of processes of data collection by relevant government agencies involved in migration processes and maintenance of migration statistics based on a uniform format and criteria.



121. In this regard, the system of statistical indicators for persons who received international protection in the Republic of Armenia and foreign citizens residing in the Republic of Armenia was established in the Republic of Armenia on the basis of information registers of the responsible government agencies. In this framework, National Statistical Service of the Republic of Armenia publishes statistical data on those who were granted asylum or residence status as well as foreigners who were issued an Armenian entry visa. Nevertheless, it is necessary to finalize and complete the activities on collection of migration data and preparation of statistics based on this data taking into consideration the requirements for accession to the Eurasian Economic Union.

## **122.Objective**

123. Improve migration policy planning through consolidation of migration statistics, improvement of administrative sources that define the country's migration profile as well as acquisition of data from alternative sources.

## **124.Issues**

### **1) Establish a uniform data collection and statistics methodology in the RA migration sector and develop recommendations for its application**

a) Study the requirements for statistical data from data bases and statistical indicators in the migration sector collected by EU Member States and provided to Eurostat, as well as for appropriate uniform statistical data collected in EAEU member states, and development of recommendations.

### **2) Complement the collection of statistical data in the migration sector by following fields: “International migration, usually (permanently) resident population and acquisition of citizenship”, “Prevention of illegal entry and stay” and “Returns”:**

a) Analyse statistical indicators in the following fields “International migration, usually (permanently) resident population and acquisition of citizenship”, “Prevention of illegal entry and stay”, “Returns” sections defined by Regulation No. 862/2007-N of the European Parliament and of the European Council, dated as of July 11, 2007;

b) Based on the results of the analysis of statistical indicators of sections contained in Regulation No. 862/2007-N of the European Parliament and of the European Council of 11 July 2007, adaptation thereof to identical statistical indicators applied in Armenia;

c) Undertake software modifications within BMIS that would ensure the receipt of output data (tables) to produce statistical indicators;

d) Ensure publication of official migration statistics by the RA National Statistical Service.

**3) Institutionalise the collection of migration related information displaying the full migration picture (profile) of the country, including also data from alternative sources**

- a) Ensure conduct, on a regular basis, of representative sample surveys to study migration flows in Armenia;
- b) Develop Armenia's migration profile based on survey results and administrative statistical data.

**4) Improve the administrative registration system for emigrants and immigrants by developing mechanisms ensuring their administrative registration, and introducing normative regulations**

a) Study the existing mechanisms for registration of the absence period of Armenian citizens staying abroad for a period exceeding 6 months;

b) Develop recommendations on creation of mechanisms for de-registration of citizens of the Republic of Armenia in cases when they emigrate from the country/leaving for permanent residence abroad;

c) Discuss the conditions of capturing the entrance and exit of RA citizens at RA border crossing points, opportunities for integrating those with the registration system of the State Registry of Population and the necessity of adoption of relevant normative regulations in that regard.

#### **IV. MONITORING AND EVALUATION OF THE STRATEGY**

##### **125. Situational analysis**

126. From the viewpoint of efficient application of the Migration Strategy, development of mechanisms for flexible monitoring and the establishment of an evaluation system are emphasized.

127. Monitoring and evaluation are the most important components of the Strategy and are useful tools for the analysis of the results achieved. Monitoring characterizes or defines the efficiency of application of measures included in the Strategy Implementation Action Plan and reveals those specific gaps and challenges encountered in the course of application of the Action Plan. The evaluation system is necessary to measure the extent to which the objectives specified in the Strategy are achieved.

128. Monitoring and evaluation of the RA Migration Strategy will be implemented using the same system under which the 2012-2016 Action Plan for Implementation of the Concept for State Regulation of Migration was monitored and evaluated.

129. Institutionally, State Migration Service of the RA Ministry of Territorial Administration and Development is the government authority responsible for the monitoring of that Action Plan. Alongside this, to ensure coordination of the implementation of monitoring of the plan, an interagency commission for the monitoring of the action plan (ICMAP) was

established involving representatives of relevant (stakeholder) government agencies responsible for execution of the plan's activities.

130. Over the last years, the interagency commission for the monitoring of the 2012-2016 Action Plan has regularly discussed the monitoring and progress reports for the 2012-2016 Action Plan. Based on these reports, recommendations on amendments to the Migration Strategy and its implementation Action Plan were submitted to the Government of the Republic of Armenia.

131. In general, the institutional system for the monitoring of the 2012-2016 Action Plan, particularly the performance of the interagency commission for the monitoring of the action plan, was evaluated as "Good and excellent" according to the assessment report titled Submission of Proposals for the Development of a new Action Plan and Evaluation of the 2012-2016 Action Plan for Implementation of the Concept for State Regulation of Migration prepared by People in Need NGO. Nevertheless, the interagency commission for the monitoring of the action plan has recorded, in the process of monitoring of the Action Plan, obstacles in the way of implementation of the Action Plan as well as problematic issues on the basis of which lessons learnt were drawn. Among the latter the following stand out:

- 1) Even though implementation of certain activities was evaluated as "completely accomplished", however they were "completely accomplished" only relatively because despite the fact that relevant proposals and financial estimates were submitted along with the package of the Mid-Term Expenditure Framework (MTEF) and the annual budget request, nevertheless they were not financed;
- 2) Representatives assigned by Government agencies acting as key players in the Action plan proved to be inadequate, and even though they were later replaced, it nevertheless impeded the smooth implementation of the plan;
- 3) There is no intra-agency co-operation within particular government agencies, and consequently fulfilment of the commitments undertaken under the Action plan by a particular agency turns into an undertaking of the member of the monitoring committee.

132. In terms of monitoring and evaluation of the Migration Strategy and its implementation Action Plan, co-operation with non-governmental organizations and international organizations dealing with migration issues is of particular importance. Regardless of the fact that part of the sessions of the interagency commission were held in an expanded format, wherein representatives of the said non-governmental organizations and international organizations participated, nonetheless involvement of civil society and international organisations in the process of monitoring and evaluation of the Action Plan has not yet been institutionalized.

### **133.Goal**

134. Improve the institutional system for the monitoring of the Migration Strategy and its 2017-2021 Implementation Action Plan

### **135.Objectives**

#### **1) Improve the evaluation system of the migration strategy and the Action Plan for 2017-2021**

- a) Develop monitoring indicators for the evaluation of the migration strategy implementation action plan;
- b) Bring the self-evaluation methodology of the migration strategy report into compliance with benchmarks and objectives set forth in the action plan;
- c) Organise training courses for representatives of agencies responsible for implementation of the migration policy;
- d) Introduce an external evaluation system for evaluation of the migration strategy results, as applicable and as possible;
- e) Conduct, at the end of each year, evaluation of activities under the action plan; submit recommendations to the RA Government based on detected shortcomings, gaps and lessons learnt.

#### **2) Increase the status of the Interagency Commission for Monitoring of the migration strategy and the Action Plan (ICMAP)**

- a) Assign general supervision of the Action Plan implementation process to the RA Minister of Territorial Administration and Development, and leave the function of coordinating the activities of the Interagency Commission up to the Head of State Migration Service;
- b) As stipulated by the procedure for establishing the Interagency Commission, set forth the requirements for awareness on the responsibility for implementation of policies, strategies, program development and implementation for representatives of agencies responsible for implementation of the migration policy, as well as for knowledge of the current state of affairs on issues incorporated in the agenda of bilateral relations;
- c) Envisage membership of NGOs and individual experts specialized in the migration sector, as well as representatives from international organizations.

136. The Interagency Commission shall, at the end of each year, submit to the Government of the Republic of Armenia a report on implementation of activities provided for by the 2017-2021 Migration Strategy Action Plan by describing the implementation of the plan in accordance with specified monitoring and evaluation indicators, key developments and changes documented in the sphere of migration in the country, as well as with stakeholder recommendations and evaluation results.

137. Based on the outcomes drawn in the monitoring report, objectives of the Migration policy and specific Action Plan items will be revised through making relevant amendments to the plan to align them with the existing priorities and challenges facing the country.