

S.T. Mussina^{1*}, Zh.S. Khusainova¹, Y.A. Vechkinzova², R.B. Sartova⁴, A.Y. Zhansagimova⁵

¹*Karagandy University of the name of academician E.A. Buketov, Kazakhstan*

²*Institute of management problems named after V.A. Trapeznikov of the Russian Academy of Sciences, Russia*

⁴*Ekibastuz Engineering and Technical Institute named after Academician K.I. Satpayev, Kazakhstan*

⁵*Kazakh academy of sport and tourism, Almaty, Kazakhstan*

¹*mussina.74@mai.ru*, ²*zhibek11@mail.ru*, ³*kvin07@list.ru*, ⁴*sartova2010@mail.ru*, ⁵*ayagoz.zhansagimova@mail.ru*

¹<https://orcid.org/0000-0003-1647-3921>, ²<http://orcid.org/0000-0002-2617-838X>, ³<https://orcid.org/0000-0003-2543-625X>, ⁴<https://orcid.org/0000-0001-7982-095>, ⁵<https://orcid.org/0000-0001-6390-841X>

²*Scopus Author ID: 57195557031*, ³*Scopus Author ID: 57211264312*,

⁴*ResearcherID ABC-4856-2021*, ⁵*ResearcherID D-2582-2014*

Major issues of organizational and economic mechanisms of migration regulation in Kazakhstan

Abstract

Object: To identify the current issues of regulating migration processes in Kazakhstan with an emphasis on external migration.

Methods: Information systematization, working with sources, methods of studying cause-and-effect relationships.

Findings: Based on the analysis of trends in the development of migration processes in Kazakhstan, we have explored the main policy directions of their regulation. We have studied the institutional model of regulation of migration processes in Kazakhstan, raised the issues of interdepartmental interaction of various bodies in the implementation of migration policy in our country. We have investigated the factors affecting the establishment of the agenda in migration regulation for authorized bodies. We have studied the problem of unregulated migration in Kazakhstan, given a description of the risks associated with it, and presented proposals for improving measures to regulate migration processes.

Conclusions: Regulation of external migration processes in Kazakhstan is currently connected with the issues of adaptation and integration of ethnic repatriates in the Republic of Kazakhstan, reducing the negative impact of emigration outflow in the northern and north-eastern, and central regions of the Republic of Kazakhstan (depopulation, staff shortage, reduction of the development potential of rural settlements, etc.). Measures are required to increase the demographic potential of regions with an intensive external population outflow, to stimulate immigration to Kazakhstan, to create conditions for the successful integration of ethnic repatriates in the host society, to reduce illegal labor migration, to curb educational migration (or at least, to reduce the risks of its transition into non-returnable emigration).

Keywords: migration, Kazakhstan, external migration, unregulated migration, migration policy, labor migration, educational migration.

Introduction

In recent years, migration in Kazakhstan has been affected by both traditionally established factors, such as the motivation of ethnic Kazakhs to return to their historical homeland, the search for better working conditions by labor migrants (higher wages, uncovered demand for labor above all), and new challenges, which include quarantine restrictions during the global coronavirus pandemic, political upheavals in the world (Middle East), in the region (Afghanistan), in the country. A country's migration policy needs to adjust its tasks by considering changes in the factors of external and internal migration, as well as possible consequences of the changes taking place. Issues of adaptation and integration of ethnic repatriates in the country, issues of educational and labor migration (a brain drain) and the risks of their non-return migration, and problems of illegal or unregulated labor migration both to and from Kazakhstan remain the main strategic directions of regulating external migration in the country. Efforts are needed both in the international field and in domestic policy to address pressing issues to increase the effectiveness of measures to support ethnic repatriation, to reduce the negative impact of external emigration (depopulation in the northern, north-eastern, and central regions of Kazakhstan), to conclude international agreements in regulating labor migration between countries involved inflows both to Kazakhstan (Uzbekistan, Tajikistan, Kyrgyzstan) and from Kazakhstan (South Korea, European countries, Turkey), and to curb educational migration (including by opening branches of foreign educational institutions within the country).

*Corresponding author.

E-mail address: *mussina.74@mai.ru*

All the while, migration regulation keeps focusing on measures to comply with the quarantine rules for the coronavirus pandemic and national security (e.g., in relation to refugees from Afghanistan and other potential sources of radical Islamism).

The study aims to review the institutional system of migration regulation in the Republic of Kazakhstan, the main directions and tasks of migration policy in regulating foreign migration and to systematize materials on current issues of migration regulation and their outputs.

Literature review

The online source Demoscope Weekly offers all sorts of articles devoted to the migration policy of the countries of the world, including Central Asia:

1) Review of various ethnic repatriation policy types by such authors as N. Semenchenko (Semenchenko, 2002), Y. Sadovskaya (Sadovskaya, 2001), and L. Karachurina (Karachurina, 2008).

2) On labor migration management. Such authors as Y. Florinskaya and T. Roshchina (Florinskaya, Roshchina, 2004) raised the problems of labor migration from small towns; Z. Zayonchkovskaya considered the experience of regulating labor migration in Western European countries.

3) On analysis of the causes and consequences of educational migration. E.g. Y. Sadovskaya who analyzed educational migration from Kazakhstan to China as a “soft power” tool (Sadovskaya, 2015).

4) On the issues of institutional support for the management of migration processes. A. Yastrebova presented international legal instruments for migration regulation (Yastrebova, 2014).

The source also offers bibliographic reviews of new monographs on migration policy of the Russian Federation and other countries of the Eurasian Union (Nozhenko, 2020), on the worldwide experience of migration regulation (Vitkovskaya, 2004).

To assess the quantitative parameters and trends of migration development in Kazakhstan, it is useful to refer to the 2020 IOM publication “Kazakhstan: Advanced Migration Profile 2014—2019” (Chernykh, Burnashev, 2019), which presents the maximum possible indicators of migration movement in Kazakhstan collected both from official statistical information sources and publicly available statistics. For example, the migration profile shows the number of refugees in the Republic of Kazakhstan (maximum of 356 people in 2015 and 187 people in 2019). It also contains such indicators as the number of persons who were denied entry to Kazakhstan; the number of persons who were ordered to leave the country; the number of persons convicted of human trafficking, and the number of victims of human trafficking. The Advanced Migration Profile includes sections on migration management in Kazakhstan, which provides an overview of the regulatory framework, strategic documents, and describes the institutional and organizational framework of migration policy in Kazakhstan. The publication makes the following conclusion: “There is a departure from consideration of migration as a demographic factor, there is an accentuation of its economic significance. Moreover, the emphasis is on considering migration as an instrument for increasing the country’s human capital through attracting talent. This suggests that the shortage of competencies of the local workforce will be partially satisfied by simplifying the attraction of highly qualified specialists to Kazakhstan.”

Y. Sadovskaya and Caress Schenk have prepared a report on the results of a study on “Migrant Workers in Kazakhstan: No Status, No Rights” courtesy of the International Federation for Human Rights (FIDH) (FIDH, 2016). This publication shows that the settlement of the legal status of migrant workers is the most effective way to guarantee the protection of their rights and to fight their extreme vulnerability. According to the authors of the report, migrant workers with irregular status are considered “illegal” in Kazakhstan and, as a result, are treated as offenders. If in case of violation of their fundamental rights, they decide to turn to the authorities, they are at risk of arrest, imprisonment, and expulsion from the country for violating migration and labor laws, with no hope to receive remuneration or compensation for the violation of their rights.

The influence of external migration on the change in the ethno-demographical profile of the region is described in the works by A. N. Alekseyenko, Z. Aibakirova, and A. Zhanbosinova (Alekseyenko et al., 2019). Theoretical aspects of migration policy and the relevance of the study of its problematic issues are reflected in the paper by I. Chernykh and Y. Solovey (Chernykh, Solovey, 2021).

V. Y. Ledeneva, O. V. Lomakina, A. M. Dzhusunov, B. T. Begasilov (Ledeneva et al., 2021) have systematized the main motives of educational migration from Kazakhstan based on a survey of Kazakhstani students studying in foreign universities. The most significant influences were the quality of education (36%), the desire to study abroad to see the world and travel (23%), the prestige of foreign education (20%), the opportunities for further employment and residence abroad (13.3%), and the better-equipped classrooms and laboratories (10.2%). According to the authors, Kazakhstan will remain a donor of educational and labor re-

sources to more developed countries due to the issues on the way to the development of an effective system of staff training within the country and their demand in the labor market. To reduce the intensity of the outflow of students, we propose to increase the competitiveness of domestic higher education, including by increasing educational programs in English and developing cooperation of scientists from Kazakhstan and Russia for the development of promising scientific areas. The issues of educational migration from Kazakhstan have also been raised by G. A. Nasimova, Z. A. Zhansugurova, Sh. B. Khalikova (Nasimova et al., 2020).

Migration flows have a significant impact on the development of both the receiving and the giving sides. There are powerful cash flows between these countries, which are also subject to government regulation, since money transfers lead to changes in income, poverty, health, education, etc. (Ratha et al., 2013).

In recent years, the negative balance of external migration has been growing: there is a net outflow from Kazakhstan. The intensity of ethnic repatriation of Kazakhs, which previously would cover the flow of emigration, is decreasing. Measures are needed to curb the outflow from Kazakhstan and to encourage immigration to Kazakhstan. In recent years, migration policy has been active in internal migration: the mechanism for registering migrants within the country has been strengthened, a quota for resettlement to the northern and north-eastern regions of Kazakhstan is in effect (Mussina et al., 2020).

Methods

We apply methods of information systematization, working with sources, and methods of studying cause-and-effect relationships.

To analyze the regulation of the migration situation in the country, we studied the regulatory framework of migration policy and program documents containing various methods and tools of the state's influence on migration flows in both country and regional contexts.

Results

A regulatory framework of migration policy in Kazakhstan. Kazakhstan used to carry out strategic management of migration flows under the specially developed Concepts of migration policy of the Republic of Kazakhstan, approved by 1) the Decree of the Government of the RK No. 1346 of September 5, 2000; 2) the Decree of the President of the RK No. 399 of August 28, 2007, and 3) the Decree of the Government of the RK No. 602 of September 29, 2017. The Law of the RK No. 477-IV of July 22, 2011 "On population migration" regulates public relations in population migration, defines the legal, economic, and social foundations of migration processes.

Kazakhstan has approved the Global Compact for Migration and is engaged in various regional migration dialogues. Recognizing the growing role of labor migration for socio-economic development, the Ministry of Labor and Social Protection of Population is gradually assuming various migration functions, taking them over from the Ministry of Internal Affairs. In particular, starting 2022, the latter will no longer issue work permits to migrant workers and decide on refugee status. Back in May 2020, Kazakhstan has made amendments to its legislation by changing the designation of ethnic Kazakhs returning to their homeland from "oralman" (a repatriate) to "qandas" (a tribesman). In 2020, the country launched e-visa services for business, tourist, and medical trips. Kazakhstan is developing a new Concept of migration policy for 2022—2026.

Institutional support of the migration management system in the Republic of Kazakhstan. The Government of the Republic of Kazakhstan develops the main directions of state migration policy and manages its implementation. The following state bodies implement state migration policy within their competence: the Ministry of Internal Affairs of the RK, the Ministry of Foreign Affairs of the RK, the Ministry of Labor and Social Protection of Population of the RK (Committee of Labor, Social Protection and Migration), the National Security Committee of the RK, the Ministry of Education of the RK, and the Ministry of Health of the RK, as well as local executive bodies. The Ministry of Labor and Social Protection of the RK develops proposals on the main directions of state migration policy.

Information support of the state migration policy. The Ministry of Internal Affairs of the RK, the National Security Committee of the RK (Border Service) and the Ministry of Foreign Affairs of the RK form a single database of registration of entry visas for foreigners and stateless persons (Automated Information System "Berkut"), systematically update data, and timely exchange data among themselves. The Ministry of Labor and Social Protection of Population of the RK forms a centralized database of foreign workers, runs an information system "Foreign Labor Force" and ensures their interaction with information systems of the relevant authorized state bodies. Also, the Ministry of Labor and Social Protection of Population of the RK

forms a unified database of migrant workers and ethnic Kazakhs and ensures interaction with the relevant information systems of the internal affairs bodies, the NSC, and the MFA.

At the local level, migration processes are managed by local executive bodies.

Recently, changes have been introduced in the institutional support of migration policy. For example, in 2021, over a third of the functions in the field of migration related to the management of migration processes and labor migration have been transferred from the Ministry of Internal Affairs of the RK to the Ministry of Labor and Social Protection of Population of the RK. The corresponding Decree “On measures to further improve the public administration system of the Republic of Kazakhstan” has been signed by the Head of State on July 19, 2021. Starting January 1, 2022, the Ministry of Internal Affairs will not be engaged in interdepartmental coordination, the development of a system of measures in regulation and monitoring of migration processes, the assignment of refugee status, and the issuance of permits to labor immigrants working for individuals. This measure will allow linking two tools for attracting foreigners to the labor market of Kazakhstan: permits for individuals and permits for attracting FLW by enterprises. Presumably, compromise solutions will be found to reduce the flows of illegal labor migration with simplification of the legalization of attracted labor immigrants for small and medium-sized businesses (construction, services, processing of agricultural products, agriculture).

Regarding the recommendations on institutional support of migration policy, the previously mentioned publication “Kazakhstan: Advanced Migration Profile 2014—2019” offers the following: “It is recommended to return to the issue of forming a National Agency for Migration. At the same time, it is advisable to add support functions for migrants to the initially assumed powers (control and regulation of migration processes).” This recommendation is most likely aimed at creating an institution responsible for interdepartmental coordination of measures to support ethnic repatriation and resettlement to labor-deficient regions and addressing issues of successful adaptation and integration of those who have moved, as well as monitoring the flows of unregulated migration both to and from Kazakhstan and initiating measures to legalize the migrant status (international treaties, amendments to regulations, simplification of documentation processes and procedures for attracting migrants), direct interaction with migrants (mostly, government agencies do not deal with migrants, but only process their documents) when raising public awareness, receiving feedback on relocation, on-site housing, employment, receiving medical, educational services, observing their rights and interests when interacting with other persons (employers, government agency reps, business reps, etc.). It would also allow not to “dissolve” the responsibility for implementing an effective immigrant adaptation and integration policy between different state bodies.

Non-governmental organizations are also involved in regulating migration flows. Their main task is to provide comprehensive assistance for the adaptation and integration of citizens arriving in the country. These organizations work closely with local authorities, and with entrepreneurs, public organizations, citizens, etc. There are about twenty non-governmental organizations in Kazakhstan that are partners of the International Organization for Migration. Each of these NGOs assists in protecting the rights of migrants, both in our country and abroad. This includes assistance in documenting the refugees and illegal human trafficking victims, offering temporary shelter, adaptation and integration services (assistance in language learning, translation of documents and appeals), and other services.

Regarding ethnic migration, the NJSC “Otandastar Foundation” plays a great role in the institutional support of migration policy. The Foundation provides adaptation and integration services for compatriots in foreign countries and ethnic Kazakhs arriving in the Republic of Kazakhstan; maintains and establishes contacts, exchanges data with public compatriot associations, with international governmental and non-governmental organizations to provide compatriots with legal, informational and explanatory support.

The ethnic repatriation support policy. By the end of 2021, 17,540 ethnic Kazakhs have returned to their historical homeland and received the qandas status. In total, 1,087,800 ethnic Kazakhs have returned to the Republic since 1991. More than half of the qandas (76.2%) who came to Kazakhstan in 2021 are from Uzbekistan, 9.7% from China, 6% from Turkmenistan, 2.6% from Mongolia, and 5.7% from other countries. The arrived ethnic Kazakhs have mainly settled in Almaty (28.5%), Mangystau (19%), Turkestan (13%), and Zhambyl (7.8%) regions, as well as in the city of Shymkent (10.5%). As the statistics of the qandas settlement shows, ethnic repatriates avoid settling in the regions providing the qandas quota (Akmola, East Kazakhstan, Kostanay, Pavlodar, and North Kazakhstan regions). Although the regional qandas quota is low: it was set at 941 people for 2021 (Prikaz, 2021), which is approximately 5% of the number of the qandas who received the status by the end of 2021. The regional qandas quota for 2022 has been increased to 1,499 people.

The state supports those included in the regional oralman quota as part of the State Program for the Development of Productive Employment and Mass Entrepreneurship for 2017—2021 “Enbek” in the form of a subsidy: 1) to relocate: one-time payment of 35 MCI to each family member, and 2) to cover the rental and utility costs, which are to be paid monthly for a year: 15 to 30 MCI per family.

Since January 1st, 2021, the possibility has been enacted for the qandas to simultaneously submit documents for both obtaining a permit for permanent residence and for citizenship. Previously, these procedures would be separate, while the procedure for obtaining permanent residence would take two months, then a residence permit would be issued within a month, and only after that application for admission to Kazakh citizenship could become available, which would take another three months. Now all three stages are held simultaneously (Cherkashin, 2021). These changes have allowed shortening the time for processing documents (due to the fact that several government agencies review documents simultaneously), and simplified the procedures for processing documents through the introduction of the “one window” principle.

Recently, the flows of ethnic repatriation have started weakening, which is most likely due, on the one hand, to a decrease in the potential number of ethnic Kazakhs motivated to move (who do not want to pull up their roots), and, on the other hand, to a decrease in the attractiveness of Kazakhstan for potential repatriates (socio-economic conditions are deteriorating relative to the situation in the recent past, and, on the contrary, conditions have improved in the countries of departure).

Reducing the unregulated migration in the Republic of Kazakhstan. Basically, the policy measures in this area seek to identify the facts of illegal immigration by the migration police.

Illegal immigration is entry into the Republic of Kazakhstan and stay of foreigners or stateless persons in the Republic of Kazakhstan in violation of the legislation of the Republic of Kazakhstan regulating the procedure for entry and stay, as well as transit through the territory of the Republic of Kazakhstan (Zakon, 2011).

To identify malicious violators of migration legislation on the territory of the country, the Ministry of Internal Affairs of the RK periodically conducts a preventive operation “Migrant.” Police officers inspect places densely populated by foreign citizens, paw through the residential blocks, construction sites, markets, organizations and employers illegally hiring foreign citizens, search the vehicles. According to the Ministry of Internal Affairs, annually more than 100 thousand foreign citizens are held administratively responsible and more than 10 thousand get deported. For the most part, these are illegal labor migrants exposed to many risks due to their irregular status: they may not be paid for the work done (Najibullah, 2021), paid partially ignoring preliminary agreements that are not legally fixed. They may also face problems when seeking medical help; they cannot be guaranteed rights protection if the employer ignores labor safety requirements; no guarantees for social security and ensuring normal working conditions.

Regarding this situation, the above-mentioned FIDH report reads as follows: “Migrant workers with irregular status, who make up the vast majority of migrant workers in Kazakhstan, are in a particularly vulnerable position. They often work in difficult conditions and become victims of exploitation, psychological and physical violence, forced labor or human trafficking. They often live in unacceptable and degrading conditions, work without observing safety measures. The precarious administrative situation restricts their children’s access to education, as well as their own and the whole family access to medical care” (FIDH, 2016).

In these circumstances, Kazakhstan is invited to ratify the United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and to amend immigration and labor legislation thus creating the necessary provisions for issuing work permits or “patents” to foreigners, regardless of whether they work for a private or legal entity, as well as to expand the list of independent entrepreneurial activities that foreign citizens have the right to engage in (otherwise corruption risks increase). The fee for the patent should be collected only after the payment of the first wage to avoid a situation where a migrant worker finds himself dependent on his employer. It is necessary to create a system of direct filing of complaints accessible to all victims of ill-treatment; to respond quickly and effectively to reports of violations of the rights of all migrant workers; to pursue prompt, effective, independent and impartial investigations; to hold accountable those responsible for abuses against all migrant workers and violations of their rights.

Legal labor migration is mainly associated with foreign labor attracted on the basis of LEA permits. As of December 1, 2021, 15,527 foreign citizens are engaged in labor activity on the territory of Kazakhstan based on the permits of local executive authorities. The main countries of labor migrant exodus are China (3,784 people), Great Britain (1,996), Turkey (1,985), India (1,182), and Uzbekistan (1,138). In addition,

until the beginning of 2022, migrant workers would be attracted on the basis of migration service permits (“patents”).

In 2021, the Ministry of Labor and Social Protection of the RK set the task of introducing an appropriate system in terms of employment and legal protection of Kazakhstani workers abroad. This is due to an increase in the number of labor emigration from Kazakhstan in Europe and South Korea. There have been several cases of expulsion of citizens of the RK from Norway and South Korea. As of March 2020, there were 11,126 illegal labor migrants from Kazakhstan in South Korea, the volume of personal transfers from South Korea to Kazakhstan increased from 1.7 million to more than 100 million US dollars in 2019. In 2020, quarantine restrictions decreased this amount by 28%. Generally, Kazakhstanis get there under the visa-free regime as tourists and stay illegally, work hard and send money back to their relatives in Kazakhstan. The Ministry of Foreign Affairs of the RK and foreign institutions are working with citizens’ communications in their host countries to protect their rights and interests (including in the case of deportation). However, efforts are needed from the Government of the Republic of Kazakhstan to conclude an interstate agreement to facilitate labor migration from Kazakhstan to South Korea. We need resolve the existing situation in favor of our citizens motivated to receive relatively high wages in other countries and provide legal framework for the full protection of their interests and rights on the territories of other countries. The issue of protecting the rights of Kazakhstani emigrant workers was raised by the President of the Republic of Kazakhstan K. Tokayev at the fourth meeting of the NCPT (National Council of Public Trust).

Labor migration within the EAEU. The Treaty on the EAEU brings such a direction of cooperation of the member states as labor migration to a qualitatively new level. Section XXVI “Labor Migration” provides for a number of norms that ensure freedom of employment in the territories of participating countries. To form a common labor market, the Treaty on the Union develops a common labor migration policy, including the provision of social security, medical care for member states’ workers, offset of labor (insurance) seniority, and the export of pensions. Direct recognition of educational documents is carried out, no procedures involved. Workers’ children residing together in the territory of the state of employment have the right to attend preschool and receive education in accordance with the legislation of the state of employment.

Meanwhile, Russia is preparing to launch the mobile service “Work in the EAEU.” The application was created to collect all the information about vacancies, employers and job seekers in the territory of the Eurasian Economic Union on one platform. With the help of the application, migrant workers will be able not only to find a suitable job in any of the EAEU countries without having to leave home, but also to request necessary documents, register with the Pension Fund and tax authorities, apply for a relocation loan and book housing. The Eurasian Development Bank reps are confident that the service can prove to be a real breakthrough in migration issues within the EAEU and strengthen integration ties between states (Vavilova, 2021).

Regulation of movements within the EAEU is facing the following issues:

1) The principle of equality of labor and social rights of citizens and migrants is not fully implemented. The reason is the lack of elaboration of national legislation in accordance with the provisions of the Treaty on the Eurasian Economic Union.

2) A discrepancy between the professional and language training of migrants in the countries of origin and the Russian and Kazakh employer requirements (the main countries welcoming migrant workers in the EAEU).

3) A significant number of migrant workers from Armenia and Kyrgyzstan do not engage in employment contracts with the employers. This may be either the result of insufficient migrants’ awareness of the existing norms of the law, or forcing them to work without a contract on the part of the employer, or the result of the activities of shadow intermediaries who have turned the illegal employment of their fellow countrymen in Russia and Kazakhstan into a profitable business.

Experts recommend the following: 1) to initiate language training and pre-departure orientation courses in the countries of departure; involve private and public organizations in this activity; 2) to establish control over the implementation of labor legislation in the countries of reception: to stop employment that is not formalized by an employment contract; 3) create a system of interstate monitoring of social and labor sphere in the participating countries within the framework of the EEC, to identify the compliance of the existing framework for ensuring labor and social rights of migrant workers with the provisions of the Treaty on the Eurasian Economic Union.

According to Y. G. Ponomareva, “it is also necessary to improve the system of immigration control and interdepartmental interaction, primarily in the field of information exchange both at the domestic and inter-

state levels; create a unified database for the EAEU member states to identify and account for illegal migrants; develop programs and conduct joint interstate operational and preventive measures; strengthen awareness-raising among the population” (Ponomareva, 2016).

Reducing the outflow of young people through educational migration channels. Despite the increase in foreign students from Central Asian countries, Kazakhstan is facing a negative balance in educational migration due to the significant outflow of our applicants to educational institutions in the Russian Federation, China, Eastern and Western Europe, the USA and Canada. Experts identify two main trends of return migration goals: “1. The students’ desire to expand their knowledge of the world, to realize their professional aspirations, in other words, to realize the migration and “globalization” desires inherent in humanity historically. 2. Rejection of country-specific characteristics, critical attitude to domestic political processes” (Nasimova et al., 2020).

To reduce the leakage of talented youth abroad or prevent the irrevocable migration of young people, we need joint efforts on the part of state bodies to debug the system of “social elevators” to promote young people studying both in our country and in foreign universities, to improve the mechanisms of employment of young professionals with the provision of conditions for their living in regions with a staff shortage (provision of office housing, payments of “lifting” allowances, benefits for utilities, decent wages, provision of places in kindergarten for children, etc.). In addition, the development of academic mobility of students of Kazakhstan universities or the system of two-degree education (an educational program in conjunction with a foreign university) allows the increase in the attractiveness of studying in Kazakhstan (Abaev, 2020). In addition, the President K. Tokayev has announced an initiative to open branches of leading foreign universities in Kazakhstan; two of them are technical oriented specializations.

It is also advisable to “review the procedures for the nostrification of foreign academic degrees to eliminate bureaucratic barriers to the return of qualified and highly qualified young experts to their homeland” (Shaukenova, 2019). Also, according to experts of the International Organization for Migration, “additional bureaucratic obstacles do not contribute to the desire of specialists with foreign degrees to work in scientific and educational institutions at home.” Therefore, a healthy competitive environment in scientific and educational hubs at the leading universities of the country is required to attract foreign partners in joint scientific and innovative projects (Nazarbayev University, KBTU, etc.).

Discussion

The paper offers the factors influencing the migration situation in Kazakhstan, the impact of which poses certain challenges to the country’s migration policy. State regulation of migration processes is designed to neutralize negative and stimulate positive consequences of both internal and external migration. The paper explores issues of adaptation and integration of ethnic immigrants, problems of emigration of highly professional personnel and promising youth, difficulties of regulating illegal migration. In modern realities, the high importance of measures to comply with quarantine for the coronavirus pandemic and other problematic issues of regulating migration flows in the country is emphasized. Regulation of internal migration in our country places emphasis on the redistribution of labor resources across the country to address the issues of depopulation and staff shortage in the labor-deficient regions of the country (which in turn arose as a result of an active external migration outflow).

The novelty of the paper consists in reflection of changes in the organizational and institutional support of migration policy, and systematization of the current challenges migration policy of the state is facing at the present time.

The paper also provides an overview of an institutional system of state regulation of migration flows, the subjects of which develop the main directions of migration policy, its goals and objectives. This is primarily the legislative framework provided by the Law “On Population Migration” and the Concepts of Migration Policy of the Republic of Kazakhstan. An important role in regulating migration processes is played by international migration treaties both concluded bilaterally and within the framework of various international and regional organizations.

The state bodies designed to implement various directions of migration regulation are investigated as well. Above all, it is the Government of the country responsible for the development of the main directions and objectives of this policy. Structures such as the Ministry of Internal Affairs, the Ministry of Labor and Social Protection, the Ministry of Foreign Affairs, and the National Security Committee play an important role in regulating population migration. Local internal and external migration management in certain regions is also of some importance, in which local executive authorities play an important role.

It should be noted that non-governmental organizations also take part in the management of migration flows. The main direction of their activity is to promote the rapid but gentle adaptation of migrants (ethnic migrants, refugees, migrant workers, and victims of human trafficking).

On the other hand, the paper raises issues of managing the status of emigrants from Kazakhstan in the countries where they migrated both temporarily or permanently (while remaining citizens of the RK). It is necessary to monitor the availability of acceptable conditions for migrants to stay in other states, respect for their rights and interests. Cooperation within the framework of various organizations such as the EAEU helps countries to understand each other more on migration issues. The member countries of this regional union engage in various agreements on migration management between them. Negotiations between partner states on external migration (both donors and recipients) on the conclusion of interstate agreements for migration management and ensuring the rights of migrants are important just as well.

Conclusions

The Republic of Kazakhstan has built a system of institutional support for the management of migration processes, created a regulatory framework for the migration management, implements measures to support for ethnic repatriation, labor migration management, measures to support organized internal migration (the policy of resettlement to labor-surplus regions). This allows addressing to some extent the issues of migrants and their families when settling in at the place of arrival, adapting to the host society, while protecting their interests and rights in relations with employers, government officials, etc. There are certain difficulties immigrants arriving in Kazakhstan have to deal with, but in general, a review of the policy on their support shows that in recent years changes have been made in legislative, regulatory documents, in the system of institutional support to strengthen the effectiveness of policy measures in relation to them (introduction of patents and permits for migrant workers, implementation of the principle of “one window” for ethnic returnees, changes in the distribution of functions between regulatory state bodies).

The paper discusses certain areas of migration policy in Kazakhstan: support for ethnic repatriation, deterrence of illegal labor migration, labor migration management within the EAEU, and reducing the outflow of young people through educational migration channels. Topical issues requiring extraordinary approaches to addressing and changes in the system of regulatory and institutional support of the state migration policy are presented. In particular, efforts are needed to conclude interstate agreements to resolve problematic issues of illegal labor migration both to Kazakhstan (with donor countries) and from Kazakhstan (with countries receiving Kazakhstani migrant workers). Comprehensive solutions are also needed to curb the flow of educational emigration from Kazakhstan and to increase the effectiveness of adaptation and integration services to support ethnic repatriation.

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С.Т. Мусина, Ж.С. Хусаинова, Е.А. Вечкинзова, Р.Б. Сартова, А.Е. Жансагимова

Қазақстандағы көші-қонды реттеудің ұйымдастырушылық-экономикалық тетіктерінің өзекті мәселелері

Аңдатпа

Мақсаты: Сыртқы көші-қонға назар аударып, қазіргі кезеңде Қазақстанда көші-қон процестерін реттеудің өзекті проблемаларын анықтау.

Әдісі: Ақпаратты жүйелеу, дереккөздермен жұмыс, себеп-салдарлық байланыстарды зерттеу әдістері.

Қорытынды: Қазақстандағы көші-қон процестерінің даму үрдістерін талдауға негізделі отырып, оларды реттеу саясатының негізгі бағыттары қарастырылды. Қазақстандағы көші-қон процестерін реттеудің институционалдық моделі анықталған, еліміздегі көші-қон саясатын іске асыру кезіндегі әртүрлі органдардың ведомстволық өзара іс-қимыл мәселелері көтерілді. Көші-қонды реттеу саласындағы уәкілетті органдар үшін күн тәртібін қалыптастыруға ықпал ететін факторлар зерттелді. Қазақстандағы реттелмейтін көші-қон проблемасы қаралды және оған байланысты тәуекелдер сипатталды, сондай-ақ көші-қон процестерін реттеу шараларын жетілдіру бойынша ұсыныстар берілген.

Тұжырымдама: Қазіргі уақытта Қазақстандағы сыртқы көші-қон процестерін реттеу тұтастай алғанда этникалық репатрианттардың елімізге бейімделуі және интеграциясы, солтүстік және солтүстік-шығыс, орталық өңірлеріндегі эмиграциялық ағынның теріс әсерінің төмендеуімен байланысты (халықтың депопуляциясы, кадрлар тапшылығы, ауылдық елді мекендердің даму әлеуетінің төмендеуі және т.б.). Халықтың қарқынды сыртқы кетуі бар өңірлердің демографиялық әлеуетін арттыру, Қазақстанға көшіп келуді ынталандыру, қабылдаушы қоғамда этникалық репатрианттардың табысты кірігуі үшін оларға жағдайлар жасау, заңсыз еңбек көші-қонның төмендету, білім беру көші-қонның тежеу (кем дегенде – оның қайтарымысыз эмиграцияға көшуі бойынша тәуекелдерді төмендету) жөніндегі шаралар қажет.

Кілт сөздер: көші-қон, Қазақстан, сыртқы көші-қон, реттелмейтін көші-қон, көші-қон саясаты, еңбек көші-қоны, білім беру көші-қоны.

С.Т. Мусина, Ж.С. Хусаинова, Е.А. Вечкинзова, Р.Б. Сартова, А.Е. Жансагимова

Актуальные вопросы организационно-экономических механизмов миграционного регулирования в Казахстане

Аннотация

Цель: Выявить актуальные на современном этапе проблемы регулирования миграционных процессов в Казахстане с акцентом на внешнюю миграцию.

Методы: Использовались следующие методы: систематизации информации, работы с источниками и изучения причинно-следственных связей.

Результаты: Опираясь на анализ тенденций в развитии миграционных процессов в Казахстане, рассмотрены основные направления политики их регулирования. Изучена институциональная модель реализации миграционных процессов в Казахстане, подняты вопросы межведомственного взаимодействия различных органов при осуществлении миграционной политики в нашей стране. Исследованы факторы, влияющие на формирование повестки дня для уполномоченных органов в области регулирования миграции. Рассмотрена проблема нерегулируемой миграции в Казахстане, описаны риски, связанные с ней, а также представлены предложения по совершенствованию мер регулирования миграционных процессов.

Выводы: Регулирование внешних миграционных процессов в Казахстане в настоящее время связано, в целом, с вопросами адаптации и интеграции этнических репатриантов в РК, снижением негативного влияния эмиграционного оттока в северных и северо-восточных, центральных регионах РК (депопуляция населения, дефицит кадров, снижение потенциала развития сельских населенных пунктов и пр.). Необходимы меры по

увеличению демографического потенциала регионов с интенсивным внешним оттоком населения, по стимулированию иммиграции в Казахстан, созданию условий для успешной интеграции этнических репатриантов в принимающем обществе, снижению нелегальной трудовой миграции и сдерживанию образовательной миграции (как минимум — снижению рисков по ее переходу в невозвратную эмиграцию).

Ключевые слова: миграция, Казахстан, внешняя миграция, нерегулируемая миграция, миграционная политика, трудовая миграция, образовательная миграция.

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