UDC 351.1

Hayrapetyan A. – Ph.D in Law, Associate Professor, Doctoral Student of the Public Administration Academy of the Republic of Armenia, Yerevan, Republic of Armenia

MAIN ISSUES OF THE STRATEGY ON MIGRATION POLICY OF THE REPUBLIC OF ARMENIA

The article examines the main issues of migration policy of the Republic of Armenia. The article also touches upon the comprehensive definition of the term «strategy on migration policy», several theoretical and practical issues in respect of the elements thereof and migration processes.

Keywords: Strategy on Migration Policy, migration, development and implementation of policy, «global village», «virtual territory (border) of states», doctrine of international migration law, migration management.

The well-known historical facts of the 20th Century – urbanisation, climate change, two world wars and the genocides perpetrated against different nations and peoples – with their irreversible consequences, as well as the unprecedented advancement of technology (science) led to the rapid movement of people, information and goods, and resulted in the acceleration of global migration processes. In particular, the greatest achievement in the advancement of computers and information was creation of the Internet, which as per to author of the term «global village» [1] – famous Canadian philosopher Marshall McLuhan «…transcends all boundaries between people – space, time, culture, traditions, world views and more, and as a result, the world is becoming so compressed that it seems it is becoming an entire global village…» [2], and as a result of all this, a man has become a cosmopolitan [3]. As a result, starting from the late 20th Century, global migration processes have undergone transformation, that is, man personally wants to participate – virtually and in real life – in the political, cultural, legal, economic and other kinds of events taking place in different parts of the world, transcending all boundaries.

As we have already mentioned in our previous academic works, alongside with the spread of the Internet access in recent times, a new social phenomenon has emerged at the global level that we conditionally refer to as «virtual labour migration» or «informational-news migration», that is, citizens of different states (or stateless persons) enter into «the virtual territory (border) of each other's states» for the purpose of seeking and disseminating information, working in the virtual field or for other purposes.

Thus, we can state once again that «the virtual territory (border) of states» is a real and social phenomenon, and that it (i.e. «the virtual state territory (border)») – is the platform (the substance) of an artificial (subjective) reality originating from the physical reality (the reality of matter) (and sometimes independent) and causing consequences for that reality where the security interests of a state and a society, social, economic, political, legal, religious and cultural interests (existence) are affected and the boundaries of which end in the place where the boundaries of the above-mentioned interests of another state begin (the definition is presented by the author).

Based on the above mentioned, we can state that: 1) in the 21st Century, the states, besides physical boundaries, are also divided by virtual boundaries; 2) human migration is possible through both the physical and virtual boundaries of states; 3) both physical and virtual migration of human beings leads to social, economic, legal, political and other kinds of consequences (favourable and unfavourable); 4) the acknowledgement and regulation of «a virtual state territory (border)» is missing in the doctrine of international migration law, as a result of which physical migration of human beings is currently being regulated, while virtual migration is beyond legal control, which first and foremost poses a danger to exactly the individual due to the fact that it is uncontrollable.

It should be mentioned that migration is one of the indicators for the society's engagement in the process of globalisation, and as an indicator, it evidences the adequate reaction of the society to new opportunities that are opening up. The «abroad-homeland» financial flows – generated by such processes – have a positive impact on economic indicators. However, the demographic «exhaustion» will sooner or later have an extremely negative impact on all spheres of public activity, and it is necessary to acknowledge the fact that an adequate response to this challenge has not yet been formulated in Armenia [4].

The Strategy on Migration Management envisages development – by the states – of their own comprehensive programmes and the harmonisation of these programmes with the programmes of other countries. Consequently, in the migration policy, countries need to develop adequate approaches, irrespective of whether the state is a country of origin, a transit country or a host country [5].

It is clear that migration is a process that is dynamic, with frequent controversial developments and with a face that changes continuously. Thus, it is necessary to realise that even the most prospective programmes for the regulation of migration may be revised and may be adjusted in practice. In other words, the new times dictate refusal of certain former, exhausted assessments and approaches, and rethinking of the conformity of the strategy on the development and implementation of a migration policy with the current requirements.

Now let us examine the terms «development of a policy», «implementation of a policy» and «a political strategy».

Policy can be measured in many ways, and it is often very difficult to answer the question whether there exist general mechanisms for the development and implementation of a policy, if we compare the historical stages (periods) and several states [6].

The development of a policy is a repetitive (lat. *iterativus*) process, and it is important to observe it as such for the following two reasons: 1) the experience gained and the lessons learnt in the process of repetition can be easily taken into consideration as information and can help improve co-ordination activities; 2) repetition helps lead a dialogue between policy and its implementation following the process of development of the official policy [7].

Strategy is «inertia», which acts and is based on viewing stability as an advantage over development and on evading extreme (radical) economic changes and social innovations [8].

Based on the above stated, as we have already mentioned in our previous academic works, the development and implementation of the policy of this or that sector of state administration implies a complex and integrative process of state administration of the relevant sector, implemented by the state bodies of the executive power, within the scope of their executive and regulatory functions, in conformity with the Constitution, international treaties and the

existing legislation, based on the public interests (including the social interests) for a certain period, and this process implies assessment of the actual situation in the relevant sector of state administration in the precise period, the problems and challenges and the paths, resources and range of tools for overcoming (including preventing) them, as well as the perspectives of development.

The migration policy is a system – based on the principles of constitutional order – of objectively substantiated goals, objectives, directions for the development of social relations in the migration sector, norms of the migration legislation, as well as of mechanisms for governing a state that are being implemented by the subjects of the migration process (natural persons, non-governmental organisations, state bodies) and are targeted at the movement, resettlement, establishment, pursuit of sustainable livelihoods, and integration of natural persons in the territory of a state, provided with stimulating and controlling factors [9].

The introduction of a system of management in any sector of public life itself implies certain restrictions on the activity and preferences of individuals. It is explicable, since individuals alone are the direct object of influence of the management process, and the authorities are the subject of carrying out coercion. Thus, the development of management mechanisms and their application in practice is not only a primary task for each state, but the objectification of viewpoints of the authorities – the managers, and individuals alone and the masses of people regarding the solutions to the main issues that have matured in the country, is also of major significance.

The regulation of migration is a social and legal (also political, etc.) phenomenon that, to this or that extent, has its impact on the accomplishment of goals of people engaged in the migration process, irrespective of whether the expectations of the population are realistic or illusory, and the measurability of the migration policy is based not on its toughness, but on its effectiveness [10].

Summing up the above-mentioned, we consider that, in the given period, the strategy on migration policy is the institutional organisation of migration management by the state authority that is anchored on the balance of public interests and the interests of individuals and that the whole structure of that management is capable of being subjected to transformation in line with the challenges of the times, without hindering the process of regular life of societies.

REFERENCES

1. Makliuen, M. (2005). *Galaktika Gutenberga. Stanovlenie cheloveka pechataiuchego [The Gutenberg galaxy. The typing of a person printing]* [in Russian].

2. McLuhan, M. (2003). *Understanding Media.* (Gingko Press).

3. *The term cosmopolitan (kosmopolites) is translated from old Greek into a man of the world, citizen of the world in the modern sense.*

4. Harutyunyan, G. (2007). Armenia in the Global World. *21st Century, 3(17).*

5. Rukovodiascyi komitet po migracii. K strategii upravleniia migraciei [Steering Committee on Migration. Towards a migration management strategy]. Strasburg. (n.d.). *www.coe.int.* Retrieved from http://www.coe.int/t/dg3/migration/archives/Documentation/Migration%20management/Towards_Migration_Management_Strategy_ru.pdf [in Russian].

6. Sait centra upravleniia finansami vyrabotka gosudarstvennoi politiki [Site of the Financial Management Center]. (n.d.). *center-yf.ru.* Retrieved from http://center-yf.ru/data/economy/Vyrabotka-gosudarstvennoi-politiki.php [in Russian].

7. Razrabotka politiki v izmeniaiusceisia obstanovke [Developing policy in a changing environment]. (n.d.). *www.fao.org.* Retrieved from http://www.fao.org/docrep/014/i1679r/i1679r03.pdf [in Russian].

8. Polterovich, V. *Strategii modernizacii, instituty i koalicii [Modernization Strategies, Institutions and Coalitions].* Retrieved from https://mpra.ub.uni-muenchen.de/22072/1/MPRA_paper_22072.pdf [in Russian].

9. Korobeev, V.A. *Mygracionnaia politika: poniatie i suscnost [Migration policy: the concept and essence].* Retrieved from http://www.rusnauka.com/ONG_2006/Pravo/16936.doc.htm [in Russian].

10. Abdulatipoi, R.H., & Mihailov, V. (2014). Etnopolitika migracionnyh processov [Ethnopolitics of migration processes]. *Publichnoe i chastnoe pravo, Public and private law, 4.* Retrieved from https:/elibrary.ru/download/elibrary_23700353_78583199/pdf [in Russian].