

INTERNATIONAL LABOUR MIGRATION: CONCEPT AND MODERN TRENDS OF ITS DEVELOPMENT WITHIN THE FRAMEWORK OF EAEU

Laura Dzhunisbekova, L.N. Gumilyov Eurasian National University
Sholpan Tlepina, L.N. Gumilyov Eurasian National University
Alen Sabyrov, L.N. Gumilyov Eurasian National University
Madina Yessirkepova, L.N. Gumilyov Eurasian National University
Yuliya Kostyanaya, L.N. Gumilyov Eurasian National University

ABSTRACT

Considering the manmade disasters and life conditions in different regions of the world, the issue of migration is becoming more and more a problematic issue during the last decade. Immigration directly affects the socio-economic environment of the country migration can be both a cause of poverty and its consequences. It is impossible to make a general statement, as influence of migration on poverty and vice versa depends on economic development level of country or region referred to above. The article deals with labour migration problems within the territory of member-countries of the Eurasian Economic Union. A number of the legal arrangements were made in order to make illegal migration legal at the domestic and regional level.

Keywords: Migration, Economic Development, Law Harmonization, Uniform Customs

INTRODUCTION

The previous experiences and the various theoretical and experimental model studies have demonstrated direct relationship between the economic status and quality of life (Khorasani, 2014; Khorasani & Almasifard, 2017) and the global economic crisis has an adverse effect on the state of life of the citizens of the affected countries. The salary level of some workers reduced as the result of financial problems and also mass excuse of employment positions led to closure of enterprises. People are forced to move both within their own country and to leave it in search of a better life (Firsov, 2012). Khnykin (2010) stresses that "today it is generally believed that without labour migration, sustainable economic growth of developed countries is impossible" (Khnykin, 2010).

The word migration came from the Latin *migratio* (from *migro*), which in translation means "turn" or "move." According to the Explanatory dictionary of the Russian language, Ozhegov's "migration" is "moving, relocating" (Ozhegov, 2010). The philosophical dictionary defines the migration of the population as the movement of people from one country to another with the intention of settling. International law operates with the following interpretations: "Migrant", "working migrant", "migrant worker", which is not entirely familiar to Kazakhstan legislation. But the term "migration" is more preferable.

Migration, being a kind of social movement, is the movement of people across the borders of certain territorial entities with a permanent or temporary change of residence for

various reasons, with different target orientation, regularity and duration in time (Firsov, 2012; Khnykin, 2010).

OBJECTIVE AND METHODOLOGY

In some regions, in some circumstances, poverty may act as the root cause of migration, while in other regions poverty will be the least propensity to migrate. In some regions, with the help of migration, the population will be able to exit poverty and vice versa, migration can aggravate poverty.

Nowadays, the main cause of migration (both internal and external) is the labour disarrangement of the population. According to Klechkovskaya (2010), labour migration is understood as the process of moving labour resources for the purpose of finding employment on more favourable terms than in the country of origin or region determined by the relationship between supply and demand in the labour market. In the conditions of economic integration in the territory of many countries of the post-Soviet space, the lag in the development of some of the states of the EAEU, the instability of the development of the economy and the irrational use of labour to solve economic problems attract labour migrants (Khorasani & Almasifard, 2017; Klechkovskaya, 2010).

At the moment more than 11 million people are participating in labour migration to the territory of the former Soviet republics; this is approximately 7% of the economically active population of the region (Gavrilov, 2008). Some of the major states in the region are characterized by economic stability and a relatively high level of wages, despite decline in production, the slowdown in GDP growth and the rapid growth of unemployment. These factors, combined with geographical location, visa-free regime, higher level of integration and convertibility of diplomas, form a dynamic labour migration within the CIS in favour of the Russian Federation and the Republic of Kazakhstan.

Migration has both positive and negative aspects. However, this Union enjoys more positive factors: Many sectors of the economy are developing, the flow of money transfers, etc. A special economic priority for countries of migrants' origin, thanks to money remittances, is a significant reduction in the balance of payments deficit, which helps maintain the level of the lagging sectors of the national economy. The interstate relations are being established thanks to the movement of the labour force. In addition, labour migration contributes to the growth of the shadow economy, the dumping of the average wage level, the formation of ethnic enclaves and the growth of interethnic tension.

According to the International Organization for Migration for the last 30-40 years, the number of labour migrants increased in 2.5 times; accordingly, volumes and remittances from labour migrants increased. Generally it means that migrant remittance means the transfer of cash that a migrant worker or immigrant in the country of achievement performs to relatives in the country of origin. Transfers can also include deposits, charitable contributions and investments by migrants in the country of origin; they can cover all areas of financial flows that are associated with migration.

RESULTS AND DISCUSSION

The official and the "unofficial" are the two main types of money transfers by labour migrants. National monetary transfer systems and specialized international systems are often used by official transfers such as Western Union, VIP Money Transfer and others that have been

working for years on their own. Each state has its own national transfer systems, which are implemented by banks and other financial organizations. The "unofficial" methods of money transfers are: The importation of money by migrants themselves, transfer through relatives and the transfer by couriers, guides, where informal channels are used, for example as "Hawalas".

"Hawala" is an alternative money transfer system or a system operating outside or in parallel with traditional banking and financial channels. Currently, it represents the largest money transfer system, which is used all over the world. "Hawala" is characterized by the trust and wide use of family and regional ties. Money is transferred through communications and communications between members of the network or dealers of the "Hawala" system (Interpol, 2000). The "Hawala" system was formed in Hindustan long before the Western-style banking system. This term is translated from Arabic as a bill, receipt. The modern meaning in Arabic banking jargon is "transfer" or "wire." In the Egyptian dialect of the Arabic language, "Hawala" (or "makassa") means barter, a direct exchange of values between people. In the modern sense of the word, it can be translated as "trust", as it reflects the personal connection between the participants and the confidential nature of financial transfers (what the fiduciary nature of transactions is called in the economy), which are not registered in the usual ways for financial institutions and banking institutions. Significant material values in the form of money, gold and precious stones move from country to country without accompanying financial documents. All financial transactions are performed during swap operations (by netting method) or in face-to-face meetings (the second happens much less often), the state control bodies cannot track these flows.

Abroad, studies on remittances and their role in the life of migrant households are increasingly being carried out. Global reports of international organizations (ILO, World Bank) in recent years have sections on remittances highlighting the growing role of migrant remittances in national economies. According to a study conducted by the World Bank, the earnings of migrant workers, their remittances, defined as the share of remittances in the gross national product of developing countries, play a large, statistically significant role in reducing poverty. On average, a 10% increase in the share of international remittances in the GNP leads to a 1.6% reduction in the proportion of people living in poverty. According to the conclusion of scientists, an increase of 10% in international migrants, defined as the share of the population of a country living abroad, leads to a 1.9% decrease in the proportion of people living in poverty (Page & Adams, 2003).

In Central Asia in the 2000s, a regional migration system is being formed, in which Kazakhstan is a country that accepts labour migrants and other countries in the region are "sending" countries. Russia remains the main country of achievement for all CIS countries, the centre of the post-Soviet migration system (Sadovskaya, 2005a). The formation of the regional migration subsystem is due to the uneven economic development, imbalance in the regional labour market, the difference in the demographic potentials of the countries of the region, the liberalization of migration regimes, geographical proximity and the influence of other factors. The main "attracting" factors in Kazakhstan was the improvement of the social and economic situation in the republic, the increase in the level of wages, unemployment, poverty made the RK a regional centre for the achievement of labour migrants. Simultaneously with the process of regionalization, modern labour migrations in Central Asia are increasingly influenced by global trends: They diversify in directions, actively direct the migration vector to the developed Western countries, join the world labour markets, form secondary labour markets in the countries of achievement and acquire other universal characteristics. The increase in remittances of labour

migrants in the republics, the strengthening of their role in raising the standard of living of households is global trends. In different countries of the CIS in the 2000s, the role of labour migrations and migrant earnings were studied, but only in recent years attention has been paid to the study of remittances of labour migrants themselves (Sadovskaya, 2005b).

According to the experiences of integration unions, it is known that the positive effect of remittances is short-term and requires rational use. N. Lytov, conducting his analysis of many regional associations, wrote that experience is particularly valuable both from the point of view of borrowing positive experience and to "work on someone else's mistakes": The advantage of a smart catch-up lies in the fact that he does not repeat the leader's mistakes (Lyutov, 2010). The government will be able to get the best effect by sending remittances to a specific sector of the national economy, to education and infrastructure. Nowadays remittances of labour migrants make a significant contribution to the development of national economies of the less developed CIS countries.

The effect of migration will be evident with a significant reduction in the scale of illegal migration and with a simultaneous increase of the legal migration. It is necessary not only to tighten grip that control the illegal, but also create a favourable climate for the legalization of illegal migrants by providing free state programs to upgrade the skills of low-skilled legal migrants. It will be useful to draw on the experience of other successful integration associations; first of all the experience in creating a unified system of information exchange with the leadership of the countries, which are the main flows of illegal migration. Moreover, we should pay special attention on the legal regulation of the rights and liability of transport companies for the transportation and return of illegal migrants to the country of origin.

CONCLUSION

It is necessary to consolidate the basic standards in the sphere of labour and guarantees of ensuring the rights of workers in the relevant sphere, thus creating only the foundation for the legal regulation of relations within the scope of labour law. The main criterion is a compliance with international standards in the world of work and the requirements of not only the conventions but also the Recommendations of the International Labour Organization on the regulation of labour relations directly related to them should be taken into account (Golovina, 2010).

The following items should be included in a number of state measures, which contribute to a significant reduction in the scale of illegal migration at the state and regional levels:

- Formulation of a full-fledged migration code, since labour and civil law does not sufficiently ensure the legal regulation of all aspects of migrants' activities;
- Development of regional monitoring centres for migration processes;
- The introduction of the most-favoured-nation treatment for highly skilled workers and researchers;
- Creation of a larger number of transport networks that promote internal mobility of the population among the participating countries.

And also creation of a committee in the bodies of the supreme legislative authority that controls the issues of legal regulation of economic and labour migration and the joint construction of complexes for the adaptation of migrants throughout the territory of the EAEU countries. It is very important that the labour relations of the employee are subject not only to the

law of the country of employment, but also to the law of the country of citizenship and this should be reflected in the labour contract itself.

It is necessary to form an effective unified labour market within the framework of the EAEU to harmonize and bring to the same pattern the migration laws of the member countries of the former Soviet Union.

REFERENCES

- Firsov, I.V. (2012). International labour migration and its impact on the economic security of the Russian Federation. *Migration Law*, 1, 26-31.
- Gavrilov, E.V. (2008). *Labour migration from the CIS countries to Russia: Socio-economic consequences and regulation*. The thesis of the candidate of economic science. RUDN. Moscow.
- Golovina, S.Y. (2010). On the issue of the need to adopt the fundamentals of labour legislation of the Eurasian economic community. *Labour Law in Russia and Abroad*, (3), 2-4.
- Interpol. (2000). *The Hawala alternative remittance system and its role in money laundering*.
- Khnykin, G.V. (2010). Some aspects of the legal status of labour migrants. *Labour Law in Russia and Abroad*, 3, 15-17.
- Khorasani, S.T. (2014). Design-Driven Integrated-Comprehensive Model CDFS Strategic Relationships. Paper presented at the *ASME International Design Engineering Technical Conferences and Computers and Information in Engineering Conference*.
- Khorasani, S.T. & Almasifard, M. (2017). Evolution of management theory within 20 century: A Systemic overview of paradigm shifts in management. *International Review of Management and Marketing*, 7(3), 134-137.
- Klechkovskaya, L.G. (2010). Labour migration and employment in the Russian Federation. *Migration Law*, 3, 19-23.
- Lyutov, N.L. (2010). Some considerations concerning the harmonization of labour legislation within the Eurasian economic community. *Labour Law in Russia and Abroad*, 3, 17-23.
- Ozhegov, S.I. (2010). *Explanatory dictionary of the Russian language*. Edn. by L.I. Skvortsova. Moscow: Onyx: Peace and Education.
- Page, J. & Adams, J.R.H. (2003). *International migration, remittances and poverty in developing countries*.
- Sadovskaya, E.Y. (2005a). *Labour migration in Kazakhstan in the 2000s: The latest trends*. Almaty: Galym.
- Sadovskaya, E.Y. (2005b). Remittances of labour migrants and their role in migrant households in Central Asian republics. *Central Asia and the Caucasus*. Almaty: MOM.