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Migration policy as a tool of prevention migration conflict

This article is analyzed the impact of migration policy on the regulation of migration conflict. It is defined the concepts of political migration and it is separating from migration conflict for political reasons and concepts of migration conflict. It is justified the migration of conflicts and solutions. This article is considered one of the classifications of models of migration policies and their effectiveness in addressing migration conflict.

Key words: migration, migrants, refugees, political migration, migration conflict, migration policy

МІГРАЦІЙНА ПОЛІТИКА ЯК ЗАСІБ УПЕРЕДЖЕННЯ МІГРАЦІЙНОГО КОНФЛІКТУ

В цій статті аналізується вплив міграційної політики на урегулювання міграційного конфлікту. Дається визначення поняттям політична міграція, її відокремлення від міграційних конфліктів за політичних причин та поняття міграційний конфлікт. Обґрунтовуються особливості міграційних конфліктів та шляхи вирішення. Розглянуто одну з класифікацій моделей міграційної політики та їх ефективність при вирішенні міграційного конфлікту.

Ключові слова: міграція, мігранти, біженці, політична міграція, міграційний конфлікт, міграційна політика

IMIGRACYJNA POLITYKA JAKO SPOSÓB USZCZERBKU MIGRACJI KONFLIKTÓW

Ten artykuł analizuje wpływ polityki migracyjnej na rozliczenia migracji konfliktu. Definicja pojęcia migracji politycznych, jego izolacja od konfliktu migracji z powodów politycznych i koncepcji migracji konfliktu. Sporom i rozwiązań, zwłaszcza migrujące. Jest uważany za

jeden z klasyfikacji modeli polityki migracyjnej i ich skuteczności w radzeniu sobie z migracją konfliktu.

Kluczowe słowa: migracja, migranci, uchodźcy, migracji polityczny konflikt migracji, polityka migracyjna

Today the modern world appears as a complex, dynamic, multisystem formation. The theme of international migration has been increasingly important in recently decades. The processes of globalization, uneven economic development of countries and regions, geopolitical changes, political conflicts – all it leads to increased migration. In modern realities it is observed intensification of international migration by political reasons. Globalization and internationalization lead to the acceleration of these processes. Migration processes affect all areas of life in a «taking» and «giving» society. Their gain determines the tension between migration's communities and the local population and it leads to the migration crisis, which can be transformed in the migration conflict by certain conditions later. As a rule, the latter becomes a threat to the political stability of the country and has the ability to influence the formation of a model of migration policy.

Migration processes become the object of political control and regulation, but their proper efficiency cannot be achieved without the development of relevant scientific knowledge and to put into political activities. Migration policy has been done complex effects on migratory flows for their streamlining with the establishment of appropriate social and economic conditions, the adoption of laws and regulations to comply with domestic interests of the state, and it has been through bilateral and multilateral agreements in foreign policy.

The problems of migration studies are included in the priority range of interests, both foreign and domestic scientists.

The study of migration began in the end of the nineteenth century and covered issues of demography. It was done by foreign scholars. The first theory of the migration process was put forward by the British scholar E. Ravenstein. He was one of the first who tried to formalize laws and concepts in the sphere of migration processes in 1885. Some approaches of Ravenstein (for example, those in which the majority of migration is short-distance migration flows generate counter flows and associated with technical development, etc.) have stood the test of time and they have been remaining fundamental in the works of modern scientists. On the basis of his works has developed many scientific theories of migration.

Many scientific theories of migration have developed with the basis of his works. Another scientist, who created the migration theory and contributed to the study of migration, is American scholar Samuel Stoffer. He invented the theory of interaction between mobility and range. Most of the theories of the migration process are intended the question of the distance migrants move. The distance is established as the main factor of migration in classical theories

of migration. Such theories include the theory of migration of least resistance, it was developed by American linguist and philologist George Kingsley Zipf.

His theory was designed to examine processes and internal migration laws and the effect of distance on internal migration. There are also interesting the works of S. Everett, William Arthur Lewis, Wilbur Zielinski, Stephen Castles and Mark Miller, Saskia Sassen, Douglas Massey, and others.

In domestic political science migration problems have studied since the 60th of XX century. The researches are associated with the study of socio-demographic, socio-economic and labor migration issues.

The general theories of migration and the analysis of various aspects of their socio-political importance have devoted the works of G. Vitkowski, J. Zajaczkowski, A. Vishnevsky (problems of forced migration), V. Perevedentsev and others. The ideas of T. Zaslavskaya and L. Rybakovskii have taken a special place in the scientific literature. T. Zaslavskaya's ideas are about migration behavior, the subjective factor influence on decision-making mechanisms that relate to migration and others. L. Rybakovskii says about three-stage migration process. The first step is the creating prerequisites for the territorial mobility of the population. The second is the actual movement, migration, change of territorial status. The third stage, the stage of completion of the migration process, is connected with the survival of immigrants in a new place. It should be noted scientific direction – mihratsiology that was developed by B. Horev and V. Iontsev. It is based on the idea of an integrated approach to the study of general mobility of the population migration.

Ukrainian scientists: sociologists, demographers and political scientists have studied the problems of migration in Ukraine since their appearance. They are S. Pirozhkov, A. Homra, V. Bannih, O. Babenko, O. Malinovska, A. Dovgert, V. Evintov, V. Novik, V. Olefir, O. Ovsyuk, O. Piskun, N. Plahotniuc, I. Pribitkova, Y. Rimarenko, M. Shulga, S. Chekhovichetc. However, the problem of migration and their prediction is still unsolved. The formation of the migration policy of Ukraine is relevant today. The mechanisms effectively combat illegal migration and prevent its negative manifestations haven't determined finally.

Studies of conflicts in domestic and foreign science become a relevant for writing the article.

Domestic conflictology is represented by the works of such scholars as V. Kryvolapchuk, A. Datsyuk, S. Rostetska, D. Sherenhovskyy, T. Zaporozhets, I. Stankevich, I. Hladunyak and others. The problems of conflicts among foreign authors are decisive in the interpretation of socio-political phenomena in scientific works of V. Pareto, E. Durkheim, T. Parsons, G. Darrendorf.

The purpose of this article is examining aspects of migration conflicts and preventing such conflicts through migration policy.

Modern world migration has not lost its initial and the inner core – voluntary resettlement outside the country for permanent or temporary settlement in another country.

The concept of «migration» is missing in the UN Charter and the Universal Declaration of Human Rights of 1948, despite the fact that the latter is legally enshrined as one of the basic human right of freedom of movement and residence change. At the same time, in the Glossary of the UN for migration very clearly defines the concept of «migrant», which refers to the person who lives temporarily or permanently in the country in which he was not born, but has acquired significant social ties to this state. Thus, according to the UN definition, migration is a process in which participants are free to choose and the direction of movement, and the presence of social ties with a particular state say about the impact of migration on the development of political, economic and socio-cultural sphere ¹.

There is the concept of «political migration»; it is an important factor in the study of migration processes. Political migration is one of the types of political migration's process, cross-border population movements due to the worsening political situation or a change in political regime in the country. Political migration can be both individual and mass. It has the possibility of the influence of immigrants on the domestic and foreign policy.

The other is the concept of migration processes for political reasons. Migration flows, that are formed in this case, are divided into internal political migration - it is the territorial displacement with temporary or permanent change of residence within the same country because of the worsening political situation within the country (internally displaced persons) and external (foreign) political migration – the cross-border population displacement outside the country with the change of permanent residence in connection with the aggravation of the political situation (refugees) or in the event of war.

The famous scholar G. Vitkovska identifies four groups of cross-border migrants: refugees, forced migrants first order, second order forced migrants and immigrants.²

She notes that refugees are representative of the most rigid form of forced migration associated with the use or threatened use of violence in moments of extreme strengthening of certain factors that have been pushed them. Most refugees come from countries where the political situation is tense due to military conflict or change of political regime. In some cases, refugees are a threat because of religious conflicts.

The UN Convention defines a refugee as a person who owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, he is outside the country of his nationality and it is unable to enjoy the protection of that country, or unwilling use such protection owing to such fear; or, not having

¹ **Всеобщая декларация прав человека:** резолюция 217 А (III) Генеральной Ассамблеи от 10 декабря 1948 года. // [Электронный ресурс]. – Режим доступа: http://zakon2.rada.gov.ua/laws/show/995_015

² Витковская Г. С. Вынужденная миграция: проблемы и перспективы / Г. С. Витковская. – Москва: Ин-т народнохоз. прогнозирования, 1993. – С.44

a nationality and being outside the country of his former habitual residence as a result of such events, is unable or unwilling to return for such fear.³

In Ukraine, a refugee is a person who is not a citizen of Ukraine and due to well-founded fear of being persecuted for reasons of race, religion, nationality, citizenship (nationality), membership of a particular social group or political opinion, is outside the country of his nationality and is unable to use the protection of that country or unwilling to use such protection owing to such fear, or without nationality (citizenship) and being outside the country of his former habitual residence, is unable or unwilling to return to it because of these fears⁴.

Forced migrants of the first order or actual forced migrants are people who have withstood the effects of inter-ethnic relations in the form of insults and threats from the persons of the indigenous nationality, the different types of discrimination. They have suffered a sharp deterioration in their health or family members from diseases associated with environmental conditions and were forced to change their permanent residence, emigrating abroad.

Forced migrants of the second order or forced migrants fear are preventive forced migrants. The main feature of such migrants is the lack of motivational factors and the absence of a direct threat to life and health.

To the settlers included the people who have been pushed by the motivational basis. In addition, they have had a reliable local support in the face of friends, relatives and acquaintances and they have the ability to take an objective property. This category of people would not be confused with internal migrants.

Migration for political reasons can lead to migration conflicts.

Migration conflict is a clash of opposing socio-political interests and views between indigenous people and migrant groups, whose actions are aimed at achieving incompatible goals or those that are mutually exclusive.

There are two forms of migration conflict: latent and open. When the migration conflict is in a latent form, it will be the struggle within social groups on the level of rejection of each other, but without confrontation between them. For example, a confrontation could be rejection of language, culture, customs and the reluctance of the parties to find a compromise way out of this situation. The latent conflict can be transformed to an open migration conflict. Open migration conflict is a conflict of migratory and indigenous population, which may lead to aggravation of the political situation in the country and threaten regional security⁵.

Migration conflict is a type of political conflict, because it affects the activity of administrative institutions, affecting the modalities of this activity to their structure, on the kind of policies.

³ Конвенція про статус біженців від 28 лип. 1951 р. // [Електронний ресурс]. – Режим доступу: http://zakon2.rada.gov.ua/laws/show/995_i38

⁴ Про біженців та осіб, які потребують додаткового або тимчасового захисту [Електронний ресурс] // Відомості Верховної Ради України, 2012. – № 16. – Ст. 146. Режим доступу: <http://zakon5.rada.gov.ua/laws/show/3671-17>

⁵ Coser Lewis The Functions of Social Conflict / Lewis Coser. – New York: The free Press, 1964. – P. 72

Extremely negative attitude to political conflicts is false. It is possible to highlight the following positive aspects of the conflict: promoting a socially required balance; guarantee the development of society by exposing conflicting interests, creating opportunities for scientific analysis and determine required changes; assistance to strengthening of loyalty of the structural units involved in the conflict. The transformation of migration policy is determined by the migration conflict and this conflict can be resolved by the migration policy⁶.

It is difficult to avoid migration of the conflict nowadays. For example, there are the recent events in Europe that have occurred at the time of the migration crisis (France, Germany, Belgium).

The current political conflictology focuses on the choice behaviors in a conflict situation. Researchers distinguish moral and legal (regulatory), power, realistic and idealistic style of behavior in political conflict.

Moral and legal (regulatory) approach are involved the resolution of conflict by legal and moral norms. For the one hand, the power approach is used in conditions of inequality of partners and does not to eliminate the causes of conflict, and for another hand, it threatens the escalation of the conflict. The realistic approach sees the conflict as an innate human desire for domination. And since all cannot dominate, it is forcing those who rules over those subordinate. This method is called forced-negotiation method.

Idealistic style of behavior in the conflict assumes that all the stakeholders establish relationships that are acceptable to all. The source is a thesis that at the time of the conflict, all parties are lost and after its liquidation all will win.

The main successful ways of solving the political conflict is traditionally referred the localization of the conflict, de-escalate, a compromise or consensus.⁷

According to the classification of S. Trykanova, there are four models of migration policy in Europe: Imperial, ethnic, liberal and multicultural.

Imperial model assumes that all members of the nation are objects of a single authority or a ruler. The modern liberal state doesn't apply to this type. If we talk about the historical representatives of this type, it will be treated the Russian, Austro-Hungarian and Ottoman empires.

Ethnic model establishes a national identity on common historical root, it is in a common language, culture, and belonging to a single ethnic community. This type excludes migrants with a distinctive culture and other ancestral roots from among the full members of the nation. "Jus sanguinis" is determined similar kind of policy. The adoption of the citizenship provides the absolute assimilation, does not allow any concessions.

The Republican model primarily defines the status of belonging to a political community. Immigrants become full citizens of the country, if they accept its policies. The citizenship is

⁶ Ростецька С. І. Управління політичним конфліктом: теоретичні аспекти та українська пострадянська дійсність: автореф. дис. на здобуття наук. ступеня к. політ. наук: спец. 23.00.02 «Політичні інститути та процеси» / С. І. Ростецька. – Одеса, 2006. – С. 8.

⁷ Дарендорф Р. Современный социальный конфликт. Очерк политики свободы. / Дарендорф Р. – Москва: Издательство «Росспэн», 2002. – С. 34 - 37

treated as preconditions that facilitate integration into the community, and it is not result of this process (as it is in the ethnic models). The Republican principle is reflected in the «Jus soli», which gives citizenship to any child, who was born in the lands of the country. For this law, immigrants of foreign descent could acquire citizenship relatively easily.

The multicultural model is based on the idea that cultural differences within societies are normal. Immigrants is going to be full users of the education system, labor market, and housing, as well as full-fledged participants in the democratic process of decision-making. For this model, the priority is to achieve equality before the law. This is largely supported by simple laws of citizenship. In this model, the states can compare foreign visitors and the local population in political rights ⁸.

This policy can be called «policy integration». Ukraine supports this model now. This is due to the historical development of our country, and through the multinational composition of the population in the country. Such a policy is inappropriate in terms of the migration crisis and migration conflicts, because it is not able to resolve the immigration conflict and reduce tension within the country, which was confirmed in practice. It is necessary to create a model of migration policy in modern conditions, which will reduce the percentage of the migration-conflict society. In the country should gradually equalize immigrants in the political and social rights of the local population, as well as it is increased of the situation by political institutions. The state should promote the socialization of migrants and intercultural interaction between them, but without assimilation of local people in socio-cultural environment of immigrants.

Today migration processes are global and a natural phenomenon in the world. It is observed intensification of cross-border migration for political reasons in modern realities. Political migrants and forced migrants for political reasons are distinguished by modern science. The forced migrants for political reasons exaggerate all other categories of migrants in quantitative characterization. The intensification of migration flows is a reason for having migrations conflicts. Migration factor is politicized in conflict. The means of preventing migration in the conflict may be migration policies. It can timely detect background, objective and subjective reasons and motives of conflict, seek the best ways to timely resolution, transfer of a violent forms of non-violent. Migration policy of the state is not only affecting the de-escalation of the conflict, but also it is transformed by itself under pressure from civil society or the state (new items or vector is changing migration rate). This had happened to a multicultural model of migration policy before, because it was not able to prevent conflicts migration in practice. Transformation of migration policy can find a way out of the migration crisis and it is prevailing not only in cross-border migration, but also internal migrants in the states.

⁸ Трыканова С.А. Вопросы организационно-правового регулирования управления миграционной политикой в кризисных ситуациях (опыт ЕС) / С.А. Трыканова // Миграционное право. – 2011 – № 3. – С. 5 – 6

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