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INTERNATIONAL AND STATE REGULATION OF MIGRATION PROCESSES AND DEVELOPMENT OF THEIR STRATEGIES

МІЖНАРОДНЕ І ДЕРЖАВНЕ РЕГУЛЮВАННЯ МІГРАЦІЙНИХ ПРОЦЕСІВ ТА РОЗРОБКА ЇХ СТРАТЕГІЙ

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Добрянська Н.А., Ніколюк О.В., Прилепіна Н.В. Міжнародне і державне регулювання міграційних процесів та розробка їх стратегій. Науково-методична стаття.

В даній статті досліджено нелегальну міграцію. Описано наявність проблем у боротьбі з нелегальною міграцією, негативні наслідки для України, потреба вироблення ефективних шляхів протидії в сучасних умовах. Виявлено шляхи подолання прогалин і протиріч в національному міграційному законодавстві. Охарактеризовано стратегії і стратегічні альтернативи та визначено перспективи подальшого розвитку. Проведено SWOT-аналіз процесу державного управління у сфері протидії нелегальній міграції. Запропоновано всі поточні можливості для удосконалення зазначеного процесу.

Ключові слова: міжнародне регулювання, міграція, державна політика, мігранти, стратегія

Dobrianska N.A., Nikoliuk O.V., Pryliepina N.V. International and state regulation of migration processes and development of their strategies and development of its strategy. Scientific and methodical article.

This article examines illegal migration. The existence of problems in the fight against illegal migration, negative consequences for Ukraine, the need to develop effective ways to combat in modern conditions are described. Ways to overcome gaps and contradictions in the national migration legislation have been identified. Strategies and strategic alternatives are described and prospects for further development are identified. A SWOT analysis of the public administration process in the field of combating illegal migration was conducted. All current opportunities for improvement of the specified process are offered.

Keywords: international regulation, migration, public policy, migrants, strategy

The urgency of the topic is connected, first of all, with the last decades the geographical position of Ukraine began to be actively used for the purpose of illegal migration, transportation of migrants and human trafficking. At the same time, Ukraine plays an important role in curbing the flow of illegal migration from the East to the countries of Central and Western Europe. The subjects of illegal migration through the territory of Ukraine are the population of the CIS countries and Asia. Mechanisms for effectively combating illegal migration and preventing its negative effects have not been definitively defined.

Analysis of recent research and publications

Over the past few decades, an important scientific contribution to the study of migration processes has been made by scientists: Balanyuk D, Gaidutsky A., Libanova E., Malinovskaya O., Purigina O., Rymarenko Y., Savchenko O. Despite a fairly thorough study of migration processes in the scientific field there is a shortage of scientific research in the field of developing strategies to combat illegal migration in Ukraine [1].

Today, one of the characteristic trends in the development of international migration is a steady increase in the scale of illegal migration, its spread is due to various economic and socio-political factors. The strengthening of immigration control in developed countries, to which the main immigration flows are directed, has affected almost all categories of migrants, limited the possibilities of legal entry and has led to more active use of illegal channels. This

necessitates the solution of problems in the field of combating illegal migration caused by the growth of this illegal phenomenon on a transnational scale, the emergence of new trends, as well as disappointing statistics of world organizations on the number of illegal immigrants.

The aim of the article is to develop a strategy designed to draw attention to migration problems, direct and unite society to solve them, ensure the relationship of migration policy with other areas of state activity, the transition from response policy to internal and external factors in the field migration to a more active and targeted policy.

The main part

The existence of problems in the fight against illegal migration, the negative consequences of this process in Ukraine, require the development of effective ways to combat in modern conditions, in particular:

- to further improve the systematic approach in the activities of central executive bodies to perform tasks at the state level (MIA, LCA, SBGS);
- identification and blocking of the most dangerous channels of migration to Ukraine by improving visa policy and the quality of border control, stopping the entry of illegal migrants into the country on the border with Russia, Belarus, Moldova;
- detection and detection on the territory of Ukraine of criminal groups engaged in the organization of smuggling of illegal migrants, production and provision of forged documents;
- determining the procedure for providing transport services to citizens from the countries of origin of the largest number of illegal migrants;
- creation of a single automated system of information support of law enforcement agencies in the fight against illegal migration;
- creation of an effective mechanism for deportation of illegal migrants to their places of permanent residence or to the countries from which they arrived. To do this, it is necessary to conclude appropriate intergovernmental agreements, create places of temporary detention, attract funds from organizations that profit from the reception of foreigners in Ukraine, and so on.

The First Session of the Ad Hoc Committee for the Development of the UN Convention against Transnational Organized Crime and International Legal Instruments on Preventing and Suppressing International Trafficking in Women and Children and Combating the Illicit Traffic in and Transport of Migrants was held in Vienna on 19-29 January 1999.

In the speeches of the delegations of many countries it was emphasized that illegal transportation of people has become an international phenomenon, because, as a rule, such migration takes place through 5-6 countries, is a source of high income, poses a national threat to many countries.

Countries in Africa, the Middle East, Latin America and China have insisted on addressing the full range of migration issues, not just organized

crime, including improving international cooperation to enhance organized migration, visa facilitation, and the resumption of family ties, living in different countries, addressing labor migration.

Representatives of many countries have argued that illegal migrants are generally not victims but accomplices to crimes, so the question of their release from full responsibility is premature.

Developing countries have insisted on establishing bilateral links between the countries of departure of illegal migrants and countries of entry in order to combat the smuggling of illegal migrants more effectively.

All these problems are quite relevant for Ukraine, the countries of transit and the final destination of illegal migrants, as well as for countries whose citizens are engaged in illegal labor migration in Eastern and Western Europe.

The issue of stopping transnational organized crime related to the smuggling of migrants should be based on the understanding of immigration as a transnational phenomenon, which includes, on the one hand, organized immigration, regulated by the legislation on refugee status, asylum, naturalization of foreigners and agreements on labor immigration, and on the other hand, illegal immigration, which operates outside the legal field of current legislation.

Nevertheless, while strengthening measures to combat illegal migration, improving legislation governing legal migration, it remains questionable for countries to eradicate transnational organized crime, as:

- repressive measures against organized crime will increase the demand for their services by those who organize illegal transportation, increase "prices" for these services;
- it will be against the interests of a significant number of impoverished unemployed people in some countries, including Ukraine, which use illegal labor immigration as the only way to survive;
- It will be against the interests of countries with underdeveloped and transition economies, as the money earned abroad by their citizens is used to strengthen the domestic economy, such as investing earned currency in housing construction, buying domestic goods, opening small businesses and more.

It should also be noted that cheap labor of illegal migrants is needed by certain segments of the population of Western countries. Otherwise, wherever they find housing, work, etc.

Therefore, along with the diversification of ways to combat transnational organized crime, measures need to be taken to increase the opportunities for organized immigration. And only in a complex it is possible to overcome the most organized crime.

As for the causes of this social evil, they are, in principle, known: poverty, unemployment, disintegration of a society, unequal economic conditions, including the so-called feminization of poverty, the opposition of men's human rights to women's rights.

So, we are talking about criminal business, sex business as a manifestation of corporate interests of criminal, sometimes mafia structures. Trafficking in human beings came in third after arms and drug trafficking.

Another reason for human trafficking is the significant restriction of political and civil rights in certain countries, the demographic "explosion", which will lead to an increase in the XXI century population in the world up to 10-11 billion people.

It was found that the decline in living standards, which in different ways affects the welfare and income of citizens, almost automatically leads to a large-scale increase in a country's emigration sentiment, which is stimulated, first, deteriorating conditions and conditions of employment, education, health care, and, secondly, higher and better than national standards socio-economic situations, which are developing, improving, in foreign, including neighboring countries. It has been determined that there is a critical threshold at which migratory sentiments cease to be simply "emotional motives" and are clearly transformed into exit intentions stimulated by foreign preferences, sometimes imaginary [1].

In general, migration is facilitated by: uncontrolled borders and/or strict customs border controls; cultural foreign expansion; unfair competition for jobs; overload of special services.

According to the legal basis, migrants are divided into three groups: a) legal; b) illegal; c) semi-legal. The latter once went abroad legally, had a visa, but after its expiration refused to leave the country and remained in it.

They also include persons who arrived in a country with a tourist visa and got a job; students, "businessmen" – the so-called "shuttles", settling in a permanent place of residence in other countries, engaged, incidentally, in the criminal business.

They are joined by so-called deniers, ie persons who have been denied refugee status or political asylum. Suffice it to say that only 20 to 25% of those who refuse in Western Europe return home voluntarily or with the assistance of the host country.

The point is, first of all, that direct control over the restriction of migration would be complemented by "economic aid" to "non-free" countries and measures of so-called preventive diplomacy.

Foreign investment, the institution of trade, assistance in the field of economic development and international migration, employment, the environment, and the improvement of demographic problems should continue to be fully used.

It is time to take immediate action to prevent illegal migration and trafficking, to address the threat, including addressing the specific needs of vulnerable groups such as women heads of household, homeless children, victims of torture, the elderly and the disabled.

Perhaps the most important is the implementation of the principle of international cooperation – solidarity and the sharing of large flows of refugees

and displaced persons in need of international protection and assistance.

That is why the migration policy of states, in general, should be based on the recognition of the right to development and the relationship between development, democracy and human rights, the development of new and comprehensive strategies in the field of migration to address unemployment and social disintegration, use migration processes as a benefit to the development of countries, as an important condition for achieving progress in the pursuit of justice, development and peace.

Other equally important measures include implementing the concept of temporary asylum for refugees and displaced persons, as well as assisting in the implementation of special "Voluntary Return Programs" implemented by the International Organization for Migration (IOM).

As for Ukraine, first of all it is a question of overcoming of gaps and contradictions in the national migration legislation by:

- accession to international agreements governing external and internal migration; making additions and clarifications to those regulations that require it (to the Laws of Ukraine "On Refugees and Persons in Need of Additional or Temporary Protection", "On Immigration", etc.);
- involvement in the practical use of political decisions, intergovernmental mechanisms developed by the International Conference on Combating Uncontrolled Illegal Migration and aimed at curbing the influx of immigrants to Eastern and Central Europe;
- maximizing the benefits of the Budapest Group, especially on the international criminalization of smuggling, the implementation of readmission agreements, the international exchange of information in the field of illegal migration and smuggling, the development of projects to promote Central and Eastern European countries, international cooperation on return illegal migrants to the Homeland;
- maximizing the use of the World Alliance's work against trafficking in women, the Hague Ministerial Declaration on Effective Measures to Prevent and Combat Trafficking in Women, the recommendations of the European Parliament and the Council of Europe;
- developing lecture courses for civil servants and migration officials on topical migration issues, including illegal migration and human trafficking;
- deepening the study, research, understanding of migration processes, meticulous migration awareness of the practical social consequences of the implementation of state migration policy. It is about the urgent need for research substantiation of migration principles, scientific support of public administration and social regulation in post-Soviet states;
- resolving the issue of bringing the current legislation of Ukraine in line with international law prohibiting the exploitation of prostitution,

- pimping, trafficking in women (accession to the Conventions of 1949 and 1956 "On Combating the Exploitation of Prostitution by Third Parties" and "Abolition of Slavery");
- ensuring the prompt exchange of available information on the problems of illegal migration and trafficking in human beings, introduction of the practice of bilateral and multilateral exchange of experience in order to study and improve skills used in the fight against such crimes;
 - further study at the national and international levels of the relationship between illegal migration and trafficking in women, their lucrative and other exploitative exploitation with other forms of organized crime;
 - elaboration and arrangement of adequate measures of legal confrontation;
 - comprehensive support for the activities of international, regional and national non-governmental organizations dealing with illegal migration and trafficking in human beings (women);
 - strengthening the responsibility for offenses related to illegal migration and making appropriate legislative proposals in the prescribed manner;
 - intensification of the negotiation process on the conclusion of international agreements with migration risk states on the readmission of persons;
 - development and implementation of an action plan to combat various forms of trafficking in human beings and provide assistance to persons, including women and children, who have become victims;
 - Continuation of work on creation and provision in accordance with international standards of activity of the network of points of temporary stay of foreigners and stateless persons who are illegally staying in Ukraine;
 - promoting the provision of adequate and appropriate medical services to migrants detained in temporary stays of foreigners and stateless persons who are illegally staying in Ukraine;
 - increasing the effectiveness of border and internal migration control;
 - raising funds from international organizations to address issues related to illegal migration.

The theoretical and practical knowledge acquired in this way will contribute to the successful research support of migration policy and social technologies, and qualified personnel, and public support.

The main ways to smuggle illegal migrants through checkpoints are the use of valid passport documents along with invitations from fictitious individuals or non-existent enterprises, forged invitations from educational institutions, as well as foreign and forged passports, including European countries, a certificate of permanent (temporary) residence in Ukraine, and during transit through Ukraine the use of a double package of passport documents.

At the same time, outside checkpoints, illegal

migrants are usually transported by small groups (3-4 people each) on their own, when migrants are "equipped" with mobile devices and GPS navigators, or accompanied by assistants from local border areas or representatives of foreign diasporas [2].

A necessary component of migration policy is a set of measures to combat illegal migration. The prevalence of this negative phenomenon requires the creation of effective measures to combat illegal stay in the country, to punish those who illegally use the work of foreigners and to address deportation and legalization. Effective measures to combat illegal migration include: fines for employers who use illegal labor; reimbursement of expenses for the return of the employee to the donor country; strengthening control over the activities of organizations that provide codon employment services and act as intermediaries in hiring labor; strengthening border control, combating human trafficking, etc. Measures to combat illegal migration in different countries are listed in table 1.

After analyzing Table 1, I can conclude that Belgium is combating illegal migration with fines for entrepreneurs for hiring each illegal worker. In Italy, in recent years, due to the fact that the EU authorities have banned mass legalization, the authorities are conducting a "selective settlement of labor relations". This is especially true for the category of "domestic workers" and "caretakers" employed in construction and other industries, where there is a shortage of labor or there is a need to increase competitiveness through cheap immigrant labor. According to the law, immigrants who do not have visas are sent to the Special Center and after a maximum of 60 days are deported without the right to enter for 10 years. The owner of a business that uses the labor of illegal immigrants pays a fine of 5,000 euros for each. In Canada, strict measures are taken to combat illegal migration. Yes, immigration officials can arrest foreigners as well as those who have a residence permit and have violated immigration laws. At the same time, they have the right to appeal to an independent appeal committee. After special hearings in the committee, a person who has violated immigration laws must be deported. Japan has strict laws on the stay of foreigners and one of the world's most advanced accounting systems. Biometric control for all foreigners entering the country (fingerprints and photography).

Currently, such a direction of migration policy in relation to illegal migrants as legalization is becoming widespread. Belgium, Greece, Spain, Italy, Portugal, Switzerland and other countries have resorted to amnesties, which consisted of legalizing residents who lived illegally and were not seen in violation of the law, worked and earned the necessary income. But a number of countries oppose the legalization process, as it could be an incentive to increase the number of illegal migrants in the future (Australia, Germany, Denmark, Norway, Japan).

For modern Ukraine, the study of the experience of legalization processes is useful both for the donor country in terms of protecting citizens who go to work abroad and addressing issues of their social security,

conditions of stay and return home. It is also important for Ukraine to apply the experience of using effective measures to combat illegal migration to strengthen border controls, reduce labor smuggling,

conclude bilateral interstate agreements, international agreements on joint border protection, the fight against organized crime and more.

Table 1. World experience in combating illegal migration

Country	Measures to combat illegal migration
Belgium	Penalties (in the amount of up to 500 thousand francs) have been imposed on entrepreneurs for hiring each illegal worker.
Great Britain	In order to combat illegal migration, annual quotas are set for migrants from non-EU countries. There is a database, which contains information about all those who crossed the border and remained in it illegally. All of them are subject to deportation, further entry into the UK is closed to them.
Italy	Multilateral cooperation with the countries from which the flows of migrants come and go is actively developing. These include financial assistance, investment in production development and job creation. By legalizing, the Italian government is trying to meet the needs of business and the social services system, where there is a need for labor. In recent years, due to the fact that the EU authorities have banned mass legalization, the authorities are conducting a "selective settlement of labor relations." This is especially true for the category of "domestic workers" and "caretakers" employed in construction and other industries, where there is a shortage of labor or there is a need to increase competitiveness through cheap immigrant labor. According to the law, immigrants who do not have visas are sent to the Special Center and in a maximum of 60 days are deported without the right to enter for 10 years. The owner of a business that uses the labor of illegal immigrants pays a fine of 5000 euros for each.
Canada	The legislation provides for strict measures to combat illegal migration. Yes, immigration officials can arrest foreigners as well as those who have a residence permit and have violated immigration laws. At the same time, they have the right to appeal to an independent appeal committee. After special hearings in the committee, a person who has violated immigration laws must be deported. The law provides severe penalties for those involved in illegal migration and trafficking: life imprisonment and a fine of C \$ 1 million. These measures are in line with the content of two new UN protocols stating that human trafficking and trafficking should be considered criminal offenses. Persons who forge documents or engage in forgery in order to facilitate illegal migration are punishable by 5 to 14 years in prison.
Japan	There are strict laws on the stay of foreigners and one of the world's most advanced accounting systems. Biometric control for all foreigners entering the country (fingerprints and photography). Illegal stay of foreign nationals at least leads to deportation from the country, and in the case of malicious violations entails criminal liability and imprisonment. In 2012, new rules for the registration of foreigners came into force, aimed at strengthening control over their residence and work. A fine of 200000 yen (about \$ 2,500) was imposed if a foreigner did not report a change of address within 14 days; he may be deported if he fails to do so within 90 days. An entrepreneur who illegally hires a foreigner faces up to 3 years in prison or a fine of up to 3 million yen (\$ 37.5 thousand). The Immigration Service, together with the police, monitors the possible residence of illegal migrants.

Source: compiled by authors on materials [1].

To develop a strategy, it is necessary to analyze strategic alternatives and determine the prospects for further development. To this end, we will use the widely used method of SWOT-analysis, which makes it possible to systematize the existing internal strengths and weaknesses, as well as to identify external opportunities and threats. Systematization of the information available as a result of the analysis allows to form all prospects of the SWOT matrix and to define the plane of possible strategies of the state in management of processes of counteraction to illegal migration (table. 2) [3].

SWOT-analysis of the process of public administration in the field of combating illegal migration, in our opinion, does not contain the prospect of "strengths and opportunities", as almost all current opportunities to improve this process lie in the prospects of Ukraine's international cooperation with other states and non-governmental organizations. to overcome the existing weaknesses of the system of Ukrainian state management of migration processes. Table 2 also formulates the basic strategic directions of the state's work, which allow to specify the tasks in the field of management in the field of combating illegal migration in Ukraine. As can be seen from

table. 2, today, within the framework of the state management system alone, it is virtually impossible to really influence the factors that exacerbate the problematic trends in the issue of illegal migration. Therefore, at the current stage of improving the system of public administration in the field of combating illegal migration in Ukraine, the most relevant and priority is the introduction of the so-called "strategy of concentration in bottlenecks."

This strategy provides a priority solution to the problems that can be overcome within the modern system of public administration of illegal migration.

First of all, it is the fight against illegal migration, the fight against organized criminal groups that carry out organized trafficking of illegal immigrants and informational and educational activities aimed at informing the population about the threats of illegal migration.

To implement this strategy, which is the first step in building an effective process of public administration in combating illegal migration in Ukraine, the necessary organizational changes are the recognition of the leading role of the State Migration Service as a body responsible for migration issues. In addition, the inclusion of issues related to the

implementation of the migration strategy is relevant today not only from the standpoint of combating illegal migration to Ukraine, but also combating illegal transit migration. The use of homogeneous methods to solve this problem (prevention and

detection of organized criminal groups, which are usually engaged in building channels of illegal migration – both transit and exit) will solve the two most pressing migration problems of the Ukrainian state.

Table 2. SWOT-analysis of management in the field of combating illegal migration in Ukraine

Analytical perspectives		
Weak sides	Threats	Opportunities
A number of international agreements in the field of illegal migration and human trafficking have not been ratified	high transit potential, development of transport infrastructure of Ukraine and neighboring countries (Russia, Belarus, Moldova) and close geographical location to EU countries.	cooperation with other countries on the return of illegal migrants under readmission agreements.
De facto avoidance of punishment by traffickers due to corruption of the authorities and the judiciary	activity of citizens from the Middle East, Southeast Asia and Africa to obtain Ukrainian visas.	use of informational, methodical, organizational and financial assistance of other countries and interstate institutions.
There is no criminal liability for certain actions that may contribute to human trafficking	activities of a large number of national diasporas and fellowships in the country, which provide conditions for illegal and semi-legal migration, legalization of illegal migrants, conducting illegal financial transactions, involvement in illegal activities.	involvement of non-governmental, charitable international organizations in the fight against human trafficking.
Relatively low requirements for licensing and verification of potential intermediaries of illegal migration	lack of administrative means and mechanisms to control the stay of foreigners in the country.	use of positive experience in organizing the fight against illegal migration.
Insufficient experience and qualification of civil servants in the fight against illegal migration	low level of migration control over foreign students.	The strategy of "translation of world experience and opportunities for cooperation" is an auxiliary strategy for intensification of changes, more effective concentration of efforts in the bottlenecks of the management process in the field of combating illegal migration in Ukraine.
There are no clear principles of cooperation with institutions of other countries in the detection of crimes of illegal migration and human trafficking	favorable conditions for the stay of illegal migrants in the country.	
There is no single information system on cross-border travel and residence in Ukraine	high level of criminalization of illegal activities on illegal movement of migrants.	
The population is not sufficiently aware of the risks of illegal migration	The strategy of "concentration in bottlenecks" is a priority solution to the problems of illegal migration and human trafficking, followed by the transfer of lessons learned and positive changes to other parts of the migration management process. Further study of the problem and conduct in-depth research on the quantitative measurement of issues that will form the basis for the development of larger government initiatives.	
There is no control over information on migration in the media, the Internet		

Source: compiled by authors on materials [3].

In our opinion, the use of opportunities for international cooperation and the translation of world experience to solve these problems will help increase the effectiveness of this strategy. Therefore, the strategy of "concentration in bottlenecks" is logically supported by the strategy of "translation of world experience and opportunities", which has a chance to accelerate the elimination of weaknesses in public administration in the field of combating illegal migration in Ukraine. It should be emphasized that this strategy is considered by us to be ancillary, as the definition of goals and priorities in the fight against

illegal migration and human trafficking should be based on the internal interests of the Ukrainian state.

Another necessary step, without which the implementation of the strategy of "concentration in bottlenecks", as well as "translation of world experience", seems ineffective, is to further study the quantitative dimension of the problem of illegal migration and human trafficking [4].

An effective strategy to combat illegal migration should be a mechanism for implementing a policy to combat illegal migration. The existence of the strategy will allow to overcome a number of negative

factors in the field of combating illegal migration, first of all: the risk of getting into a situation related to illegal migration; danger of illegal labor migration; ignorance of citizens about crimes in the field of illegal migration; impossibility to receive assistance from entities that take measures to combat illegal migration, etc.

The main components of the strategy to combat illegal migration in Ukraine are shown in Fig. 1. Thus, the mission of the strategy is to increase the level of national security by preventing and combating illegal migration in Ukraine.

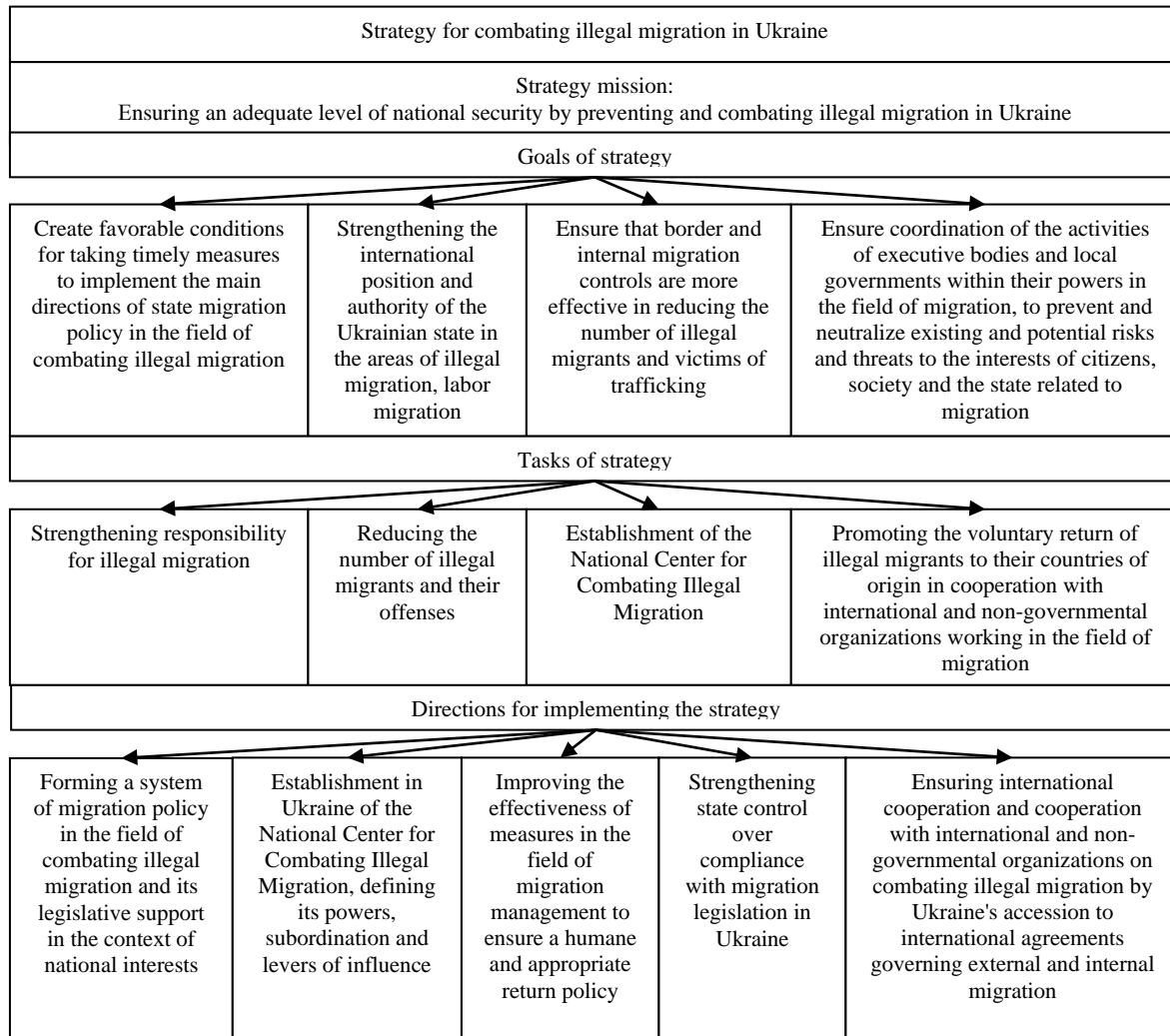


Figure 1. Basic elements of the strategy to combat illegal migration in Ukraine

Source: compiled by authors on materials [5].

The objectives of the strategy are to create favorable conditions for taking timely measures to implement the main directions of state migration policy in combating illegal migration and coordinating the activities of executive authorities and local governments within their powers in the field of migration, to prevent and neutralize existing and potential risks and threats. interests of citizens, society and the state related to illegal migration, as well as to ensure the effectiveness of border and internal migration control to reduce the number of illegal migrants and victims of trafficking, preserve human life and health and further strengthen the international position and authority of Ukraine states in the areas of illegal migration, labor migration, etc.

We will reveal the content of the proposed areas of implementation of the strategy and measures to increase the level of national security to prevent and combat illegal migration in Ukraine (Fig. 2).

Considering Figure 2, we can conclude that the formation of a modern system of migration policy in the field of combating illegal migration and its legislative provision in the context of national interests involves many important processes, through which we can improve the mechanism of migration policy. The second direction of the strategy implementation is the need to create in Ukraine a National Center for Combating Illegal Migration, defining its powers, subordination and levers of influence (Fig. 3).

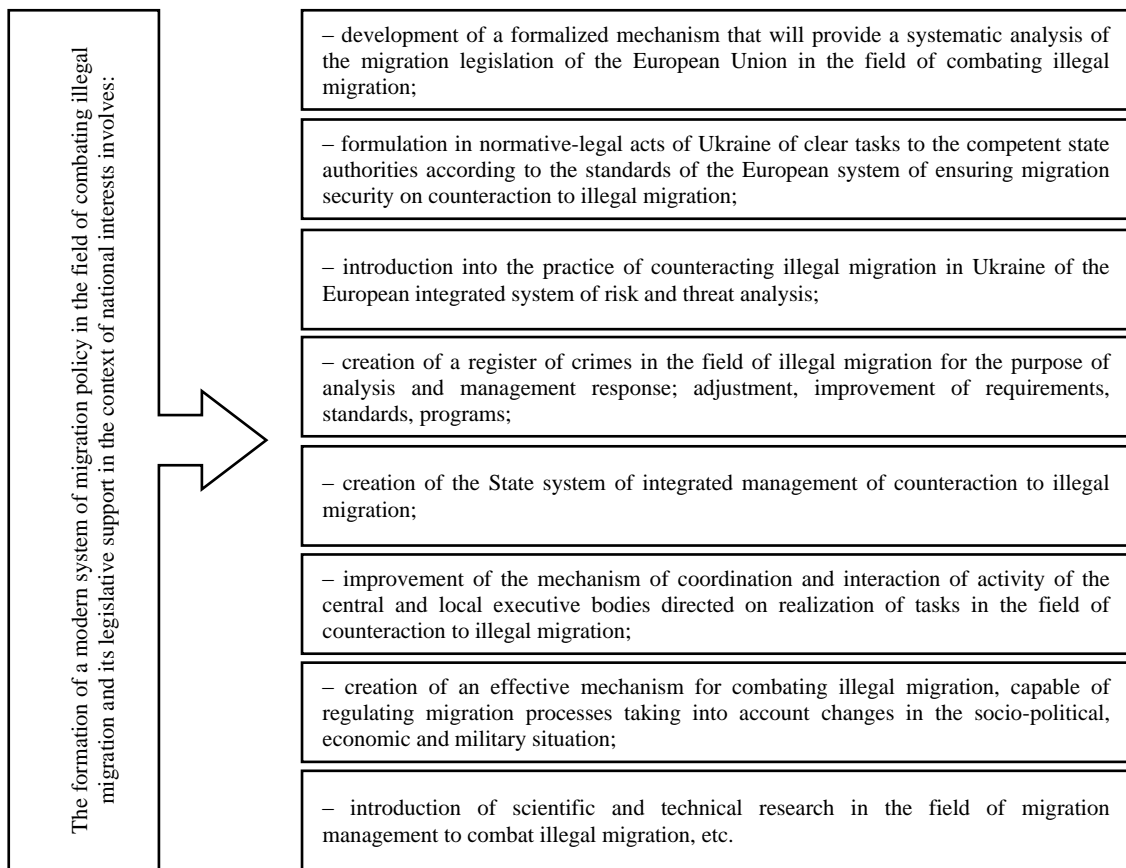


Figure 2. Formation of a modern system of migration policy in the field of combating illegal migration and its legislative support in the context of national interests

Source: compiled by authors on materials [6].

The third area provides comprehensive measures in the field of migration management to ensure the state's humane and appropriate return policy. In order to encourage the humane and voluntary return of irregular migrants, the legal, financial and procedural aspects of the voluntary return process should be reviewed, namely:

- allocation of budget funds for assistance in voluntary return (receipt of state assistance in voluntary return for certain categories of migrants, such as minors, the disabled, the elderly, pregnant women, persons who have experienced any form of violence, etc.);
- identification of effective operational measures to provide incentives and prerogatives for voluntary return over forced return for the maximum possible number of migrants;
- expanded cooperation in the field of assistance in voluntary return with international and public organizations.

To strengthen the capacity of responsible public authorities in ensuring the forced return of migrants from the territory of Ukraine requires:

- ensure the provision of a sufficient amount of services in relation to material support, medical care, psychological assistance, effective access to legal aid, translation services for persons detained in temporary stays and places of temporary detention;

- review the procedure for interdepartmental cooperation and coordination between the institutions responsible for monitoring the implementation of the return procedure;
- legalize the temporary stay of migrants released from temporary stays due to the impossibility of their expulsion within a certain period;
- legislate measures alternative to the detention of foreigners and stateless persons in temporary accommodation, and the legal conditions for their application, as well as provide for mandatory periodic judicial review of the appropriateness of detention with appropriate guarantees of legal protection;
- establish more specific criteria for making management decisions on the ban on further entry into Ukraine in case of forced return and forced expulsion;
- to study the possibilities of supporting reintegration in the countries of origin of third-country nationals subject to readmission from Ukraine, including the involvement of European funds;
- to carry out constant work on the negotiation process and the conclusion of readmission agreements with important countries of origin and transit of migrants with unregulated status in Ukraine [5].

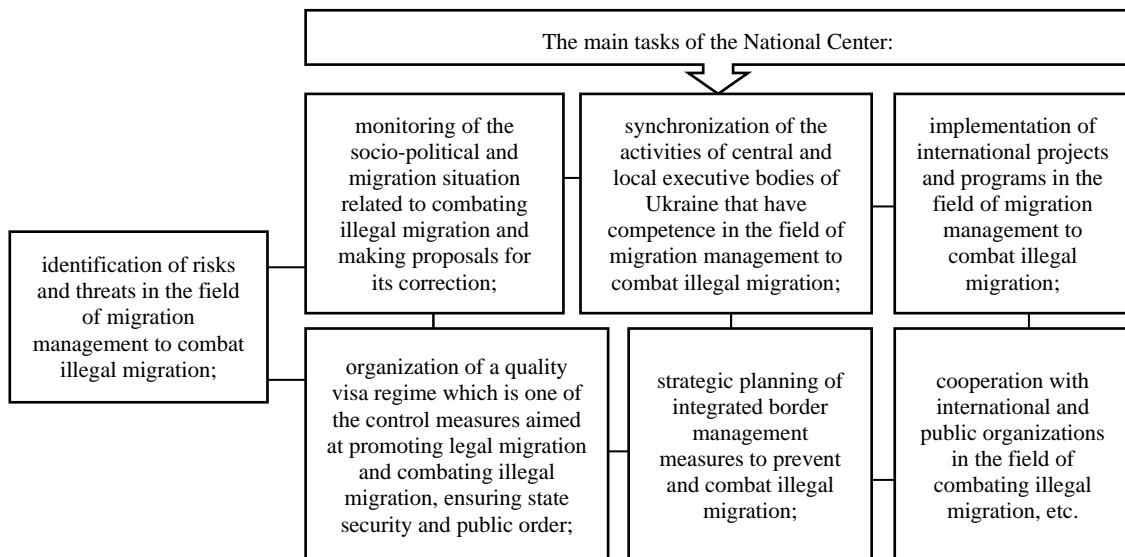


Figure 3. The main tasks of the National Center
Source: compiled by the authors based on materials [5]

All state immigration control measures should be designed to meet fundamental rights standards, and their intensity and type of intervention should be

proportionate to the risks of illegal migration and the potential threats of violations that arise.

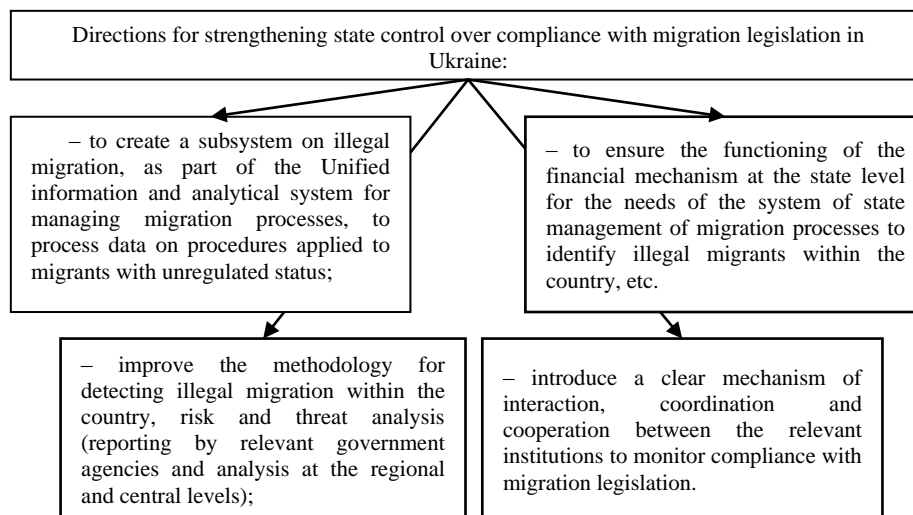


Figure 4. Directions for strengthening state control over compliance with migration legislation in Ukraine
Source: compiled by the authors based on materials [8].

The latter direction envisages ensuring international cooperation and cooperation with international and non-governmental organizations on combating illegal migration by Ukraine's accession to international agreements governing external and internal migration, namely:

- Practical use of political decisions, intergovernmental mechanisms developed by the International Conference on Combating Uncontrolled Illegal Migration and aimed at curbing the influx of immigrants to Eastern and Central Europe;
- implementation of special "Voluntary Return Assistance Programs" implemented by the International Organization for Migration;

- Using the achievements of the Budapest Group, especially on the international criminalization of trafficking, the implementation of readmission agreements, the international exchange of information in the field of illegal migration and smuggling, the development of projects to promote Central and Eastern European countries, international cooperation on the return of illegal migrants to the Homeland;
- Council of Europe Convention on Action against Trafficking in Human Beings in the following areas: formation of a Group of Experts on Action against Trafficking in Human Beings, which is the main tool for monitoring the implementation of the provisions of the Council of Europe Convention; conducting an evaluation procedure

- (monitoring) for the implementation of its provisions by the parties to the Convention;
- international treaties of the Council of Europe in the field of combating trafficking in human beings, in particular in the field of combating sexual exploitation and trafficking in minors;
 - international cooperation in combating illegal migration and human trafficking with the OSCE Project Co-ordinator in Ukraine and the Office of the International Organization for Migration in Ukraine;
 - implementation of projects of public organizations within the framework of the advocacy initiative of the All-Ukrainian Coalition of public organizations on combating human trafficking;
 - Participation of representatives of the Ministry of Internal Affairs of Ukraine, the State Border Guard Service of Ukraine, the Security Service of Ukraine in meetings of GUAM working subgroups on combating trafficking in human beings and illegal migration to analyze the results of combating trafficking in human beings and illegal migration in GUAM member states;
 - cooperation with European security agencies, Europol, Eurojust, Frontex, Eurodac, which are empowered by EU countries to combat illegal migration and human trafficking;
 - cooperation with the International Women's Human Rights Center "La Strada – Ukraine" [6].

Conclusions

International migration is an important element in the formation of the composition and population, a factor influencing socio-economic development and international relations. Today, the EU is the most attractive region of the world for Ukrainian migrants. In EU countries, Ukrainians are attracted to a democratic society, a high standard of living and social standards, decent wages, respect for human rights and freedoms, liberal legislation to support refugees, and geographical proximity.

In Ukraine, migration processes are subject to state regulation, as stated in the Concept of State Migration Policy, which aims to protect the national interests of the state in the field of migration and to ensure sustainable development. In many countries, the regulation of migration processes is carried out mainly through the use of administrative and legal and control instruments.

The need for public financial regulation is due to the fact that the state must provide financial resources to public needs that can not be met through the functioning of the market mechanism. Measures of financial regulation, in contrast to administrative and legal, indirectly affect migration processes through social standards.

For the Ukrainian economy and society, labor migration to the EU has both positive and negative consequences. The most threatening trend is the gradual transformation of labor migration into permanent migration.

Ukrainian labor migration does not correspond to the national interests of Ukraine, as the most

economically active population goes to the EU, mainly young people and highly qualified specialists of the most able-bodied age. In such conditions, Ukraine's migration policy in the context of European integration should be considered primarily as one of the means of counteracting depopulation.

Financial regulation of migration processes should be carried out in combination with other methods of regulation within the framework of state migration policy [7; 9; 11].

Based on the SWOT-analysis, the plane of possible strategies of the state in the management of processes of counteraction to illegal migration is determined. The mission of the strategy is to increase the level of national security by preventing and combating illegal migration in Ukraine. The goals of the strategy are to create favorable conditions for taking timely measures to implement the main directions of state migration policy in combating illegal migration and coordinating the activities of executive and local governments within their powers in the field of migration, to prevent and neutralize existing and potential risks and threats. interests of citizens, society and the state related to illegal migration, as well as to ensure the effectiveness of border and internal migration control to reduce the number of illegal migrants and victims of trafficking, preserve human life and health and further strengthen the international position and authority of Ukraine states in the areas of illegal migration, labor migration, etc.

The tasks of the strategy include: strengthening the responsibility for illegal migration; reducing the number of illegal migrants and their offenses; creation of the National Center for Combating Illegal Migration; promoting the voluntary return of illegal migrants to their countries of origin in cooperation with international and non-governmental organizations working in the field of migration. The main directions of implementation of such a strategy in Ukraine are: formation of a system of migration policy in the field of combating illegal migration and its legislative support in the context of national interests; creation in Ukraine of the National Center for Combating Illegal Migration, defining its powers, subordination and levers of influence; improving the effectiveness of measures in the field of migration management to ensure the state's humane and appropriate return policy; strengthening state control over compliance with migration legislation in Ukraine; ensuring international cooperation and cooperation with international and non-governmental organizations on combating illegal migration by Ukraine's accession to international agreements governing external and internal migration [8; 10; 12].

Summarizing the above, we note that the development of the strategy and its further implementation as a set of basic provisions of the state migration policy to combat illegal migration in Ukraine will determine the structural scheme of goals and measures to overcome the crisis in combating illegal migration. This will provide a systematic approach to the development and implementation of

individual practical measures and comprehensive targeted programs in the field of migration management and combating illegal migration, as well as guarantee their cost-effectiveness, efficiency and the necessary level of state control.

Since no National Strategy can guarantee absolute security, it is obvious that efforts should be made to achieve a level of risks and threats in the field of migration that can be considered acceptable.

Abstract

This article examines illegal migration and the development of its strategy. The existence of problems in the fight against illegal migration, the negative consequences of this process in Ukraine, the need to develop effective ways to combat in modern conditions are described. Particular attention is paid to the fact that direct control over the restriction of migration would be complemented by "economic assistance" to "non-free" countries and measures of so-called preventive diplomacy. The most important is the implementation of the principle of international cooperation – solidarity and separation of large flows of refugees and displaced persons in need of international protection and assistance. Identify gaps and contradictions in national migration legislation in different ways. Strategies to be analyzed, strategic alternatives and prospects for further development are described. A SWOT analysis of the public administration process in the field of combating illegal migration was conducted. All current opportunities for improving this process in the perspective of international cooperation are offered. The urgency of the topic is connected, first of all, with the recent decades. At the same time, Ukraine plays an important role in curbing the flow of illegal migration from the East to the countries of Central and Western Europe. The subjects of illegal migration through the territory of Ukraine are the population of the CIS countries and Asia. Mechanisms for effective counteraction to illegal migration and prevention of its negative effects have not been definitively defined. Over the past few decades, important scientific contributions to the study of migration processes have been made by scientists: Rymarenko Yu., Savchenko O., Khomra O. Despite a fairly thorough study of migration processes in the scientific literature there is a shortage of scientific research in the development of strategies to combat illegal migration in Ukraine. migration, its spread is due to various factors of economic and socio-political nature. The strengthening of immigration control in developed countries, to which the main immigration flows are directed, has affected almost all categories of migrants, limited the possibilities of legal entry and has led to more active use of illegal channels. This necessitates the solution of problems in the field of combating illegal migration caused by the growth of this illegal phenomenon on a transnational scale, the emergence of new trends, as well as disappointing statistics of world organizations on the number of illegal immigrants. in order to solve them, to ensure the relationship of migration policy with other areas of state activity, the transition from a response policy in response to internal and external factors in the field of migration to a more active and focused policy.

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