

4 July 2016, Kyiv – Brussels

Granting the visa-free regime for Ukraine as the second wind to the establishment of effective migration policy of Ukraine

The significant progress in Ukrainian migration policies was made due to Visa Liberalisation process. On the eve of this process in 2009 one of the main problems Ukraine faced was the lack of identification documents which met the international requirements on personal data protection. Ukraine also had shortcomings in border management, especially in the coordination of law-enforcement bodies and cooperation with international partners on the data exchange including risk assessment and exploration.

The first Ukrainian response to these issues was the establishment of legal framework for issuing new biometrical passports which met the EU criteria on personal data protection. As a result of this reform 1.3 million biometrical passports and 90.100 ID-cards were issued starting from 2015, which corresponds to less than 4% of adult population of Ukraine. This shows that this is unlikely that after granting visa-free regime for Ukraine the EU will face with large migration flows from Ukraine. This also helps to prevent infiltration of organized crime to enter the EU.

The second Ukrainian response was the adoption the new State Development Strategy for State Border Guard Service. According to the Strategy, the State Border Guard Service was assigned to analyze security risks in order to prevent, detect and investigate cross-border crimes in cooperation with competent law enforcement agencies. After the aforementioned reform Ukraine received modern European Integrated Border Management based on the conceptual premise that “there is a border everywhere”. The most important result of this modernization was the closer cooperation with the neighboring states that means joint border patrolling and decreasing the corruption crimes.

Visa liberalization process pushed reforms not only in the migration policies but also other policy areas, such as anti-corruption, judiciary system, human trafficking and fundamental rights. Despite the Russian aggression Ukraine manage the capacities in line with the EU standards in the relevant spheres in order to build a comprehensive migration policy which will be able to address together with the EU external and internal challenges.

The EU encourages neighbor countries to implement their own integration policy programs. Efficient Ukrainian integration policy matters for the EU because it benefits to stability of EU’s Eastern borders.

Speaking about migrants in Ukraine we mean three categories: the refugees and asylum seekers, the migrants and the internally displaced persons (IDPs). In total these are up to 2 million persons, in which 1.7 million are IDPs.

Ukraine adopted integration programs for all of them, but a weak point is that the government uses the same instruments for integration of all migrants while each category needs individual approach.

Analysis of the state policy for IDPs demonstrates the progress and the shortcomings of this approach. The government proposes short term humanitarian solutions including housing, social assistance, medical care and education, which cannot be seen as an efficient respond.

The reason for inadequate response: lack of money, lack of expertise, lack of institutional capacity. The same reasons create inadequate policies for refugees and immigrants.

Recommendations to the EU and Ukraine to improve the migration management:

- 1) Ukraine should start applying tailor made approaches to the different migration categories. The EU is to enhance its involvement into shaping the comprehensive Ukrainian migration policy by sharing its expertise and contributing resources.
- 2) Cooperation between the relevant law-enforcement agencies of Ukraine and the EU member states must be strengthened in such areas as data exchange, integrated policy management, external border protection (for the border police), dealing with refugees and asylum seekers and countering the irregular migration.
- 3) Visa-free regime should be granted to Ukraine. This will facilitate to development of an effective, consistent and comprehensive migration policy of Ukraine, which will enable to effectively manage migration processes within its borders, maintain stability and, thus, contribute to the overall security of the Eastern border of the EU.

Authors:	KaterynaKulchytska	NGO "Europe without barriers"	kathrin.pankova@gmail.com
	IrynaSushko	NGO "Europe without barriers"	iryna_sushko@ukr.net
	AndriySolodko	CEDOS think tank	asolodko@cedos.org.ua