



THE MIGRATION POLICY OF UKRAINE CONCERNING FOREIGNERS

IN THE CONTEXT
OF POST-WAR RECONSTRUCTION

ANALYTICAL STUDY

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INTRODUCTION

Russia's full-scale invasion of Ukraine has triggered the most alarming migration crisis in Ukraine's history,¹ resulting in the most enormous influx of war refugees to Europe since World War II, as well as significant human losses.² According to the United Nations High Commissioner for Refugees (UNHCR), as of October 2023, almost 5.8 million Ukrainians in Europe left the country after February 24, 2022.³ The vast majority are people of working age with higher education.⁴

According to an Info Sapiens survey commissioned by the Center for Economic Strategy, 16% of people who left Ukraine have not yet decided whether they will return, 8% are rather not planning to return, and 2% are not planning to return.⁵

According to the Ptoukha Institute for Demography and Social Studies of the National Academy of Sciences of Ukraine, as of January 1, 2023, the population of Ukraine within the 1991 borders is approximately 37.6 million people, and within the territories controlled by Ukraine is 31.6 million.⁶ The figures are not precise, as the exact number of deaths, both civilian and military, and the total number of people who left the country is unknown.

The outflow of the working-age population will harm the economy, causing reduced consumption, labour deficits, and a burden on the social sector.

Ukraine has already begun to develop a plan for post-war recovery.⁷

¹ LIGA.net. (2022b, July 7). Міграційна криза в Україні: економічні наслідки — новини України, Економіка — LIGA.net. LIGA. <https://finance.liga.net/ua/ekonomika/article/ukraina-bez-ukraintsa-kak-migratsionnyy-krizis-povliyaet-na-ostavshihnya>

² Duszczuk, M. (2022). The War in Ukraine and Migration to Poland: Outlook and Challenges. *Intereconomics*. <https://www.intereconomics.eu/contents/year/2022/number/3/article/the-war-in-ukraine-and-migration-to-poland-outlook-and-challenges.html>

³ Situation Ukraine Refugee Situation. (n.d.). <https://data.unhcr.org/en/situations/ukraine>, last update 27 October 2023.

⁴ UNHCR. (2022, October). Regional Protection Profiling & Monitoring. <https://app.powerbi.com/view?r=eyJrIjoiaWU3NjkzYmEtNDYzMC00M2EyLTkwMjctMGIwZTA0MTQwMjU5liwidCI6ImU1YzZM3OTgxLTY2NjQtNDEzNC04YTBjLTY1NDNkMmFmODBiZSIsImMiOjI9>

⁵ Центр економічної стратегії (2023, September 21). Біженці з України: хто вони, скільки їх та як їх повернути? Фінальний звіт — Центр економічної стратегії. <https://ces.org.ua/refugees-from-ukraine-ukr-final-report/>

⁶ Шевчук, С. (2023, September 25). Україні потрібно буде залучати мінімум 300 000 мігрантів щороку. Соціологиня Елла Лібанова про екзистенційні проблеми з демографією і що можна зробити? <https://forbes.ua/war-in-ukraine/35-mln-ukraintsi-v-u-2033-mu-nadzvichayno-optimistichniy-stsenariy-sotsiologinya-ella-libanova-pro-veliki-problemi-z-demografieyu-v-ukraini-yaki-zarodilisya-shche-doviyini-shcho-z-tsim-robiti-25092023-16201>

⁷ Положення про Національну раду з відновлення України від наслідків війни. (2022, April 21). Президент України. <https://www.president.gov.ua/documents/2662022-42225>, а також Матеріали робочої групи «Повернення громадян, які тимчасово переміщені, зокрема за кордон та їх інтеграції в суспільно-економічне життя держави» <https://www.kmu.gov.ua/storage/app/sites/1/recoveryrada/ua/return-of-temporarily-displaced-citizens.pdf>

Ukraine has 2 parallel assignments concerning migration: the return of Ukrainian citizens and the attraction of workers from other countries.⁸

The State Migration Policy of Ukraine strategy for the period up to 2025 points to a lack of repatriation programs for Ukrainians abroad, a policy of integration of foreign migrants into society, limited employment opportunities for foreigners educated in Ukraine, and problems with irregular migration.⁹

Ptoukha Institute for Demography and Social Studies of the National Academy of Sciences of Ukraine indicates that 300,000 migrants are needed to keep the population at 30 million.¹⁰ Migrants can positively impact economic growth, primarily by reloading the labour force, creating new jobs, and integrating new experiences and technological progress.¹¹

The subject of this study is the condition of Ukraine's state migration policy for the purpose of attracting migrants¹² to post-war reconstruction. The research also covers international legislation in labour migration, the demographic picture of migrants, their integration, and the collection of migration statistics.

One of the critical aspects of the research is to forecast the possibility of migrants arriving in Ukraine after the war's end and the factors that should be considered for further study of labour migration opportunities.

The study aims to determine the state of Ukraine's state migration policy given the prospects for post-war recovery. It seeks to outline the opportunities and challenges facing Ukraine in the migration field and to develop recommendations for improving the country's migration policy, considering international experience.

This study uses various scientific methods, including descriptive analysis to describe migration policy and its instruments systematically, comparative analysis to study the experience of different countries, prognostic assessment to develop forecasts for future developments, and statistical data analysis. These methods allow us to explore the state of Ukraine's migration policy and formulate recommendations for further improvement of this policy in the context of current challenges and opportunities.

⁸ Чи готова Україна до трудової міграції? Ціна Держави (2022, September 27) — Проект CASE Україна. <https://cost.ua/chy-gotova-ukrayina-do-trudovoyi-migratsiyi/>

⁹ Про схвалення Стратегії державної міграційної політики України на період до 2025 року. (n. d.). Офіційний Веб Портал Парламенту України. <https://zakon.rada.gov.ua/laws/show/482-2017-%D1%80>

¹⁰ Supra 6

¹¹ OECD. (2014, May). Is migration good for the economy? <https://www.oecd.org/migration/OECD+Migration+Policy+Debates+Numero+2.pdf>

¹² For the purposes of this study, the term migrant is used in a broad sense. A migrant is a person who temporarily or permanently moves from one place of residence to another, often in search of better social, economic, or political conditions, or because of a change of employment, education, family circumstances, or other reasons. Migrants may cross country borders or leave their home country in search of new opportunities and life comfort. The concept of migrants can include different categories, including refugees, asylum seekers, economic migrants and other persons who have changed their place of residence.

1 INTERNATIONAL STANDARDS AND EXPERIENCE OF OTHER COUNTRIES IN REGULATING LABOUR MIGRATION

In 2019, there were 272 million international migrants in the world, of which, according to the International Labour Organization, 169 million were labour migrants. They accounted for 4.9% of the global labour force.¹³ Among international instruments, migrants are subject to general human rights and specialised treaties dedicated to labour migrants. The basic principle established in such compacts on migrants is that they have all labour and human rights on an equal footing with citizens of a particular country. Ukraine is a party to many international human rights instruments and is therefore obliged to ensure compliance with their provisions.

1.1 INTERNATIONAL LABOUR MIGRATION INSTRUMENTS AND EU LEGISLATION

In this section, we will focus on international instruments that are specifically relevant to labour migrants but emphasise that other human rights treaties, such as the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights of 1966, the International Convention on the Elimination of All Forms of Racial Discrimination of 1965, the Convention on the Elimination of All Forms of Discrimination against Women of 1979, and the Convention on the Rights of the Child of 1989,¹⁴ are also applicable to migrants. Migrants should have the same rights as national workers, such as weekly rest, paid holidays, overtime pay, healthcare, the right to join trade unions, etc.

An important document developed at the UN level that addresses the rights of migrant workers is the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.¹⁵ Article 2 of the document defines a migrant worker as a person engaged in paid work in a country where he or she is not a national.¹⁶

¹³ ILO Global Estimates on International Migrant Workers. https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/publication/wcms_808939.pdf

¹⁴ The following treaties have been ratified by Ukraine

¹⁵ OHCHR. (n.d.). International Convention on the Protection of the Rights of all Migrant workers and members of their Families. <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-protection-rights-all-migrant-workers>

¹⁶ The Convention has not entered into force in Ukraine

An essential soft law¹⁷ document in the field of migration is the Global Compact for Safe, Orderly and Regular Migration,¹⁸ the first international agreement developed by the UN that covers international migration holistically and comprehensively and enables states to improve migration management. States have declared their readiness to achieve the goals set by the principles of the Global Compact and develop national programmes to implement these goals. It can also be argued that states have a legal obligation to implement the Global Compact, as it is based on core international human rights treaties,¹⁹ which are binding on signatories.

One of the Treaty's principles is the participation of government agencies at all levels in developing and implementing effective migration programmes and practices. It also emphasises the need to consider gender aspects and ensure gender equality and women's empowerment. The treaty has the following important objectives: collecting accurate information on migration (1), ensuring that all migrants have legal identity documents and proper documentation (4), facilitating access to legal migration channels and increasing their flexibility (5), promoting fair and ethical recruitment and ensuring conditions for decent work (6), providing migrants with essential services, creating favourable conditions for migrants and society that ensure full social integration and cohesion (16), establishing mechanisms for the transfer of material rights in the field of social security (22).

Objective 6 of the Treaty provides for the following measures:

- promoting the ratification of labour migration instruments and their implementation;
- bringing labour migration legislation in line with international recommendations and best practices;
- ensuring all labour rights and guarantees for migrants that other workers enjoy, etc.

Concerning Goal 16 on ensuring the integration of migrants, the following objectives are set:

- defining short-, medium- and long-term goals related to the integration of migrants within the national policy framework;
- providing language training programmes;
- securing full participation of migrant workers in formal economic activity;

¹⁷ The document is not legally binding and is a framework declaration.

¹⁸ Global Compact for Safe, Orderly and Regular Migration (A/RES/73/195). (n.d.). International Organization for Migration. <https://www.iom.int/resources/global-compact-safe-orderly-and-regular-migration/res/73/195>

¹⁹ OHCHR. (n.d.). OHCHR | Global Compact for Safe, Orderly and Regular Migration (GCM). <https://www.ohchr.org/en/migration/global-compact-safe-orderly-and-regular-migration-gcm>

- establishing community centres at the local level, or developing programmes for communities to facilitate the participation of migrants in the life of the host society, etc.

The specialised UN agency dealing with labour rights is the International Labour Organization (ILO). The ILO develops conventions and recommendations that establish minimum standards of fundamental labour rights. We will briefly review only the documents related to labour migration.

Migration for Employment Convention (Revised), 1949 (No. 97).²⁰ The Convention defines the primary obligations of State parties in the field of monitoring the observance of the rights of migrant workers at various stages, including the importation of groups of migrants, translation, employment, as well as assistance in finding other work or returning if the job to which the person was hired is no longer available. A separate provision is made to ensure the rights of refugees or displaced workers. The Convention requires States Parties to provide migrant workers access to housing, participation in trade unions, wages and other benefits, and treatment no worse than that of their nationals.

Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers, 1975 (No. 143).²¹ The Convention obliges member states to combat the illegal employment of migrants and to monitor possible violations of migrants' labour rights by employers.

Private Employment Agencies Convention, 1997 (No. 181).²² A Member State shall ensure that private employment agencies do not discriminate against workers based on race, colour, sex, religion, political opinion, nationality, social origin or any other form of discrimination. States should ensure adequate protection and prevention of abuse of migrant workers recruited or employed in their territory by private employment agencies.

Maintenance of Social Security Rights Convention (1982) (No. 157).²³ The Convention provides for a number of benefits and social guarantees for workers. In addition, the Convention applies not only to citizens but also to refugees, members of their families and stateless persons. The Convention provides for preserving of social

²⁰ Migration for Employment Convention (Revised), 1949 (No. 97). (n.d.). ILO. Retrieved December 15, 2022, from https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::p12100_instrument_id:312242

²¹ Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143). (n.d.). ILO. Retrieved December 15, 2022, from https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312288:NO

²² Private Employment Agencies Convention, 1997 (No. 181). (n.d.). ILO. Retrieved December 15, 2022, from https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312302:NO

²³ Maintenance of Social Security Rights Convention, 1982 (No. 157). (n.d.). ILO. Retrieved December 15, 2022, from https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312302:NO

rights acquired during work abroad and their transfer upon the migrant's return or relocation to another country.

Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19).²⁴ Each Member State which has ratified this Convention undertakes to accord to nationals of any other State who suffer industrial accidents in its territory, or to their dependants, rights to compensation equal to those accorded to its citizens.

Ukraine has ratified none of these conventions.²⁵

Since the Association Agreement between Ukraine and the European Union (EU)²⁶ provides for the gradual implementation of EU legal norms into national legislation, as well as cooperation in the field of migration, it is worthwhile to focus on the articles of the Agreement on migration and review the regulation of this area in the EU.

Article 16 of the Agreement provides for cooperation between Ukraine and the EU in the fields of migration, asylum and border management. The article underlines the importance of joint control of migration flows between the parties and stresses the need to develop a comprehensive dialogue on this issue. It discusses the fundamental principles of cooperation, such as solidarity, mutual trust, shared responsibility and partnership.

Specific aspects of cooperation include tackling the causes of migration, combating irregular migration and trafficking of human beings, protecting migrants' rights, border management, return policies and dialogue on legal employment of migrants.

In general, the EU has the right to lay down conditions governing the entry and lawful residence in a Member State, including family reunification for third-country nationals. Member States shall reserve the right to determine the admission of people from third countries in search of work. The EU may encourage and support measures taken by Member States to facilitate the integration of third-country nationals legally residing in the country, but EU law does not harmonise national laws and regulations in the integration field.

Directive 2009/50/EC on third-country nationals' entry and residence conditions for highly skilled work²⁷ establishes the EU Blue Card and a fast-track procedure to obtain specific residence and work permits.

²⁴ Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19). (n.d.). ILO. Retrieved December 15, 2022, from https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312164:NO

²⁵ Ratifications for Ukraine. (n.d.). ILO. Retrieved December 9, 2022, from https://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:102867

²⁶ Угода про асоціацію між Україною, з однієї сторони, та Європейським Союзом, Європейським співтовариством з атомної енергії і їхніми державами-членами, з іншої сторони. (n.d.). Офіційний Вебпортал Парламенту України. https://zakon.rada.gov.ua/laws/show/984_011

²⁷ EUR-Lex — 3200?

J9L0050 — EN — EUR-Lex. (n.d.). <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex:32009L0050>

The Single Entry Permit Directive 2011/98/EU²⁸ establishes a standard simplified procedure for third-country nationals applying for a residence and work permit in a Member State and a standard set of rights granted to regular migrants.

Directive 2014/36/EU²⁹ regulates the conditions for the entry and stay of third-country nationals for employment as seasonal workers. Seasonal migrant workers are allowed to legally and temporarily stay in the EU for a maximum period of 5 to 9 months (depending on the Member State) to perform seasonally dependent activities while maintaining their primary residence in a third country.

Council Directive 2003/86/EC³⁰ contains provisions on the right to family reunification that go beyond the right to respect for private and family life under Article 8 of the European Convention on Human Rights.

Council Directive 2003/109/EC³¹ describes the conditions for granting long-term resident status to non-EU nationals who have lawfully resided in an EU country, the rights and areas where they enjoy equal treatment with EU citizens.

Directive (EU) 2016/801³² sets out the conditions for the entry and stay of third-country nationals for research, training, volunteer service, student exchange schemes or educational projects and au pair work.

In November 2020, the European Commission put forward an Action Plan on Integration and Inclusion for 2021–2027,³³ setting out a policy framework and practical steps to help Member States integrate and include the 34 million third-country nationals legally residing in the EU in education, employment, health, and housing. The plan combines monitoring measures and the use of new digital tools, as well as efforts to promote migrants' participation in society.³⁴

Thus, universal and regional instruments form a rather detailed legal framework for protecting labour migrants' rights. International treaties provide for granting labour rights to migrants on an equal footing with citizens, so their ratification and implementation in national legislation is essential for a country that intends to use foreign labour effectively. The EU's experience is also valuable in regulating the entry and stay

²⁸ EUR-Lex - 32011L0098 - EN - EUR-Lex. (n. d.). <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex:32011L0098>

²⁹ EUR-Lex - 32014L0036 - EN - EUR-Lex. (n. d.). <https://eur-lex.europa.eu/legal-content/en/ALL/?uri=celex:32014L0036>

³⁰ EUR-Lex - 32003L0086 - EN - EUR-Lex. (n. d.). <https://eur-lex.europa.eu/legal-content/en/ALL/?uri=celex:32003L0086>

³¹ EUR-LEX - 32003L0109 - EN - EUR-LEX. (n. d.). <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32003L0109>

³² EUR-LEX - 32016L0801 - EN - EUR-LEX. (n. d.). https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ%3AJOL_2016_132_R_0002

³³ Action plan on Integration and Inclusion 2021–2027. (2020, November 24). https://home-affairs.ec.europa.eu/system/files/en?file=2020-11/action_plan_on_integration_and_inclusion_2021-2027.pdf

³⁴ Immigration policy | Fact Sheets on the European Union | European Parliament. (2022, June 1). <https://www.europarl.europa.eu/factsheets/en/sheet/152/immigration-policy>

of different categories of workers and promoting the maximum possible integration of migrants into society.

1.2 LABOUR MIGRATION IN EUROPE AFTER THE SECOND WORLD WAR

After the Second World War, European countries underwent many changes, including post-war migrant flows from around the world and from neighbouring European countries. Between 1945 and 1993, about 31 million migrants and refugees crossed international borders with Western Europe.³⁵ After the Second World War, there were several waves of migration for various reasons, but labour migration was the most numerous from the 1950s to 1973³⁶ and continued to do so, primarily as family reunification. The demand for foreign labour in Germany grew from just over a hundred thousand people in 1958 to over a million in 1966. Western countries needed labour for industry, particularly for the extraction and production of energy and metal, railways, and construction.³⁷

Historians and sociologists argue that labour migration has significantly contributed to European countries' welfare. Migrants often held low-paid positions, while local workers could enjoy upward social mobility and higher wages during economic booms.³⁸ The use of foreign labour has been called one of the prerequisites for the German economic miracle.³⁹

In France and Germany, immigration occurred under bilateral agreements between these governments and third parties. In 1945, France established a national immigration agency and subsequently concluded a series of bilateral agreements with various governments. Between 1945 and 1950, the French signed agreements to recruit German and Italian workers and later with other countries in both Europe and Africa.⁴⁰

Sweden also needed labour at the time, and migration was supposed to solve this problem. To facilitate labour migration from Denmark, Norway and Finland, Sweden abolished work permits in 1943, and in 1954, the Nordic labour market was established, which provided special treatment for workers from these countries. Until the late 1960s,

³⁵ Ceri Peach. (1997). Postwar migration to Europe: reflux influx refuge. *Social Science Quarterly*, 78(2), 269–283

³⁶ The exact date is due to the outbreak of the oil crisis, which was a significant blow to the global economy.

³⁷ Shaev, B., & Hackett, S. (2021). Cities, Migration and the Historiography of Post-war Europe. *Journal of Migration History*, 7(3), 191–219. <https://doi.org/10.1163/23519924-00703001>

³⁸ Ibid

³⁹ Повітряна війна і література. В. Г. Зебальд (n.d.). ist publishing. <https://istpublishing.org/v-g-zebald-povitryana-vijna-i-literatura>

⁴⁰ Shaev, B., & Hackett, S. (2021). Cities, Migration and the Historiography of Post-war Europe. *Journal of Migration History*, 7(3), 191–219. <https://doi.org/10.1163/23519924-00703001>

migration was virtually free. In 1968, foreign workers from non-Scandinavian countries were required to obtain a work permit before entering the country.⁴¹

National and local authorities worked closely with NGOs to integrate migrants into society, the latter often substituting for the state. They were the first to respond to the needs of migrant communities and help them integrate into the new society. Here are a few examples from different cities in countries where migrants were accepted.

In Bristol, charitable, community, voluntary and faith-based groups initially provided significant social services for migrant communities, while local authorities did not develop or implement more comprehensive migration policies and practices until the 1960s.

In the Netherlands, based on the belief that migrants would return home and therefore, no formal integration policy was needed, assistance was typically offered only by charitable, religious and social organisations, including migrant-run organisations.⁴²

Gradually, the approach to integration by both migrants and host communities began to change. Migrant groups demanded more active involvement in society, migrant-led initiatives began to emerge. In some cities, local authorities supported such movements. In Bristol, for example, in the late 1940s and 1950s, migrant communities increasingly played a role in events and discussions about integration and race relations. In Utrecht, despite some efforts to promote migrant initiatives and representation, their success was often limited, hampering efforts to address the local housing problem.⁴³

In the early 1960s, Sweden took the first step towards a policy of multiculturalism towards migrants. A campaign was launched to inform the “newcomers” and the local population. In the following years, the state took a number of special measures to serve migrants, such as the creation of municipal and national migration agencies and the provision of additional school and language training for migrant children.⁴⁴

As migrants have become an integral part of the society and economy of the countries where they have settled, developing integration programmes at the state level has become necessary.

⁴¹ Harzig, Christiane. “A Migrant Is a Migrant Is a Migrant? Immigration Policies in Post-World-War-II Europe.” *OAH Magazine of History* 14, no. 1 (1999): 22–25. <http://www.jstor.org/stable/25163324>.

⁴² Shaev, B., & Hackett, S. (2021). Cities, Migration and the Historiography of Post-war Europe. *Journal of Migration History*, 7(3), 191–219. <https://doi.org/10.1163/23519924-00703001>

⁴³ Ibid

⁴⁴ Ibid

1.3 LABOUR MIGRATION POLICIES IN SELECTED EU COUNTRIES

The examples for this part of the study were chosen to demonstrate different migration policies, including integration policies. The section is not intended to describe the most desirable experience for Ukraine. To successfully adapt to the experience of other countries, a detailed analysis of the current situation in the national economy, social sphere and labour market is necessary.

1.3.1 Sweden

The Migrant Integration Policy Index 2020 (MIPEX) ranks Sweden as one of the top 10 countries in the world in terms of integration.⁴⁵ Swedish governments have been developing integration strategies since the 1970s⁴⁶ to facilitate the integration of migrants.

A central element of Sweden's integration policy is the Establishment Programme (Etablering Programmet) for newly arrived immigrants aged 20 to 65 who have been granted residence permits as refugees, persons in need of subsidiary protection, or close relatives of such persons.

The programme aims to help migrants learn Swedish, find a job and become self-sufficient as soon as possible. The State Employment Service runs the programme. The activities always include Swedish language courses for immigrants, employment support (e.g. access to internships or confirmation of previous educational and professional experience), and a civic orientation course. The programme lasts 24 months, equivalent to full-time employment or 40 hours per week. Programme participants also receive an allowance to cover their living expenses.

Persons granted refugee status have the right to work without additional documents, but not all asylum seekers can find employment. In Sweden, a person may be eligible for jobs when they apply for refugee status. The person must submit an application, provide an identification document (or otherwise confirm the correctness of their data) and not have been refused status before. In such a case, the asylum seeker receives an LMA card (corresponding to a Ukrainian certificate of application for protection) and an AT-UND decision (right to work). However, the person does not have access to all public services.⁴⁷

Foreigners usually cannot work in areas requiring certified skills, such as health-care, so their choice is limited to the simplest types of work in practice. Finding a job

⁴⁵ Sweden | MIPEX 2020. (n.d.). www.mipex.eu. <https://www.mipex.eu/sweden>

⁴⁶ Governance of migrant integration in Sweden. (2022, December 12). European Website on Integration. https://ec.europa.eu/migrant-integration/country-governance/governance/sweden_en

⁴⁷ "Working while you are an asylum seeker", Migrationsverket, November 8, 2022. <https://www.migrationsverket.se/English/Private-individuals/Protection-and-asylum-in-Sweden/While-you-are-waiting-for-a-decision/Working.html>

is difficult due to language requirements and the overall labour market situation, with unemployment currently high in Sweden.⁴⁸

1.3.2 Germany

In 2022, the population of Germany with a migration background accounted for 24.3% of the total population.⁴⁹ In the 1950s and 1960s, Germany signed bilateral labour recruitment agreements with countries such as Italy, Spain, Greece, Portugal, Turkey, Yugoslavia, Morocco, and Tunisia. Large-scale migration through family reunification of labour migrants began in the late 1960s and early 1970s.⁵⁰

In Germany, non-European Union nationals have the opportunity to be employed as seasonal workers, subject to certain conditions and requirements set out in Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions for the entry and residence of non-European Union nationals for seasonal work. In the past, such employment agreements were concluded with countries seeking to join the European Union, such as Poland, the Czech Republic, Slovakia, Hungary, Romania, Bulgaria, and Croatia. However, these agreements ceased to be valid when these countries became EU members. Since then, citizens of these countries have been able to exercise the right to free movement of workers within the European Union.⁵¹

Germany has an integration commissioner, an expert commission on integration, integration plans, and integration legislation. Germany has 58 out of 100 points on the MIPEX 2020 scale, which means that the country provides migrants with fundamental rights and equal opportunities but does not ensure a secure future.⁵²

There are a number of initiatives in Germany aimed at early intervention, for example, by opening so-called integration courses (600 hours of language training and 100 hours of orientation and integration) for asylum seekers from countries of origin with a high level of recognition.⁵³ Germany has a strong interest in skilled workers. A law on skilled migrants was adopted, greatly simplifying the search for work and legalising labour migrants.⁵⁴ The main innovation of the law is that not only employees with

⁴⁸ "Country Report: Access to the labour market", Asylumineurope, November 8, 2022. https://asylumineurope.org/reports/country/sweden/reception-conditions/employment-and-education/access-labour-market/#_ftn4

⁴⁹ 24.3% of the population had a history of immigration in 2022. (n.d.). Federal Statistical Office. https://www.destatis.de/EN/Press/2023/04/PE23_158_125.html

⁵⁰ Governance of migrant integration in Germany. (2022, December 12). European Website on Integration. https://ec.europa.eu/migrant-integration/country-governance/governance-migrant-integration-germany_en

⁵¹ Attracting and Protecting Seasonal Workers from Third Countries, Study by the German National Contact Point for the European Migration Network (EMN), Working Paper 89, Claudia Lechner, [wp89-saisonarbeitskraefte.pdf \(bamf.de\)](https://www.bamf.de/SharedDocs/DE/Anlagen/EN/Arbeitsmarktsituationen/201903/wp89-saisonarbeitskraefte.pdf?__blob=publicationFile)

⁵² Germany | MIPEX 2020. (n.d.). www.mipex.eu. <https://www.mipex.eu/germany>

⁵³ OECD, LABOUR MARKET INTEGRATION OF REFUGEES IN GERMANY <https://www.oecd.org/els/mig/Finding-their-Way-Germany.pdf>

⁵⁴ The Skilled Immigration Act. (2022, December 2). <https://www.make-it-in-germany.com/en/visa-residence/skilled-immigration-act>

higher education but also representatives of blue-collar professions can immigrate to the country.⁵⁵

Recognised refugees and persons granted complementary protection have full access to the labour market. Asylum seekers with a residence permit (Aufenthaltsgestattung) living in initial reception centres are entitled to a work permit after 9 months of the asylum procedure under certain conditions. It applies to asylum seekers whose procedure is still ongoing or whose appeal is pending. Former asylum seekers with a permitted period of stay (Duldung) who are still obliged to stay in reception centres may only be granted a work permit after a waiting period of 6 months at the authorities' discretion. It may apply to those whose application has been rejected as inadmissible or manifestly unfounded while their appeal is still pending before the administrative courts.

In addition to the above-mentioned restrictions, there are limitations on access to the labour market in practice. Firstly, asylum seekers must apply for a work permit each time. To do so, they must prove that there is a "concrete" job offer, i.e. the employer must state that the asylum seeker will be employed if the work permit is granted. Secondly, employment is only possible after the approval of the Federal Employment Agency. This approval is subject to a "labour inspection", i.e. a check that labour rights are respected, and wages align with regional standards. This approach certainly positively impacts the observance of the refugees' labour rights but creates a rather complicated procedure for hiring such a person.

1.3.3 Poland

The number of migrants temporarily staying in Poland has increased in recent years. The number of labour migrants interested in temporary employment is growing. There is also an increase in foreigners interested in studying at Polish universities.

Poland does not have a separate national integration strategy. To some extent, its absence is compensated by the increased cooperation between cities belonging to the Union of Polish Metropolitan Areas and the development of local integration policies in recent years.⁵⁶

A legislative amendment in April 2019 granted foreign graduates of Polish universities the right to stay in Poland for 9 months based on a temporary residence permit to find a job or start a business. In October 2020, draft amendments to the Act on Social Assistance were submitted. Among other things, it provides for the right to an individual integration programme for foreigners with refugee status or subsidiary protection.

⁵⁵ Цімболинець, Г. І. (2022). Міжнародна трудова міграція як чинник регіонального розвитку України [Дисертація]. Ужгородський національний університет.

⁵⁶ Governance of migrant integration in Poland. (2022, December 12). European Website on Integration. https://ec.europa.eu/migrant-integration/country-governance/governance-migrant-integration-poland_en

On 29 January 2022, an amendment to the Act on foreigners in Poland came into force to simplify and accelerate employment procedures. The requirement for persons applying for a temporary residence and work permit to present documents confirming their place of residence and a source of stable and regular income has been cancelled. Instead, it is only necessary that the person's salary (regardless of the duration of work and the type of contract) is not lower than the minimum wage established by law. It means that every foreigner, even working part-time, must earn at least PLN 3,010 gross per month (approximately EUR665).⁵⁷

According to a recent report by the National Bank of Poland (NBP), immigrants living in Warsaw work more and earn less than citizens in the Polish capital. The majority of those who fled Ukraine found jobs in Poland with qualifications below the level of education, according to a study by the EWL Migration Platform⁵⁸ and the University of Warsaw.

International instruments provide an essential legal framework for protecting the rights of labour migrants. The ratification and implementation of international migrant rights treaties is an important step for countries that plan to use foreign labour effectively.

After the Second World War, Europe witnessed significant migration flows. The demand for foreign labour has grown, contributing to economic development. Integration of migrants became a considerable task. NGOs played a crucial role in providing social support to migrants, and later, state authorities joined the process.

From the experience of the EU countries under review, it is worth noting that it is essential to adopt programmes and plans for working with migrants and to cooperate with the authorities to implement them. While Sweden and Germany work on the principle of integration from the first day,⁵⁹ which avoids migrants waiting a long time to access the labour market, Poland has less developed migration programmes, but local integration plans exist. A common feature for all countries is restricting migrants' access to highly skilled jobs.

⁵⁷ Poland: Amended law facilitates the employment of foreigners, https://ec.europa.eu/migrant-integration/news/poland-amended-law-facilitates-employment-foreigners_en

⁵⁸ Special report „Ukrainian refugees in Poland”, EWL Migration Platform, published 12.04.2022 <https://ewl.com.pl/en/special-report-ukrainian-refugees-in-poland/>

⁵⁹ OECD. (2018). COMMISSION AND OECD PRESENT REPORT ON THE LOCAL INTEGRATION OF MIGRANTS. <https://www.oecd.org/cfe/regionaldevelopment/OECD-migration-local-factsheet.pdf>

2 THE NUMBER AND KEY CHARACTERISTICS OF FOREIGNERS IN UKRAINE

This section focuses on the characteristics of foreigners who, before the full-scale invasion, chose Ukraine as a place of work, study or protection. It provides information on the age, education, and work experience of foreigners and attempts to assess the possibility of their potential involvement in Ukraine's economic development.

2.1 REGULAR MIGRANTS⁶⁰

Before the full-scale invasion, according to the State Migration Service of Ukraine (SMS), 303,000 people were registered as immigrants as of 31 December 2021.⁶¹ IOM cited a figure of 293,000 foreigners permanently residing in Ukraine.⁶² Among immigrants, the majority (83% in 2020) were family members of Ukrainian citizens, immigrants from Ukraine and their descendants. In addition to foreigners who resided in Ukraine permanently, some newcomers were temporary residents. Most of them are international students. In 2019, 80,000 foreigners studied in the country, but there was a downward trend due to COVID-19. 37% of them studied medicine, while engineering and law were also popular fields of study.⁶³ International students at Ukrainian higher education institutions came from 155 countries, with the majority of them being citizens of India (23.6%), Morocco (11.5%), and Turkmenistan (7%).

According to the State Employment Service, which issues work permits for foreigners, the number of labour migrants from abroad was growing before the full-scale invasion, although it remained small. In 2020, the most significant number of work permits were issued to citizens of Turkey (4.6 thousand), India (1.9 thousand), Russia (1.7 thousand), Belarus (1.3 thousand), and China (1.2 thousand). In terms of professional groups, they are mainly executives and managers (60%) employed in trade and repair, information and telecommunications, construction, and industry.⁶⁴

⁶⁰ Regularised migrants here mean migrants who are in the country legally, on the basis of temporary or permanent residence permits.

⁶¹ ДМС. (2021, December). Показники діяльності ДМС за 2021 рік. https://dmsu.gov.ua/assets/files/statistic/year/2021_12.pdf

⁶² MOM. (2021, December 14). Міграція в Україні: Цифри і Факти, 2021. https://ukraine.iom.int/sites/g/files/tmzbd11861/files/documents/migration_in_ukraine_facts_and_figures_2021-ukr_web_0.pdf

⁶³ Програми і курси — Навчання в Україні. (n.d.). <https://studyinukraine.gov.ua/navchannya-v-ukraini/programi-i-kursi/>

⁶⁴ Дані для цього підрозділу взяті із звіту MOM: Міграція в Україні: Цифри і Факти, 2021. https://ukraine.iom.int/sites/g/files/tmzbd11861/files/documents/migration_in_ukraine_facts_and_figures_2021-ukr_web_0.pdf

2.2 ASYLUM SEEKERS AND REFUGEES⁶⁵

According to the SMS, as of 31 December 2021, 1,326 people were recognised as refugees and 928 persons in need of complementary protection in Ukraine.⁶⁶ In addition, 2,118 people applied for recognition as refugees or persons in need of complementary protection.⁶⁷

They were mostly of working age, 60 per cent of whom were men.⁶⁸ UNHCR also noted the presence of single mothers and vulnerable women, unaccompanied children, persons with disabilities and other survivors of traumatic experiences.⁶⁹ IOM reports that 9 per cent of those granted international protection are children under 14 years of age, and less than 1 per cent are over 65.⁷⁰

Refugees and asylum seekers in Ukraine came from over 60 different countries, including Afghanistan, Syria, Somalia, and Russia. 67 per cent of refugees and persons in need of complementary protection lived in Kyiv or Odesa.⁷¹ Many migrants viewed Ukraine not as a destination but as a transit country where they were forced to stay due to unforeseen circumstances on their way to the EU.⁷²

In 2019, UNHCR prepared a report on the socio-economic profile of refugees and asylum seekers.⁷³ The educational level of these individuals was relatively high: 38 per cent had a university degree, 7 per cent had a technical education, 49 per cent had a secondary education diploma, 3 per cent had only primary education, and 3 per cent had no education. 59% spoke Ukrainian or Russian, 54% spoke English.

⁶⁵ Asylum seekers are persons who have fled their country for persecution or humanitarian reasons and have expressed an intention to apply for international protection. Refugees here include both recognised refugees and persons in need of complementary protection within the meaning of the Law of Ukraine No. 3671-VI.

⁶⁶ ДМС. (2021, December). Показники діяльності ДМС за 2021 рік. https://dmsu.gov.ua/assets/files/statistic/year/2021_12.pdf

⁶⁷ Ibid

⁶⁸ MOM. (2021, December 14). Міграція в Україні: Цифри і Факти, 2021. https://ukraine.iom.int/sites/g/files/tmzbd11861/files/documents/migration_in_ukraine_facts_and_figures_2021-ukr_web_0.pdf

⁶⁹ UNHCR. (2021, March). Refugees and Asylum-Seekers. Thematic update. Ukraine. https://www.unhcr.org/ua/wp-content/uploads/sites/38/2021/03/2021-03-UNHCR-UKRAINE-Refugee-and-Asylum-Seekers-Update_FINAL-1.pdf

⁷⁰ International Organization for Migration. (2021). Migration in Ukraine: Figures and Facts (UKR), p.19. https://ukraine.iom.int/sites/g/files/tmzbd11861/files/documents/migration_in_ukraine_facts_and_figures_2021-ukr_web.pdf

⁷¹ UNHCR. (2021, March). Refugees and Asylum-Seekers. Thematic update. Ukraine. https://www.unhcr.org/ua/wp-content/uploads/sites/38/2021/03/2021-03-UNHCR-UKRAINE-Refugee-and-Asylum-Seekers-Update_FINAL-1.pdf

⁷² IOM. (2021, April 13). Irregular Migrants in Ukraine Analytical Summary. IOM. https://ukraine.iom.int/sites/g/files/tmzbd11861/files/documents/irregular_migrants_in_ukraine_eng.pdf

⁷³ Socioeconomic Profile of the Working Age Asylum-Seeking and Refugee Population in Ukraine. (2019, June). UNHCR. https://www.unhcr.org/ua/wp-content/uploads/sites/38/2019/08/2019-06-Refugee_AS_Employment_Final_ENG.pdf

2.3 STATELESS PERSONS AND IRREGULAR MIGRANTS⁷⁴

The last data on the number of stateless persons was collected during the 2001 census, when 82,000 people declared themselves stateless.⁷⁵ According to UNHCR estimates, in 2021, up to 35,000 people in Ukraine have undetermined citizenship or statelessness.⁷⁶ At the same time, only about 5,000 are registered with the SMS. However, this list includes only persons with a residence permit.⁷⁷

In addition, at the end of 2019, there were between 37,700 and 60,900⁷⁸ migrants in an irregular situation in Ukraine.⁷⁹ In 2021, the SMS identified 8,308 irregular migrants.⁸⁰ 75% of irregular migrants identified by the SMS are citizens of post-Soviet countries.⁸¹ Some of them entered the territory of Ukraine legally as tourists or students, while others entered through networks of illegal trafficking of persons across the state border.⁸²

Thus, the overwhelming majority of migrants in Ukraine before the full-scale invasion were of working age with higher education and knowledge of English and/or Ukrainian or Russian. The list of countries of origin as are the purposes of arrival, is quite diverse. A detailed analysis of this list would facilitate the assessment of existing migration flows for their further effective regulation to attract labour migrants.

At the same time, the problem of irregular migration and a significant number of stateless persons or those at risk of statelessness remains relevant for Ukraine. Their “in-visibility” to state authorities significantly reduces the possibility of using their economic potential and increases their vulnerability.

⁷⁴ Stateless persons — persons who do not have citizenship of any state. Irregular migrants — persons who are in an irregular situation in a country.

⁷⁵ Stateless Persons. (n. d.). UNHCR Ukraine, from <https://www.unhcr.org/ua/en/stateless-persons>.

⁷⁶ UNHCR. (2021b, April). Statelessness Update. Thematic update. Ukraine. <https://www.unhcr.org/ua/wp-content/uploads/sites/38/2021/10/Statelessness-Update-2021-UNHCR-Ukraine-EN-UP.pdf>

⁷⁷ Right to Protection. (2021, May 25). Statelessness in Ukraine: scope and causes of the problem, from <https://r2p.org.ua/statelessness-in-ukraine-scope-and-causes/?lang=en>.

⁷⁸ IOM. (2021, April 13). Irregular Migrants in Ukraine Analytical Summary. IOM. https://ukraine.iom.int/sites/g/files/tmzbd11861/files/documents/irregular_migrants_in_ukraine_eng.pdf

⁷⁹ The difference of 1.6 times between the upper and lower estimates is reasonable, given the difficulties in estimating a changing category of migrants.

⁸⁰ ДМС. (2021, December). Показники діяльності ДМС за 2021 рік. https://dmsu.gov.ua/assets/files/statistic/year/2021_12.pdf

⁸¹ IOM. (2021, April 13). Irregular Migrants in Ukraine Analytical Summary. IOM. https://ukraine.iom.int/sites/g/files/tmzbd11861/files/documents/irregular_migrants_in_ukraine_eng.pdf

⁸² Ibid

3 STATE OF MIGRATION POLICY IN UKRAINE

The section will review the primary documents in the field of migration policy that are in force in Ukraine and highlight problematic aspects of legislation and regulation that should be considered when developing a new migration policy.

3.1 KEY DOCUMENTS AND RESPONSIBLE GOVERNMENT AUTHORITIES IN THE FIELD OF MIGRATION

Regulation in the field of migration is carried out based on the Constitution of Ukraine, laws, and other regulatory legal acts, as well as international treaties of Ukraine, the consent to the binding nature of which is granted by the Verkhovna Rada of Ukraine.

Article 26 of the **Constitution of Ukraine** stipulates that foreigners and stateless persons staying in Ukraine on legal grounds have the same rights and freedoms as citizens of Ukraine, with certain exceptions.⁸³ Foreigners and stateless persons are entitled, equally with Ukrainian citizens, to engage in entrepreneurial activity, work, rest, health care, social protection, education, housing, and more. The laws of Ukraine exclusively determine the principles of regulating demographic and migration processes.⁸⁴ The law On the Basic Principles of State Migration Policy of Ukraine has not been adopted.⁸⁵

The Law of Ukraine, On the Legal Status of Foreigners and Stateless Persons, provides definitions for the concept of a foreigner, the procedure for entry and exit of foreigners to Ukraine, the grounds for the stay of foreigners in Ukraine, and the procedure for issuing permanent and temporary residence permits. The law stipulates that foreigners and stateless persons who permanently reside in Ukraine and those granted refugee status in Ukraine, have the right to work in enterprises, institutions, and organisations or engage in other labour activities on the terms and in the manner established for Ukrainian citizens.⁸⁶

The Law of Ukraine, On Immigration, defines the concept of an immigrant. The main requirements for the definition include permanent residence and stay in the territory of Ukraine on legal grounds.⁸⁷ The law also envisages quotas for immigration.⁸⁸

⁸³ For example, only citizens are granted the right to vote and be elected.

⁸⁴ Стаття 92 Конституції України

⁸⁵ Проект закону України "Про основні засади державної міграційної політики України." (2010, July 14). ІПС ЛІГА: ЗАКОН — Система Пошуку, Аналізу Та Моніторингу Нормативно-правової Бази. <https://ips.ligazakon.net/document/JF56900A>

⁸⁶ Порядок працевлаштування іноземців та осіб без громадянства. (n. d.). https://minjust.gov.ua/m/str_22925

⁸⁷ Стаття 1 ЗУ "Про імміграцію"

⁸⁸ Стаття 4

The Cabinet of Ministers of Ukraine determines the quota for individuals in various fields, including science, culture, highly skilled specialists, workers, and investors.

The Law of Ukraine, On Employment of the Population, specifies the peculiarities of employing foreigners and stateless persons. According to Article 42, employers have the right to hire foreigners and stateless persons on the territory of Ukraine based on a permit issued by the territorial bodies of the central executive authority responsible for the state policy of population employment and labour migration.⁸⁹ Job without obtaining a permit is possible for foreigners permanently residing in Ukraine, refugees, and individuals requiring complementary protection.⁹⁰

In 2017, the Cabinet of Ministers approved **The Strategy of State Migration Policy of Ukraine until 2025**.⁹¹ It emphasises that Ukraine is a region that experiences diverse, multi-directional, and large-scale migration flows that require comprehensive and systematic regulation. The government recognises that immigration is vital for slowing down depopulation, but only if newcomers fully integrate into society.

One of the goals of the Strategy is to promote regulated migration to Ukraine, aligned with social policy and economic development. Adopting the Migration Code of Ukraine is envisaged as a document that will comprehensively handle all migration issues. It is noted that the realisation of the right to temporary or permanent residence and employment should not be subject to unjustified bureaucratic or discriminatory restrictions, and a range of measures are planned to implement this right. Among these measures are:

Reviewing the need for forming immigration quotas and developing a flexible mechanism for forming quotas exclusively for employment, responsive to the labour market needs.

Creating conditions for international students to continue residing in Ukraine after completing their studies.

Ensuring proper integration through cooperation with the immigrant environment, developing state integration programmes, providing integration support to vulnerable groups of migrants, and more.

Although the Strategy is a well-thought-out and comprehensive document, it lacks the paramount provisions mentioned in the Global Compact for Safe, Orderly, and

⁸⁹ Наразі це регіональні центри зайнятості. Вартість послуги 6,400 грн. Джерело: https://kyivcity.gov.ua/for_foreigners/dozvil_na_robotu/vidacha_dozvolu_na_zastosuvannya_pratsi_inozemtsiv_ta_osib_bez_gromadyanstva_na_teritorii_ukrani/

⁹⁰ Стаття 42 ЗУ "Про зайнятість населення"

⁹¹ Про схвалення Стратегії державної міграційної політики України на період до 2025 року. (n. d.-b). Офіційний Веб Портал Парламенту України. <https://zakon.rada.gov.ua/laws/show/482-2017-%D1%80>

Regular Migration. For instance, it does not pay specific attention to gender aspects, ensuring gender equality for migrants and women's rights.

Compared to the substantive content of the Strategy, the Action Plan for its implementation appears superficial and lacks detailed elaboration. It needs specific measures capable of achieving the declared goals.⁹² The Plan comprises 46 items, not grouped by objectives as in the Strategy. The measures themselves are not detailed but rather general aspirations. For instance, "improve the mechanism for detecting illegal migration",⁹³ "facilitate the employment of labour migrants",⁹⁴ etc. As of December 2022, there is still no plan for implementing the Strategy in the coming years.

The central executive authority responsible for implementing state policies in the migration field is the State Migration Service of Ukraine (SMS), whose activities are directed and coordinated by the Cabinet of Ministers of Ukraine through the Minister of Internal Affairs. The Ministry of Internal Affairs (MIA) ensures the formation of state policy in the migration sphere.⁹⁵ Other executive authorities, such as the State Border Guard Service (SBGS), the Ministry of Social Policy, the Ministry of Education and Science (MES), etc., may also participate in implementing migration policy.

3.2 THE CURRENT STATE OF MIGRATION REGULATION AND ITS LEGAL APPLICATION

3.2.1 Data Collection

It is necessary to rely on current and accurate data to develop high-quality strategies and plans.

Ukraine is obligated to bring its migration statistics standards in line with EU standards.⁹⁶ The requirements of the EU for international migration statistics are defined in Regulation No. 862/2007, adopted by the European Parliament.⁹⁷ However, according to Ukrainian legislation, most indicators specified in the Regulation are not

⁹² НАЦІОНАЛЬНИЙ ІНСТИТУТ СТРАТЕГІЧНИХ ДОСЛІДЖЕНЬ. (2019, December 19). ПРОБЛЕМИ РЕАЛІЗАЦІЇ СТРАТЕГІЇ ДЕРЖАВНОЇ МІГРАЦІЙНОЇ ПОЛІТИКИ УКРАЇНИ Збірник матеріалів науково-практичної конференції. <https://niss.gov.ua/sites/default/files/2020-01/problemi-realizacii-strategii-derzhavnoi-migraciynoi-politiki-ukraini.pdf>, Вступ

⁹³ Про затвердження плану заходів на 2018–2021 роки щодо реалізації Стратегії державної міграційної політики України на період до 2025 року. (n.d.). Офіційний Вебпортал Парламенту України. <https://zakon.rada.gov.ua/laws/show/602-2018-%D1%80>, п. 38

⁹⁴ Ibid, п. 22

⁹⁵ Про затвердження Положення про Міністерство внутрішніх справ України. (n.d.). Офіційний Вебпортал Парламенту України. <https://zakon.rada.gov.ua/laws/show/878-2015-%D0%BF>

⁹⁶ Угода про асоціацію між Україною, з однієї сторони, та Європейським Союзом, Європейським співтовариством з атомної енергії і їхніми державами — членами, з іншої сторони: Угоду ратифіковано із заявою Законом України від 16 вересня 2014 р. No 1678-VII. URL: https://zakon3.rada.gov.ua/laws/show/984_011

⁹⁷ On Community statistics on migration and international protection and repealing Council Regulation (EEC) No 311/76 on the compilation of statistics on foreign workers: Regulation (EC) No 862/2007 of the European Parliament and of the Council. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32007R0862>

considered “state statistics”. These indicators are considered administrative data and fall under the responsibility of the relevant agencies in the field of migration. The State Statistics Service does not have authority over them, and other executive authorities in the area of migration lack the methodological potential and obligations to harmonise administrative data with EU data.⁹⁸

Various government agencies collect administrative data. For example, the State Employment Service records the work permits issued to foreigners in Ukraine, the State Tax Service documents border crossings, and the Ministry of Education maintains a register of international students in Ukraine. Administrative statistics are often one-dimensional, lack detail, focus on events rather than individuals, and sometimes data is collected but not statistically processed, especially regarding the structural characteristics of migrants.⁹⁹

The successful implementation of the Strategy requires a significant amount of data that does not currently exist, as it is not collected per international standards. For example, Goal 5 of the Strategy involves the integration of foreigners. It is not possible without information on the extent to which a foreigner is integrated and in which areas state intervention is necessary. However, state-selective surveys do not provide reliable estimates of the employment, social inclusion, and education of migrants to compare them with the local population.¹⁰⁰

Therefore, we see a lack of coordination among government agencies for collecting data on migrants and a deficiency of essential data necessary for implementing policies and plans in the field of migration.

3.2.2 Employment Opportunities and Labour Market Access for Migrants

According to a survey by IOM in 2014, 80% of resident migrants were employed, while among refugees, this figure was 76%. Of the respondents, 34% considered their financial situation sufficient, while 23% stated they had enough money for food or even less. Among all respondents, 38.7% worked in the trade sector, 17.8% in the service sector, and 16% in construction. Only 39.7% of working respondents were officially employed, with 56.5% of entrepreneurs being officially registered. Among the reasons for limited

⁹⁸ Фітисова, А. В. (2019). Роль міграційної статистики для реалізації стратегії державної міграційної політики України (переваги гармонізації зі статистикою Євростату). Проблеми реалізації стратегії державної міграційної політики України збірник матеріалів науково-практичної конференції.

⁹⁹ “Міграційна статистика в Україні та шляхи її удосконалення”. Аналітична записка. (2014, December 16). Національний Інститут Стратегічних Досліджень. <https://niss.gov.ua/doslidzhennya/socialna-politika/migraciyna-statistika-v-ukraini-ta-shlyakhi-ii-udoskonalennya>

¹⁰⁰ More examples regarding the goals and necessary data can be found in the following publication: Fitisova, A. V. (2019). The Role of Migration Statistics in Implementing the State Migration Policy Strategy of Ukraine (Benefits of Harmonization with Eurostat Statistics). Issues of Implementing the State Migration Policy Strategy of Ukraine, a collection of materials from a scientific and practical conference.

access to the official labour market, language barriers, issues with the recognition of diplomas obtained in the home country, and other factors were mentioned.¹⁰¹

The analytical centre CEDOS conducted a separate study on the employment possibilities of female migrants. Obstacles to the professional realisation of migrant women included not knowing the Ukrainian or Russian language, the lack of language courses organised by the state or local authorities for migrants who are not refugees, the absence of social connections with the local population, lack of information on job search outside the migrant community, discrimination, and biased attitudes towards migrant women.¹⁰² Women working in the market also complained about excessive working hours, the absence of sick leave, and having only one day off per week.

The Ministry of Economy monitors the compliance of employers who have received permits with the requirements regarding wage payments and the single social security contribution. According to the monitoring and data from the Pension Fund of Ukraine, in 2020, employers who received permits paid wages and single social security contributions to only 4,179 foreign workers, which is 22% of the total number of permits issued. In the first half of 2021, this figure was 3,180 employees or 13.7% of the total number of permits issued by the state.¹⁰³ Possible reasons for these statistics include labour relations not commencing or being terminated (without notifying the State Employment Service) or these employers unofficially employing foreign workers.

Until October 2022, several regulated barriers significantly reduced the chances of obtaining official employment for foreigners. For example, an employer could receive a permit to hire foreign labour only on the condition of paying ten (in some cases, five) minimum wages. Law 2623-IX removed this requirement and provided the right to work for international students.¹⁰⁴

International students in Ukraine receive a temporary residence permit issued for the duration of their studies according to the order of the educational institution.¹⁰⁵ Recently, they have been granted the right to work during their studies. However, after completing their studies, the legislation does not provide for an extension of the temporary residence permit to search for work in Ukraine. A different practice exists

¹⁰¹ MOM. (2014). Дослідження з Питань Інтеграції, Злочинів на Ґрунті Ненависті та Дискримінації Різних Категорій Мігрантів. https://ukraine.iom.int/sites/g/files/tmzbd1861/files/documents/study_0.pdf

¹⁰² CEDOS. (2010). Жінки-іммігрантки в Україні: проблеми та бар'єри у доступі до гідної праці. https://cedos.org.ua/pdf/Female_Migrants_CEDOS-2019.pdf

¹⁰³ Глущенко, С. (2021, October 27). Що не так із працевлаштуванням іноземців в Україні? Економічна Правда. <https://www.epravda.com.ua/columns/2021/10/27/679134/>

¹⁰⁴ Проект Закону про внесення змін до деяких законів України щодо застосування праці іноземців та осіб без громадянства в Україні. (n. d.). http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=72561

¹⁰⁵ Оформлення посвідки на тимчасове проживання. (n. d.). Державна Міграційна Служба України. <https://dmsu.gov.ua/poslugi/dokumentuvannya-inozemcziv/oformlennya-posvidki-na-timchasove-prozhivannya.html>

in countries like France,¹⁰⁶ where a person can get a permit to search for work and/or establish a business for 1 year after obtaining a certain degree of education. After finding a job, this permit can be changed to a work permit.¹⁰⁷

Therefore, employment for migrants in Ukraine was not a straightforward task before the full-scale invasion due to various barriers, such as language barriers, problems with diploma recognition, and discrimination. It is also essential to analyse why most foreigners work in the “shadow” economy and take practical steps to ensure official employment.

3.2.3 Integration of Migrants

A significant obstacle to the successful employment and effective integration of migrants into society is their low level of integration. A comprehensive integration plan in Ukraine existed only for refugees, designed until 2020.¹⁰⁸ The action plan for 2018–2021, aimed at implementing the State Migration Policy Strategy of Ukraine for the period until 2025, assigned tasks to the State Migration Service, the Ministry of Social Policy, the Ministry of Education and Science, and the Ministry of Foreign Affairs to enhance cooperation with ethnic minority communities in the integration process and involve them in the development of legislation on integration and immigration.¹⁰⁹

Integration begins upon migrants’ arrival. Supporting newly settled migrants is a way to help them understand the administrative and cultural challenges they might face.¹¹⁰ In the previous section, we provided examples from Germany and Sweden that offer early integration programmes for migrants. Ukraine, however, lacks such an introductory course or program, even for refugees, despite the 2020 plan, including the creation of language, history, culture, and governance courses for migrants.

While online and offline resources for learning the Ukrainian language¹¹¹ are available on the Official Language Commissioner’s website, there is still a lack of developed language proficiency standards and a unified certification system, making language

¹⁰⁶ Ministère de l’Intérieur. (n.d.). Carte de séjour — Recherche d’emploi/création d’entreprise. Retrieved December 6, 2022, from <https://www.demarches.interieur.gouv.fr/particuliers/carte-sejour-recherche-emploi-creation-entreprise>

¹⁰⁷ Under the conditions of work that corresponds to the profession and remuneration for labor not lower than the established level.

¹⁰⁸ Про затвердження плану заходів щодо інтеграції біженців та осіб, які потребують додаткового захисту, в українське суспільство на період до 2020 року. (n.d.). Офіційний Вебпортал Парламенту України. <https://zakon.rada.gov.ua/laws/show/605-2012-%D1%80>

¹⁰⁹ Про затвердження плану заходів на 2018–2021 роки щодо реалізації Стратегії державної міграційної політики України на період до 2025 року. (n.d.). Офіційний Вебпортал Парламенту України. <https://zakon.rada.gov.ua/laws/show/602-2018-%D1%80>

¹¹⁰ OECD/ILO. (2019). How Immigrants Contribute to Developing Countries’ Economies. OECD Publishing. <https://doi.org/10.1787/9789264288737-en>

¹¹¹ Інформація про безкоштовні курси, розмовні клуби, інтернет-ресурси для опанування та підвищення рівня володіння українською мовою. (n.d.). Уповноважений із Захисту Державної Мови. Retrieved December 3, 2022, from <https://mova-ombudsman.gov.ua/kursy>

education more challenging.¹¹² The National Commission on State Language Standards offers only 2 types of tests for Ukrainian language proficiency: obtaining citizenship and fulfilling official duties.¹¹³

Notably, Ukraine's integration policy features the almost complete absence of involvement by local self-governing bodies and regional authorities.¹¹⁴ A survey conducted by the Europe Without Barriers public organisation revealed that only Vinnytsia and Sumy have developed integration policies for migrants.¹¹⁵

In 2018, the SMS reported establishing centres for the social integration of refugees and individuals in need of complementary protection. According to the Cabinet of Ministers Resolution No. 710 of October 11, 2016, which pertains to the efficient use of state funds, the SMS had developed a draft resolution requesting permission from the Cabinet of Ministers to establish these state institutions in Kyiv, Kharkiv, and Odesa. The Cabinet of Ministers of Ukraine adopted Resolution No. 987-r on December 27, 2017, regarding the establishment of state institutions. On June 20, 2018, the SMS issued Order No. 98, establishing the state institution Center for the Social Integration of Refugees and Persons in Need of Additional or Temporary Protection under the SMS in Odesa. However, information about their activities could not be found.

Another obstacle to integration is the discrimination of foreigners. While Ukraine does not face a severe racism problem, UNHCR reports suggest that discrimination is one of the obstacles to integrating asylum seekers and refugees into society.¹¹⁶ Moreover, asylum seekers and refugees have been portrayed negatively in the media, similar to many parts of Europe, following the "migration crisis" of 2015.¹¹⁷

From a legal standpoint, receiving countries should allow immigrants to obtain citizenship after a reasonable period spent in the country.¹¹⁸ In 2021, 201 foreigners obtained Ukrainian citizenship.¹¹⁹ Article 7 of the Law of Ukraine on Citizenship of Ukraine, which pertains to acquiring citizenship by birth, poses the risk of statelessness for chil-

¹¹² Європа без бар'єрів. (2021). Політика та практика інтеграції іноземців у Чехії та Україні. <https://europewb.org.ua/wp-content/uploads/2021/12/Integracija.pdf>.

¹¹³ Іспитова система для визначення рівня володіння державною мовою. (n.d.). Retrieved December 3, 2022, from <https://exam.mova.gov.ua/>

¹¹⁴ Європа без бар'єрів. (2021). Політика та практика інтеграції іноземців у Чехії та Україні. <https://europewb.org.ua/wp-content/uploads/2021/12/Integracija.pdf>.

¹¹⁵ Всього було надіслано 46 листів у 24 обласні державні адміністрації та 22 обласні центри. Відповіді охопили щонайменше 11 регіонів і 11 міст.

¹¹⁶ NHCR thematic review. (2019, June). UNHCR. https://www.unhcr.org/ua/wp-content/uploads/sites/38/2019/06/2019-06-UNHCR-UKRAINE-Refugee-and-Asylum-Seekers-Update-FINAL_UKR.pdf or UNHCR thematic review. (2018, April). UNHCR. <https://www.unhcr.org/ua/wp-content/uploads/sites/38/2018/05/2018-04-UNHCR-UKRAINE-Refugee-and-Asylum-Seekers-Update-FINAL-UA.pdf>

¹¹⁷ Independent Media Council. (n.d.). Discrimination and xenophobia in coverage of the topic of refugees in Yahotyn. Retrieved April 4, 2016, <https://mediarada.org.ua/case/dyskryminatsiya-ta-ksenofobiya-u-vysvitlenni-temy-bizhentsiv-u-yahotyni/>

¹¹⁸ OECD/ILO. (2019). How Immigrants Contribute to Developing Countries' Economies. OECD Publishing. <https://doi.org/10.1787/9789264288737-en>

¹¹⁹ ДМС. (2021, December). Показники діяльності ДМС за 2021 рік. https://dmsu.gov.ua/assets/files/statistic/year/2021_12.pdf, лінія 5, 6

dren. A child born in Ukraine to foreigners or stateless individuals may only become a citizen of Ukraine if their parents possess documents confirming the legality of their residence. In practice, this means a child may be at risk of statelessness if the parents do not have permanent or temporary residence permits.¹²⁰

On December 19, 2021, amendments were made to the Law of Ukraine on Citizenship of Ukraine, allowing citizens of a state recognised by the Verkhovna Rada of Ukraine as an aggressor state or an occupying state who have faced persecution due to their political beliefs in their country of citizenship, as well as their children, to have the right to simplified acquisition of Ukrainian citizenship.¹²¹ Such individuals are permitted to submit a declaration renouncing foreign citizenship instead of being obligated to terminate foreign citizenship. However, for individuals not belonging to these categories but still unable to renounce their foreign citizenship, the legislation does not provide for the submission of a declaration to renounce foreign citizenship.¹²²

Ukraine regulates migration processes based on its Constitution laws, and international treaties. While our country is a signatory to crucial human rights and refugee rights documents, the rights of migrants are reflected in national regulatory acts, but they remain somewhat detached from certain more specialised international agreements, such as ILO conventions. The Global Compact for Safe, Orderly, and Regular Migration does not find its complete reflection in Ukraine's legislation and strategies.

In Ukraine, there is a lack of a detailed and up-to-date integration plan for migrants based on current data, encompassing various categories of these individuals and including long-term goals. In addition to the absence of a national strategy, there are no local plans for the upcoming years, despite international experience underscoring the necessity of actively involving local communities in integration processes.

¹²⁰ Коаліція неурядових організацій. (2020). Універсальний періодичний огляд ДОТРИМАННЯ ПРАВ БІЖЕНЦІВ, ШУКАЧІВ ПРИТУЛКУ ТА ОСІБ БЕЗ ГРОМАДЯНСТВА. https://drive.google.com/file/d/10HrJK_R8FPD7pmLXYdrWn_Ngz5hGx21u/view

¹²¹ ОГЛЯД ЗМІН ДО ЗАКОНУ УКРАЇНИ «ПРО ГРОМАДЯНСТВО УКРАЇНИ». (2022, January 14). Право На Захист. <https://r2p.org.ua/oglyad-zmin-do-zakonu-ukrayiny-pro-gromadyanstvo/>

¹²² ЮФ INTEGRITES. (2022, May 13). Як громадяни РФ можуть набути українське громадянство в умовах війни. Think Brave. https://biz.ligazakon.net/analitycs/211214_yak-gromadyani-rf-mozhut-nabuti-ukrainske-gromadyanstvo-v-umovakh-vyni

4 PROSPECTS FOR ATTRACTING LABOUR MIGRANTS

While most migrants choose developed countries for relocation, some settle in developing countries. Several studies demonstrate the positive impact of immigration on the economies of host countries or, at the very least, refute the likelihood of a decrease in GDP due to migrants.¹²³ Immigration typically increases the proportion of employed individuals in the overall population, primarily because of a higher concentration of immigrants among the working-age population. This increase leads to a growth in the labour force and, consequently, an increase in GDP per capita.¹²⁴ Entrepreneurship is another example of its impact on economic growth. This is the case in Argentina, Costa Rica, Kyrgyzstan, Rwanda, South Africa, and Thailand, where immigrants are more likely to become employers than individuals born there.¹²⁵

Indeed, a positive effect from migration is impossible without well-thought-out policies on migration. The central theme of our research is the need to develop and amend existing policies in Ukraine, bearing in mind the shortcomings and deficiencies. Existing plans for post-war recovery in Ukraine and analytical articles pay little attention to the prospects for attracting labour migrants, even though the idea of the necessity of a state strategy that protects the rights of labour migrants is already present in public discourse.¹²⁶

In this section, we suggest considering several factors that should be taken into account when developing plans and policies for this type of migration.

4.1 INITIAL STEPS TO PROMOTE LABOUR MOBILITY

Specific actions taken by the state can contribute to the engagement of migrant workers and enhance their protection. Bilateral agreements, in particular, are helpful for countries of origin and destination. These agreements include visa agreements that help reduce migration costs incurred by labour migrants. Employment agreements facilitate the adoption of standardised contracts for labour migrants, ensuring proper working conditions, wage payments, and a range of other fundamental rights. Qualification

¹²³ OECD/ILO. (2019). How Immigrants Contribute to Developing Countries' Economies. OECD Publishing. <https://doi.org/10.1787/9789264288737-en>

¹²⁴ Ibid, p.30

¹²⁵ Ibid, p.31

¹²⁶ For example, a [post](#) from the All-Ukrainian Association of International Employment Companies, a [discussion](#) on the topic «Is Ukraine ready for labor migration?» conducted by the Center for Socioeconomic Research CASE Ukraine.

recognition agreements allow migrants to validate their skills and capabilities, contributing to harmonising of qualifications in the country's labour market.¹²⁷

Bilateral agreements on pension and social security are significant for protecting the rights of labour migrants, as they specify and provide pension and social benefit payments.¹²⁸

It is also essential to consider and facilitate migration not only for highly skilled workers but also for medium- and low-skilled ones, considering their impact on the country's economy.¹²⁹

4.2 COUNTRIES OF POSSIBLE ORIGIN FOR LABOUR MIGRANTS

The overall demographic picture of Ukraine is highly diverse. Therefore, when considering the countries from which to expect migrants, factors such as security, simplified entry possibilities, investor proposals,¹³⁰ and the presence of bilateral labour migration agreements should be considered.

Citizens of Azerbaijan, Armenia, Georgia, Moldova, and Uzbekistan are exempt from obtaining a visa to enter Ukraine and do not need to cross the border to submit documents for a temporary residence permit. Visa-free entry to Ukraine also applies to the citizens of the EU countries, Turkey, the United Kingdom, Belarus, and the United States.¹³¹ Ukraine participates in the Convention on the Legal Status of Migrant Workers and Members of Their Families of the Commonwealth of Independent States. Although the Convention essentially reiterates general principles for protecting labour migrant rights, its relevance is questionable, given that signatories include Russia and Belarus. Ukraine has entered into bilateral labour and cooperation agreements with Moldova, Belarus, Armenia, Latvia, Lithuania, Poland, the Czech Republic, and Azerbaijan.

Considering the prospects for post-war recovery in Ukraine and Russia's international isolation, it may be necessary to expect a flow of migrants who previously worked in Russia, such as Uzbekistan, Tajikistan, and Turkmenistan citizens.¹³² For obvious reasons, migration from several other countries will decrease. For example, the simplified procedure for obtaining temporary residence permits for Belarusian citizens who are

¹²⁷ OECD/ILO. (2019). How Immigrants Contribute to Developing Countries' Economies. OECD Publishing. <https://doi.org/10.1787/9789264288737-en>

¹²⁸ Міністерство соціальної політики України. Пенсії громадянам, що за кордоном — Міністерство соціальної політики України. (n. d.-b). Міністерство Соціальної Політики України. <https://www.msp.gov.ua/content/pensii-gromadyanam.html>

¹²⁹ Ibid

¹³⁰ (2022, September 27). Чи готова Україна до трудової міграції? Ціна Держави — Проект CASE Україна. <https://cost.ua/chy-gotova-ukrayina-do-trudovoyi-migratsiyi/>

¹³¹ Visit Ukraine — ПРАВИЛА БЕЗПЕЧНОГО ВІЗИТУ В УКРАЇНУ. (n. d.). <https://visitukraine.today/uk>

¹³² Ibid.

entrepreneurs or highly skilled specialists is no longer in effect.¹³³ However, taking into account the current situation, it is crucial to maintain a balance between labour force needs and security factors.

4.3 LABOUR DEMAND

As of 2017, Ukraine faced a shortage of skilled workers in various fields. The agricultural sector, hospitality and sales industry, and medical sector reported a need for workers. There was also a demand for professionals in the construction industry.¹³⁴

Since the onset of the full-scale invasion, the labour market in Ukraine has gone through several phases, from a rapid decline, business closures, and changes in the labour supply structure to a gradual recovery.¹³⁵ There is a demand for IT specialists, doctors, pharmacists, drivers, cargo handlers, couriers, nannies, builders, and logisticians. New jobs are being created in the military-industrial complex to meet the army's needs. According to an analysis of demand and supply conducted by the State Employment Service for the period from January to July 2023, most vacancies are available for professions such as accountants, medical workers, engineers, teachers, educators, and economists.¹³⁶

Today, we can predict the labour demand in the sectors mentioned in the plans for Ukraine's post-war recovery.¹³⁷ However, some technical difficulties hinder the effective utilisation of these plans. For instance, on the recently created state web portal *Recovery of Ukraine*, the project plans for reconstruction are listed as a general inventory without the option to filter them by specific reconstruction categories. While it is possible to view all projects collectively, if there is a need to evaluate them within a particular sector, like water supply, one must search manually. To efficiently assess the required professionals and labour, it is advisable to create filters based on the reconstruction direction, such as projects in housing construction, infrastructure restoration, ecology, and more. It will allow us to see which areas will require reinforcement in the labour force and which specialists will be most needed during the reconstruction.

Therefore, when planning to engage labour migrants in the reconstruction, it is necessary to thoroughly analyse potential migrant flows and labour demands within the

¹³³ Деякі питання оформлення, обміну посвідок на тимчасове проживання громадянам Республіки Білорусь, які є підприємцями, висококваліфікованими спеціалістами, зокрема фахівцями у сфері інформаційних технологій та інновацій, гостра потреба в яких є відчутною для економіки України, та звернулися із заявою про надання дозволу на імміграцію, та членам їх сімей. (n.d.). Офіційний Вебпортал Парламенту України. <https://zakon.rada.gov.ua/laws/show/1303-2020-%D0%BF>

¹³⁴ Радіо Свобода. (2017, August 18). Конкуренція за працівників підвищить вартість робочої сили — соціолог. Радіо Свобода. <https://www.radiosvoboda.org/a/28683718.html>

¹³⁵ ЦЕНТР РАЗУМКОВА. (2022). РИНОК ПРАЦІ В УМОВАХ ВІЙНИ: основні тенденції та напрями стабілізації. <https://razumkov.org.ua/images/2022/07/18/2022-ANALIT-ZAPIS-PISHULINA-2.pdf>

¹³⁶ Аналітична та статистична інформація | Державний центр зайнятості. (n.d.). <https://www.dcz.gov.ua/analitics/67>

¹³⁷ ПЛАН ВІДНОВЛЕННЯ УКРАЇНИ. (n.d.). <https://recovery.gov.ua/>

country. A review of bilateral intergovernmental agreements regarding labour migrants and quotas for migrants is required to transform Ukraine into a country that guarantees the rights of everyone and, at the same time, attracts the necessary workforce that will be most effective in supporting the reconstruction efforts.

CONCLUSIONS

Ukraine is facing a significant migration crisis caused by the Russian invasion. This crisis potentially harms Ukraine's economy and society, as many of the Ukrainians who left the country due to the war are of working age and have higher education. In addition to developing a strategy for the return of Ukrainians, we propose keeping the possibility of involving foreign labour in focus. European countries already utilised such an experience after World War II, which positively impacted post-war reconstruction.

Labour migration is a widely regulated phenomenon by international documents and EU legislation. Ukraine's migration policy should consider international human rights and labour migration standards, as well as the requirements of the Association Agreement with the EU in the migration field. Learning from the experience of other countries, taking into account the context, will be essential.

A significant amount of data for this research was taken from pre-war reports of international organisations, highlighting the problem of the absence of necessary data collected by the state. Statistical data is essential to understand the migrant profile. Although the State Statistics Service collects data on the number, age, gender, and countries of origin, data on education level, employment, work experience, and other factors are also necessary for formulating migration policies. The lack of up-to-date and accurate data is a significant obstacle to developing effective strategies and policies in Ukraine's migration field.

For the effective development of migration policy, it is necessary to conduct research or use existing ones, considering their relevance and completeness. Essential data should cover the labour market, employment rates, unemployment, wages, and labour demand by sectors which do not specifically address foreign workers. Obtaining the initial data on Ukraine's current state will be the foundation for selecting countries for comparing and adapting foreign experiences.

We propose a series of recommendations that could improve the legal regulation and application in the field of migration to engage migrants further. However, it is crucial to emphasise that economic and social research should support further work on this matter.

RECOMMENDATIONS

UPDATING MIGRATION-RELATED DOCUMENTS

- The Verkhovna Rada should ratify international agreements to protect migrant workers' labour rights.
- The Cabinet of Ministers is proposed to review and make changes to the Strategy of Ukraine's State Migration Policy for up to 2025 following the provisions of international human rights treaties and the Global Compact for Safe, Orderly, and Regular Migration. It is crucial to give particular emphasis to gender-related aspects.
- The Cabinet of Ministers is recommended to develop up-to-date plans for the Strategy's implementation, considering short-term, medium-term, and long-term goals.
- The Ministry of Foreign Affairs is recommended to publish all bilateral agreements between Ukraine and other countries regarding labour migration and explore the possibility of concluding new accords with potential source countries of labour migrants to Ukraine.

COLLECTION OF UP-TO-DATE MIGRATION STATISTICS FOR THE STRATEGY'S IMPLEMENTATION

- Establish cooperation between the State Statistics Service and the State Migration Service regarding international migration statistics harmonisation is recommended.
- In the State Migration Service's periodic reports, information on the age and country of origin of asylum seekers, refugees, persons with complementary protection, and stateless persons should be included.

PROMOTING OFFICIAL EMPLOYMENT OF MIGRANTS FOLLOWING THEIR QUALIFICATIONS

- State employment centres and civil society organisations are encouraged to disseminate information about the new conditions for hiring foreigners among migrants and employers.
- Employers should promptly inform state employment centres about the commencement and termination of employment relationships with foreigners

to maintain accurate statistics and prevent cases of informal employment of foreigners.

- The Cabinet of Ministers and/or Members of Parliament are recommended to initiate the expansion of the grounds for issuing/extending temporary residence permits for job seekers who have obtained their educational degree from a Ukrainian educational institution.

IMPLEMENTATION OF INTEGRATION POLICIES AND STRATEGIES FOR FOREIGNERS AT BOTH THE NATIONAL AND LOCAL LEVELS

- The Cabinet of Ministers is proposed to develop a detailed plan for migrant integration, taking into account the experience of European countries and adhering to the principle of integration from day one.
- The Ministry of Education and Science of Ukraine is recommended to develop standardised Ukrainian language courses and establish language proficiency certification for foreigners.
- The Cabinet of Ministers is recommended to introduce free integration courses for migrants, which would include learning the Ukrainian language, understanding the administrative and social system, and the culture and history of Ukraine.
- Local councils are proposed to develop strategies and plans for migrant integration into local communities.
- The Verkhovna Rada and the Cabinet of Ministers are offered to include provisions in the On Citizenship of Ukraine' law that allows for the submission of a declaration of renunciation of foreign citizenship for individuals who, for objective reasons, cannot renounce other citizenship.

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