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Emigration and Diaspora of the Republic of Armenia

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Abstract

Emigration is not separately emphasized in the “Concept for the Policy of State Regulation of Migration in the Republic of Armenia” (2010) as a priority direction. Issues related to emigration are captured in various emigration areas, such as labor emigration, illegal emigration from Armenia and etc. The emigration flows originating from Armenia are mainly composed of labor emigration flows therefore in this Note we have analyzed the policy pursued by the state on labor emigration. An immigration policy also is not set up in the Concept Paper as a separate issue, which is probably conditioned by the low immigration flows towards Armenia.

Nowadays Armenian Government is doing great efforts on keeping ties with Diaspora. Constitutional amendments, approved by the referendum in 2005, abolished the norm to ban dual citizenship. In 2008 the Ministry of Diaspora was established. In 2009 the Concept Paper on Development of Armenia and Diaspora Co-operation was approved by the Armenian Government and the Draft of the Concept Paper on Organization of Repatriation Process has already been developed.

Armenia did not have a state migration policy until 2000; the migration was regulated by the state mainly by legislation, i.e. law on citizenship, law on foreigners, law on state border, etc. For the first time the state policy on migration in Armenia has been formulated in the document “*Concept of State Regulation of Migration in Armenia*” which was adopted by the Government in November 2000. Hereafter, due to changes in migration situation and new migration challenges in Armenia, the Government revised and adopted new Concept Papers in 2004 and later on in 2010. For implementation of the Policy Concept Paper (2010) the Action Plan for 2012-2016 was first time adopted by the Government in November 2011¹.

Throughout history of Armenia as an independent state, emigration flow has always dominated in a whole migration picture, and being massive during 90s, gradually decreased up to nowadays. Thus, according to estimations, 1.0-1.1 million people emigrated from Armenia in 1988-2001, and 150.000 in 2002-2007 (UNDP Report, p. 46, 48). Since 2008 there has not been conducted any survey, but according to the statistics on passengers’ turnover², up to 20-30 thousand people have been annually emigrating from Armenia during aforementioned years.

Emigration is not separately emphasized in the Concept for State Migration Policy of Armenia as a priority direction. Issues related to emigration are examined in various emigration areas, such as labor emigration, illegal emigration from Armenia and etc.

In its turn, the emigration flows originating from Armenia are mainly composed of labor emigration flows, which form up to 70-75% of the total amount, while according to some surveys, they sometimes even reach up to 94% (Minasyan A., Pogosyan A., et al., 2008, p. 9).

Therefore, in this Note we have analyzed the policy pursued by the state on labor emigration.

Two previous Concepts approved by the Armenian Government in 2000 and in 2004 almost similarly outlined the objectives of the state regulation on labor emigration:

- Legal regulation and state targeted control over the phenomenon of labor emigration.
- Realization of state protection of the rights and legal interests of labor emigrants.
- Integration of the Republic of Armenia with international labor market.

The 2000 Concept Paper determined seven major directions for implementing aforementioned objectives, which are also divided into long-term and short-term implementation stages; the 2004 Concept Paper outlined only three major directions.

It should also be mentioned that practically no steps had been taken to implement aforementioned major tasks and mechanisms afterwards. The only exception is legislative regulation of the field: the Draft Law on Regulation of Overseas Employment was drafted in 2001 and hasn’t been adopted by the Government yet.

The last version (2007) of the draft Law³ aimed at preventing not only deceiving citizens or transferring those to foreign countries for employment through various illegal channels, but also at

¹ See: *Chobanyan H. (2011) Evolution of the Policy Framework on Migration Issues in the Republic of Armenia since 1991 Analytical Overview. CARIM East-Consortium for Applied Research on International Migration. <http://www.carim-east.eu/media/Chobanyan.pdf>*

² “State Migration Service of the Ministry of Territorial Administration of RA.” Accessed March 23, 2012, http://www.smsmta.am/?menu_id=18

³ “Concept Paper on Organization of Repatriation Process”, 2007 (in Armenian). [Արտագնա աշխատանքների կարգավորման մասին ՀՀ օրենքի նախագծի ընդունման հիմնավորում]

creating legal basis for the overseas employment to be implemented in a regulated manner and for the benefit of labor emigrants.

According to the draft Law, the state pursued mainly two priority goals:

The first one is to provide legal guarantees directed towards protection of the rights and interests of labor migrants. To ensure achievement of this goal, the companies involved in recruiting labor emigrants should be subject to licensing.

The second goal is to ensure study and marketing of labor markets of the foreign countries. To this end, the Draft Law stipulates those legal and organizational activities, which should be carried out by the Armenian Government, as well as the state authorized body in charge of coordinating the organization of labor migration, Armenian diplomatic representations and the embassies with the view of regulating overseas migration, starting from studying the demand and supply in labor markets of foreign countries and conditions for hiring of foreigners and ending with signing international intergovernmental agreements on regulation of overseas employment.

Since 2001, the Draft Law has been amended several times, taking into account the viewpoints of international experts as well. Nevertheless, it has not been approved yet. The main reason for not adopting the Draft Law so far is mainly explained due to the cautious attitude of politicians towards migration issues, particularly, those, which are related to regulation of overseas migration, since the perception of general public is that the Government actions only would encourage emigration from Armenia.

In the last Concept Paper (adopted in 2010), six priorities were identified to solve the problem of protecting rights and interests of Armenian citizens leaving for overseas employment⁴. The 2012-2016 Action Plan for Implementation of the Concept for the Policy of State Regulation of Migration in the Republic of Armenia (adopted in 2011) specifies concrete activities with their twenty five implementation actions aimed at targeting the aforementioned issue stipulated in the Concept, and State Migration Service of Armenia, the Ministry of Labor and Social Issues, and Ministry of Foreign Affairs of Armenia are outlined as main bodies responsible for implementation. Drafting legislative acts aimed at protecting the rights and interests of migrant workers are envisaged in the Action Plan for 2012-2016.

It should be also mentioned that the issue of regulating overseas employment is pointed out both in the Republic of Armenia Government Program for 2008-2012 and in the EU-Armenia Action Plan.

Besides, Armenia is a party to several international conventions and adjacent protocols on legal status of labor migrants, social protection of labor migrants, etc⁵. Armenia has signed also several bilateral agreements on labor migration issues⁶. However, these bilateral agreements have formal form in reality and none of them are operational, not only because there has been no consistent implementation, but because of a lack of appropriate mechanisms: the agreements have not even been updated from the time of the signature. The only exception is the case of Russia, as some measures are being undertaken⁷. Currently in the field of labor migration Armenia has cooperation proposals from

⁴ “*Concept for the Policy of State Regulation of Migration in The Republic of Armenia*” (2010), p.13.

⁵ ILO C97 Migration for Employment Convention, 1949 (ratified by Armenia in 2006), ILO C143 Migrant Workers (Supplementary Provisions) Convention, 1975 (ratified by Armenia on January 27th, 2006), 1996 European Social Charter (revised) (ratified by Armenia in 2004) 18-19 articles, CIS Agreement on Cooperation on Labor Migration and Social Protection of Migrant Workers (signed by Armenia in 1994).

⁶ Agreements on social protection of the citizens working in the territories of the Russian Federation (1994), Georgia (1993), Ukraine (1995) and Belarus (2000) were signed.

⁷ The joint Armenian-Russian working group was established and in the framework of this cooperation the Russian part has elaborated new Draft of Intergovernmental Agreement on a regulated recruitment of Armenian labour force for

countries of Persian Gulf, in particular State of Qatar and Oman. An agreement of involvement of Armenian skilled labor force (in particular healthcare workers) in the State of Qatar has been pre-signed. United Arab Emirates has also expressed an interest of bilateral cooperation with Armenia in the field of labor migration. In the context of European countries bilateral agreement negotiations are being undertaken with France and Bulgaria.

Taking into consideration the European integration as a political priority for the development of the Republic of Armenia, the mobility facilitation of people and stimulation and intensification of the contacts between the citizens of Armenia and the EU as important elements of Armenia's European rapprochement, the Joint Declaration on a Mobility Partnership between Armenia and the EU on was signed on October 27, 2011⁸. One of the potential benefits of Armenia-EU Mobility Partnership can be regulated labor opportunities and integration into the EU (in the participating MS), which will bring the Armenian migrant new skills and work experience, increased incomes, equal treatment and rights, the possibility of transfer of pension rights and which will bring Armenia as a country more foreign investment and trade links, transfer of remittances, know-how and innovations and the promotion of brain circulation (via circular migration schemes and increasing the role of the Diaspora communities in the development of their home country). However, there is no concrete step implemented in this framework up to this day.

An **immigration policy** as a separate issue is not examined in the Concept for the Policy of State Regulation of Migration in the Republic of Armenia as well, which is probably because of low immigration flows towards Armenia.

The immigration flows are partly included in two following directions of the Concept: *improvement of the asylum system and ensuring effective integration of foreign nationals within Armenian society once they are granted a refugee status as well as regulation of the employment conditions of foreign nationals in Armenia*⁹.

Currently the **Armenian Diaspora** could be divided into "Old" and "New":

- Many Armenian Diaspora communities emerged more in the beginning of the 20th century after the Genocide and mass deportations of Western Armenians from the Ottoman Empire. It is already a few generations that they live in their hosting countries as citizens of those countries. In case of these people, their belonging to the Diaspora is conditioned by their ethnic Armenian origin.
- Those, who left Soviet Armenia after the collapse of the USSR and Armenia becomes an independent state (since 1991), are considered as a New Diaspora members. Most of them still continue to be Armenian citizens.

Nowadays Armenian Government is doing great efforts on keeping ties with Diaspora. In 2008 the Ministry of Diaspora was established¹⁰. In addition, in 2009 the Concept Paper on Development of Armenia and Diaspora Co-operation was approved by the Armenian Government and addresses issues of protecting language, culture, religion, educational rights of each Armenian residing either in its motherland or elsewhere abroad, within the framework of international law, maintaining Armenian identity and tightening relationships between Armenia and Diaspora¹¹.

(Contd.) _____

employment in the territory of Russian Federation and presented to Armenian counterpart. Two meetings of the working group in question were held: in Moscow on 1-2 June of 2010 and in Yerevan on 15-16 June of 2011.

⁸ Ten EU Member States (Belgium, Bulgaria, the Czech Republic, France, Germany, Italy, the Netherlands, Poland, Romania and Sweden) participate. This is a flexible and non-legally binding framework for well-managed movements of people, and is expected to enhance Armenia's ability to manage migration, inform, integrate and protect migrants and returnees, as well as boost Armenia's capacity to curb irregular migration and human trafficking.

⁹ "Concept for the Policy of State Regulation of Migration in The Republic of Armenia" (2010), pp. 13,14.

¹⁰ "Ministry of Diaspora of the Republic of Armenia". Accessed April 25, 2012, http://www.mindiaspora.am/en/About_us.

¹¹ "Concept Paper on Development of Armenia and Diaspora Co-operation" (2009).

The 2008-2012 Government Program envisages drafting legislation conducive to repatriation and introducing a comprehensive program on immigration from Diaspora to Armenia. Currently, the Draft of the Concept Paper on Organization of Repatriation Process has already been developed, where development and implementation of the projects facilitating repatriation are emphasized as an important component of the state policy.

Another step to tighten ties with Diaspora was the Constitutional amendments approved by the referendum on November 27, 2005, which abolished the norm to ban dual citizenship and nowadays thousands of Diaspora members acquire Armenian citizenship while holding their ones as well.

The Armenian government also strongly promotes and facilitates mobilizing of migrants' assets to the development of the economy of the country. In 2006, the government worked out a project for creating a special All-Armenian bank in Armenia, which allows more efficient use of capital of the Diaspora in the development of Armenian economy. Construction of All-Armenian bank has already started in one of the small towns of the Republic - in Dilijan, which is planned to be turned into a major financial centre of Armenia.

In addition, "Hayastan" All-Armenian Fund¹² has been founded in Armenia since 1992, which regularly and annually organizes charity telethons, collecting donations of overseas Armenians, as well as the citizens of Armenia. The mission of the Fund is to unite Armenians in Armenia and abroad to cope with difficulties that country faces and to help establish sustainable development in Armenia and Nagorno-Karabakh.

¹² "Hayastan" All-Armenian Fund. Accessed April 25, 2012, <http://www.himnadram.org/>

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