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### *State of return migration policy and research: case of Georgia*

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## **Abstract**

Being a relatively newly migrant sending country, Georgia does not have an elaborated migration policy. Following its liberal politics, until recently, migration regulations were either extremely open, or non-existent. The same is true for the return migration policy – there is no state operated program or strategy aimed at reintegration of returnees. Only recently with the signature of readmission and visa facilitation agreements with the EU, Georgia started working in this direction, but so far no visible results are observed.

## **State of return migration policy and research: case of Georgia**

### **Policy:**

In 2007 IOM Georgia conducted the first assessment of the migration management in Georgia based on the request by the Georgian Government. The report argued that Georgia's migration management policy needed to be strengthened – the immigration policy into Georgia was so liberal, the report stated, that 'illegal migration becomes almost a "non-issue' (IOM, 2007, p. 4). Importantly, by the time the report was commissioned and produced, as its authors stressed, Georgia did not have 'a written migration policy document' (IOM, 2007, p.12). The report highlighted several issues that had to be paid close attention to, as presented below:

- Georgia's extremely liberal and open policy on migration following its free market policies;
- A very liberal visa regime both in terms of visa categories as well as in relation to visa issuance at the borders – available for practically every nationality;
- No proper inter-agency administrative structure nor a clear-cut inter-agency cooperation in place between the various ministries and agencies, allocated with competences in different areas of migration management. Ultimately this undermines the objective of dealing with the different immigration issues in a coherent manner;
- The lack of systematic requirements for the issue of residence permits and their categories as well as length of validity – particularly crucial for the residence permits issued on the basis of employment, in relation also to Georgia's own un-employed population;
- There is no specific work permit system for foreigners in place, meaning that there are no limits to the employment of aliens who obtain residence permits simply on presentation of employment contracts, neither are any particular obligations imposed on employers as regards the employment of foreigners;
- Except for entry and exit no further tracking mechanism for foreigners is in place inside the country to verify "change in status";
- There is no system in place that would alert Georgian migration authorities of "over-stayers" (both on visa and residence permit expiration);
- There is a lack of detention facilities for irregular migrants;
- There is a lack of funds to enforce deportations, though the caseload is still relatively small;
- The assessment team has noted an excessive divergence in the definition of what is an "irregular/illegal migrant" with disproportionately high (criminal) penalties for illegal border crossing, as opposed to limited and lax (administrative) penalties for other immigration offences, such as over-stay (IOM, 2007, p. 4).

This list above creates a clear understanding of the situation in the migration management sphere in Georgia by 2007 – i.e., there was no administrative structure to manage migration, and there was a relaxed registration requirement for work or residence permits. Hence, in a situation with a non-existent overall migration policy in the country, no discussions related to the migration policy related to the return migration were part of the policymaking, until the start of the negotiations with the EU regarding the visa facilitation regime and readmission agreements. The EU is thus plays as a major driving force in shaping Georgia’s migration policy-making.

Today, in respect to the citizens of the Western European and North American countries, as well as citizens of most CIS countries, entry to Georgia does not require obtaining visa. Georgia has signed the readmission<sup>1</sup> and visa facilitation agreements with the EU. These agreements entered into the force in March, 2011. The readmission agreement sets clear responsibilities on both Georgia and EU countries in regard to irregular migration and readmission procedures. Visa facilitation agreement simplifies issue of EU visas to those Georgian citizens, who travel more often, are members of families of Georgian citizens residing in the EU countries. Visa facilitation also reduces visa costs.

In 2009 IOM started implementation of the ‘Capacity Building in Migration Management Programme (CBMMP)’<sup>2</sup>-- a two-year program aimed at strengthening the Georgian Civil Registry in migration management, including, but not limited to trainings, assistance in creating a methodology of database collection and analysis and development of a software for that purposes. In 2010 the EU funded a project that is being implemented by the Danish Refugee Council and the International Center for Migration Policy Development (ICMPD) in partnership with the Georgian Civil Registry Agency (CRA) and the Ministry of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees of Georgia. The two-year project “Consolidation of the Integration Activities in Georgia’ will be established to facilitate economic and social reintegration of returnees. The project will also have various activities, such as labor market studies, establishment of an internet platform and practical mechanisms to facilitate consolidated activities that aim at establishing special “Mobility centers”.

Georgian Civil Registry Agency, which among its functions has “[m]aintenance of citizenship registration, acts of civil status, establishment of informational-migration bank”<sup>3</sup>, will be mainly in charge to manage readmission related issues in the country, including, but not limited to citizenship identification/verification.

As of today, no state program/training courses exist for returnees that would create an environment in which returnees would be able to apply in Georgia the skills they have learned abroad, or to encourage the returnees to start their own businesses, to facilitate their integration in the society.

#### Research:

Existing statistical data of returned migration (not only of migrants, that have returned to Georgia under the readmission criteria, but migrants, who voluntarily returned as well) are scarce and hard to obtain. Present studies of migration from Georgia<sup>4</sup>, as a rule, provide only various kinds of estimations

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<sup>1</sup> Readmission and visa facilitation agreements can be found here: ‘Conclusion of two EU agreements with Georgia on visa facilitation and readmission’, January, 2011, [http://consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/jha/118885.pdf](http://consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/jha/118885.pdf), accessed on September, 29, 2011.

‘Agreement between the European Union and Georgia on the readmission of persons residing without authorisation’, February, 2011. <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:052:0047:0065:EN:PDF>, accessed on September, 29, 2011.

<sup>2</sup> More info regarding the project is provided here: [http://iom.ge/index.php?activities&cbmmp&activities\\_start&photo](http://iom.ge/index.php?activities&cbmmp&activities_start&photo)

<sup>3</sup> [http://www.cra.gov.ge/index.php?sec\\_id=17&lang\\_id=ENG](http://www.cra.gov.ge/index.php?sec_id=17&lang_id=ENG)

<sup>4</sup> See, for example: Natia Chelidze, *Labor Migration from Post-Soviet Georgia* (Tbilisi: Lega, 2006); Revaz Gachechiladze, *Migration of Population in Georgia and it’s Socio-Economic Consequences* (Tbilisi: UN, 1997); Tomas Gugushvili, *Problems of International Migration and Demography in Georgia (1990-1998)* (Tbilisi: Office-Press, 1998); George

on the character, scale, composition and direction of international migration flows from Georgia. However, these studies in most cases have a rather fragmentary character and often provide contradicting findings. Studies of return emigration<sup>5</sup> are much harder to find. There are several studies that examine the returnees to Georgia, and only few of them focus on the experiences and problems the returnees they face during the reintegration in Georgia. Below is briefly discussed the state of research of return migration in Georgia with the focus on their methodological relevance.

IOM Georgia was one of the first organizations to focus on return migration when it produced a study in 2002 'The Return and Reintegration in the South Caucasus'. The research was conducted in all three countries of the South Caucasus with the aim to study reintegration patterns of returnees who came back to their home countries with the assistance of specific programs established in the receiving countries to facilitate voluntary return migration. The study also covered deported returnees. In the case of Georgia, only 27 returned migrants were interviewed on the first stage of the study and 12 returnees in the follow-up second stage of the research. The study, despite the small sample size, argued that there were limited employment opportunities for the returnees in the country, limited opportunities to use new skills they acquired abroad and thus, returnees hold pessimistic perspectives of the future and considered leaving country again (IOM, 2002).

More wide scale study was conducted by Irina Badurashvili – she interviewed 960 returned migrants using a combination of a representative nationwide sample and snow-ball sampling. Rather than concentrating on reintegration patterns of returnees, the study is focused on collecting data on socio-demographic characteristics of returnees, their migration experiences and remittance behavior. The study nevertheless suggested that quite a significant number of returnees still planned to emigrate in the nearest future due to difficulties in reintegration: “a fifth of former migrants plan to go abroad again in the nearest 6 months; 10% more mentioned during the interview that other family members plan to go abroad and around 3 % - that whole family is leaving Georgia in the nearest six months” (Badurashvili, p. 28). Badurashvili’s results were consistent with the findings of the study, conducted by Mariam Saqevashvili. The report is based on the results of 50 in-depth interviews with returned migrants. Like previous studies that mainly focused on migration experience of returnees, with no particular emphasis on their lives upon return. This study also questioned the idea of sustainable return since many returnees expressed desire to re-emigrate again (Saqevashvili, 2005).

Perhaps, the only study so far conducted in Georgia that focused primarily on reintegration of returnees and on the impact of voluntary assisted return programs, is the study conducted by Danish Refugee Council “Migration and Return in Georgia: Trends, Assessments, and Potential”: DRC, 2007 (Unpublished). Five focus groups with returnees from various countries were conducted in 2007 in the capital of Georgia --Tbilisi, and in three big cities--Kutaisi, Batumi and Akhalkalaki. Based on the results, the study confirmed findings of previous studies, that there were limited employment opportunities for the returnees, especially, well-paid opportunities; knowledge about the voluntary assisted return programs was rather limited among migrants; besides, economic, returnees had emotional and cultural problems in reintegrating in the Georgian society.

Brief analysis of the available research data demonstrate both the lack of studies on return migration to Georgia in general, and lack of studies that focus on the issues of social and cultural

(Contd.)

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Tsuladze, *Emigration from Georgia according to the 2002 Census data* (Tbilisi: CRRC, 2005); Alexandre Vadachkoria, *International Migratory Processes in Georgia (1989-2002)*. (PhD Thesis, Institute of Demography and Sociology, 2004); Irina Badurashvili, “Illegal Migrants from Georgia: Labor Market Experiences and Remittance Behavior”. December, 12, 2006. <http://iussp2005.princeton.edu/download.aspx?submissionId=51259>. Irina Badurashvili, “Determinants and Consequences of Irregular Migration in a Society under Transition. The Case of Georgia, Caucasus”. May, 20, 2004. <http://paa2004.princeton.edu/default.asp>. Larry Dershem and Tea Khoperia, *The Status of Households in Georgia*. Final Report. (Tbilisi: USAID, Save the Children, IPM, 2004); International Organization for Migration (IOM), *Hardship Abroad or Hunger at Home*. (Tbilisi: International Organization for Migration, 2001); International Organization for Migration (IOM), *Labor Migration from Georgia*. (Tbilisi: International Organization for Migration, 2003).

<sup>5</sup> ‘Return migration’ in this context refers both to voluntary and involuntary returnees.

integration of the returned emigrants in the home society. Regarding the return and, specifically, reintegration policy, we should expect more developments in the nearest future, since the readmission and visa facilitation agreements require Georgian Government to create policy mechanisms to ensure the implementation of the agreement's requirements.

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