

**ILLEGAL IMMIGRATION
IN THE SOCIAL AND POLITICAL DISCOURSE IN THE CONTEMPORARY RUSSIA¹**

Growing scale of illegal immigration is one of significant global migration trends. As it was noticed on the 59-th Session of International Labor Organization (ILO) in 1974 “despite the efforts of main receiving countries, the number of illegal migrants is still significant. And if we consider this question on a global scale we will find that such migration is more likely a rule than an exception”.

Nowadays despite the active efforts of major receiving states to combat illegal immigration, estimated numbers of illegal immigrants there continue to increase. The reasons for that are rooted in enlargement of economic and demographic gap between sending and receiving countries and demand for cheaper labor force against restricted migration management and narrow channels for legal entry and employment of foreign workers in developed countries. As a result, in the countries with relative liberal immigration policy, which remain essentially open to immigration (such as USA, Canada, Australia, etc.), illegal immigration is an alternative for those migrants who do not meet the required criteria, for those who would have to wait longer than they wish in order to obtain immigrant visa, as well as for those for whom unauthorized immigration is less expensive. At the same time in the countries with restrictive immigration policy, where opportunities for legal entering and staying in a country are limited (such as the European Union), illegal migration for the majority of migrants, is the only way to improve their financial position. All these things lead to the fact that for many countries illegal migration has become typical.

It is very difficult to estimate illegal immigration. Different indirect methods let us give just approximate estimations that may disperse a lot. For instance according to the estimation of UN experts from 2 to 4.5 million people every year cross the borders of the countries illegally. Moreover, besides this fact a number of illegal migrants is growing with people who came to the country administratively legally, but overstayed there, violated the conditions of residence. According to the different estimations now from 10 to 15% of all international migrants (from 20 to 35 million people) stay in the countries violating the law. Now the number of illegal migrants is about 10-15 million in the USA, from 5,6 to 8,4 million in Western Europe, 3,5 to 5 million in Russia, 300 thousand to 1 million in Japan, 1 to 3 million in the Middle East, 1 to 3 million in South America. We have to admit that illegal immigration effects not only development of the country. All the countries having

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higher cost-of-living index than their nearest neighbors may become a victim of illegal immigration. For example Mexico, the biggest supplier of illegal immigrants in the world, is at the same time a receiving society for about one million illegal immigrants from countries of South America; the number of illegal immigrants in Argentina is about 800 thousand people. (Migration in an interconnected world, 2005, p. 32–34; ILO, 2004, p. 11–12; Papademetriou, 2005).

During long time the receiving societies were rather tolerant to migrants, including illegal migrants. However, social, economical and geopolitical reasons in the recent years seriously damaged the tolerance by general negativization of migration in the public opinion. Attitude towards illegal immigrants was affected in the greatest extent.

In the last third of XX and the beginning of XXI centuries the problems of illegal immigration become not only actual but they are also directly related with the standards of living of native populations, growth of criminality, international terrorism and other negative things. It has become obvious after the tragedy of 11th September in 2001 in USA when the topic of national security and the resistance of world terrorism appeared the main one. And it's not surprising that in the last years illegal immigration takes more attention of the government of the developed countries, international organizations (UNO, IOM, European Union, Council of Europe), politicians and academics.

Methodological Issues of Illegal Migration Studies and Management

Before talking about contemporary trends and features of illegal immigration we have to define who can be considered an illegal immigrant.

There is no clear or universally recognized definition of illegal migration. To define these form of migration movements different scholars use such terms as “undocumented”, “paperless”, “illegal”, “unauthorized”, “with an irregular status”, “clandestine”, “quasi-legal”, etc., which often reflect different understanding of the essence of the phenomenon (Ghosh, 1998; Okolski, 2000; Tapinos, 2000; Krasinets, Kubishin, Tuiruikanova, 2000; Vorob'ieva, 2001; Virkovskaya, 2002; Iontsev, 2002; Migration in an interconnected world, 2005; Papademetriou, 2005).

In Russia, the discussion on definition of illegal migration gains in 1990s not only scientific, but also political and social resonance. This resonance was caused by the appearance of Commonwealth of Independent States (CIS) and by special attitude to the former Soviet citizens, hundreds thousand of whom moved to Russia after the disintegration of USSR. The status of some of them is still undefined in spite of the fact that many of them stay in Russia for more than 10 years.

Convention No.143 adopted by the 1975 ILO Conference defines clandestine or illegal migration movements as those where migrants find themselves “during their journey, on arrival or during

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their period of residence and employment [in] conditions contravening relevant international multi-lateral or bilateral instruments or agreements, or national laws or regulations”. This definition places the stress on the diverse aspects of irregularity: entry, residence in the host country and the undertaking of an occupation (Tapinos, 2000, p. 14).

The Programme of Actions of International Conference of Population and Development (Cairo, 1994) underlines that “undocumented or irregular migrants are people who do not fulfill the requirements established by the country of destination to enter, stay or exercise an economic activity. Given that the pressures for migration are growing in a number of developing countries, especially since their labor force continues to increase, undocumented or irregular migration is expected to rise” (UN Programme of Action, 1994).

In the Glossary of Migration, prepared by International Organization for Migration, there is the following definition: “Movement that takes place outside the regulatory norms of the sending, transit and receiving countries. There is no clear or universally accepted definition of irregular migration. From the perspective of destination countries it is illegal entry, stay or work in a country, meaning that the migrant does not have the necessary authorization or documents required under immigration regulations to enter, reside or work in a given country. From the perspective of the sending country, the irregularity is for example seen in cases in which a person crosses an international boundary without a valid passport or travel document or does not fulfill the administrative requirements for leaving the country. There is, however, a tendency to restrict the use of the term “illegal migration” to cases of smuggling of migrants and trafficking in persons.” (Glossary on Migration, 2004, p. 34–35).

In the Report of the Global Commission of International Migration we read: “The term ‘irregular migration’ is commonly used to describe a variety of different phenomena involving people who enter or remain in a country of which they are not a citizen in breach of national laws. These include migrants who enter or remain in a country without authorization, those who are smuggled or trafficked across an international border, unsuccessful asylum seekers who fail to observe a deportation order and people who circumvent immigration controls through the arrangement of bogus marriages. These different forms of irregular migration are often clustered together under the alternative headings of unauthorized, undocumented or illegal migration. The Commission is aware of the controversy surrounding the adequacy of these concepts, and concurs with the assertion that an individual person cannot be ‘irregular’ or ‘illegal’. This report therefore refers to the people concerned as ‘migrants with irregular status’.” (Migration in an interconnected world, 2005, p. 32).

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Thus, *irregular (illegal) migration* is the spatial population movements through the state borders dealing with the violation of rules of departure in the country of origin, rules of entry / residence in the destination country, or rules of transit through another country.

Illegal migration may appear within a country if it has restrictions for internal population movements without a special permission (for example in Russia at the times of serfdom, in modern China etc).

Illegal migrants are migrants who have violated rules of entry, departure, residence or transit through the particular country.

There are two main types of illegal migration: illegal emigration and illegal immigration. Besides, in the last years we face new forms of illegal transit migration dealing with smuggling of migrants and trafficking in migrants.

Let's focus on differences between two main types of illegal migration.

Illegal emigration is usually non-return and very often takes a form of forced migration in case of successful entry to the country, as illegal immigrants often apply for refugee status. In case of failure in getting refugee status many people from this group become illegal immigrants and sometimes may be deported to their native countries that may result in punishment for them (for example in China).

Illegal immigration is usually return migration related to illegal job placement². In that case migrants can cross the state border legally (as tourists, business migrants, or with the invitation from friends and relatives), illegally (through poorly controlled boundaries) or unduly (using fake documents, transit visas), but in all cases with the further illegal job placement.

Illegal employment of migrants is employment without proper juridical registration according to the rules for foreigners in the receiving country.

Thus, significant characteristics for the illegal immigration are: 1) *illegal employment* — the main target of most of illegal immigrants regardless the way of crossing the border; 2) *temporariness of employment* — most of illegal migrants intend to come back to their native country.

We define three forms of illegal immigration (see also Okolski, 2000; Tapinos, 2000; Papademetriou, 2005, scheme 1):

1. *undocumented / unauthorized entrance* – one of the main forms of illegal migration (for example, in the USA this category accounts for about two-thirds of all illegal immigrants). They are citizens of one state who enter another state clandestinely. Most of such entrants cross land borders

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(for example from Mexico to USA near the river Rio-Grande; from Poland to Germany by crossing rivers Oder and Niebe; from Afghanistan to Tajikistan through mountains and then to Russia), but sea routes are also used regularly and wherever inspection regimes are permeable, so are air routes. In all instances, the entrant manages to avoid detection and hence, inspection. At the same time on many borders special channels for illegal migrants have been formed by human smuggling organizations.

A distinction should be made between unassisted and assisted illegal border crossings. Unassisted illegal migrant is a person who plan and execute an illegal entry by himself, whereas assisted illegal migrant turns to other people (or organizations) for help. Nowadays increasing proportions of clandestine immigrants are smuggled or trafficked. According to the estimations of ILO experts, about half of migrants cross the borders of the country when they become victims of human traffickers. Illegal immigrants often rely — voluntarily or forcedly — on assistance of “migration brokers”, i.e. transnational criminal groups specializing in smuggling of migrants and trafficking in human beings. Smuggling and trafficking in migrants is a powerful international business with high profits and low risks. In fact, it is a specific element of informal migration infrastructure that opposes official international migration management institutions. In the USA, according to the data from the Naturalization and Immigration Service, in the late 1990s about 10,000 persons were involved in that business. According to Europol data, incomes of illegal immigration organizing networks are comparable to incomes of drug business.

2. *legal entry with false paper (fraudulent documents)*. This form is for migrants who come to the country of destination legally, but use fake documents for entry (fake passports or passports of other people, fake or changed visas, fake invitations etc). For this form we also name the making of fraudulent asylum claims and other documents necessary to make the identity of refugee.

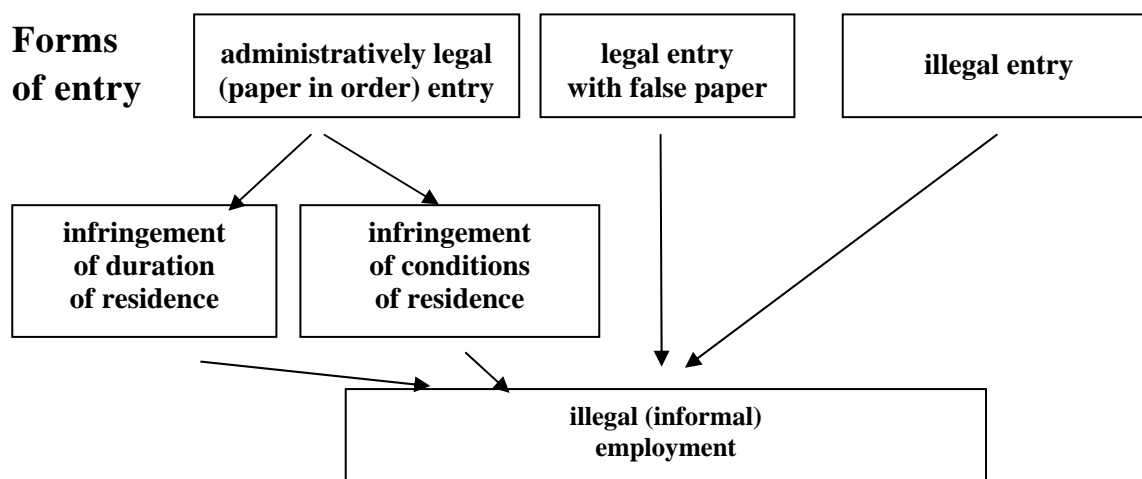
3. *illegal (informal) employment*. This form includes people who enter another state properly (for example with tourist visas or private invitations), but later they violate the rules of residence. It may be violation of terms and conditions of a visa during their legal residence in the country of destination (for instance illegal job placement of students or tourists, changing the place of work despite the contract conditions) and also the violation of the time of residence prescribed by visa or other documents (for example foreign students “willfully” overstay their period of legal stay laps into irregular status; transit migrates with overdue visas working under international agreements and contracts that are run over their period of validity). For example in 2001 in the Korean Republic

² Among illegal immigrants there are asylum-seekers, terrorists and other criminals, however, generally illegal migration is labor migration by nature.

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there were about 255,000 persons staying in the country after the allowed period of residence, and in Japan there were 224,000 of such people (ILO, 2004, p. 12).



Scheme 1. Structure of illegal immigration

Economic and Political Aspects of Illegal Immigration

Illegal immigration is mostly an economic process by nature. It's not surprising that the majority of illegal immigrants are people looking for job or for higher earnings than they have in their native country.

From the economic perspective, illegal immigration is driven by expectation of economic benefits by four main participants of this process:

- *migrants*, who decide to choose illegal way of movement and job placement;
- *employers*, who give job to illegal migrants;
- *sending states*;
- *receiving states*.

As to *illegal immigrant*, the reasons for illegal entry and job placement in the foreign labor market are concerned with the following factors:

- more possibilities for employment and higher salaries in a destination country in comparison with the country of emigration;
- no possibility to get the legal permission for entry and work in the wished country of destination;
- possibility not to lose time and money to get residence permit and work permission;
- possibility to avoid tax payments.

Migrants who come for seasonal jobs in the informal sector (building, agriculture, etc.) are especially intending not to get official registration of their stay.

As to **employer**, the attractiveness to use illegal immigrants has the following reasons:

- possibility to save money for salaries and social payments;

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- disfranchised position of illegal migrants lets the employer to break labor rules and set up his own job conditions, salary, working schedule etc;
- necessity to fill the vacancies that are not attractive for local population (harmful, dangerous);
- disproportion of offer and demand for labor on the regional and sectoral markets;
- necessity to use more flexible schemes to hire employees;
- strict system of registration and licensing of foreign employees.

Thus immigrants working illegally are the cheapest and disfranchised working force that is a significant reason to hire such people in spite of increasing fines and sanctions (even imprisonment). For example, one of the reports of the USA Population Council directly points: businessmen get more benefits using the illegal immigrants that live and work in the terrible condition and get the lowest salary. This fact explains why corporate business in the USA lobbies for simplification of immigration rules, till the total openness of the borders. For example, the government found out that 80% of people gathering the harvest of onion in the state of Georgia were illegal immigrants. The Immigration and Naturalization Service tried to make its job and legalize these migrants or deport them, but the legislative instances of the state hampered the INS activity. Employers in agriculture, construction and low-paid sector claim that they must have a right to employ foreigners even if they are illegal (Buekenen, 2004, Immigration policy, 2002). According to the estimations of experts, the governments of developed countries will face growing press from businessmen who need new employees to maintain their competitiveness on the global market. Otherwise, under the conditions of globalization industrialized countries with their population getting older and older and lack of young people will be hardly effective in competition with less developed economies on the global market.

Paradoxically, but not only employers get benefits from using labor of irregular migrants but the receiving state as well as they can be considered as “net taxpayers” (Linderdt, 1992) who participate in taxation in most cases (indirect taxes rather than direct taxes) but have no access to social security benefits. The research of American scholars confirm that receiving states gain from illegal immigrants in terms of lower prices and dampened inflation, higher competitiveness of their products at the world market. So, “in general illegal immigrants are not a burden for the treasury” and they positively influence the receiving countries economy (Tapinos, 2000, p. 30).

Sending countries may also encourage illegal migration as it can affect their economy positively, especially in the short-term run. Illegal migration contributes the decrease of demographic pressure in the countries of origin and reduce unemployment level. According to estimations, labor migration from Mexico to the USA reduces annual increase of Mexican population from 1.8% to

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1.5% (ILO, 2004). Illegal migration also creates of huge flows of remittances to the emigration countries. The volume of remittances sent home by international migrants are growing rapidly. While accurate figures are hard to obtain, the World Bank estimates that the annual value of formally transferred remittances in 2004 was about \$160 billion, representing a 50% increase in just five years. Remittances are now close to triple the value of the Official Development Assistance (ODA) provided to low-income countries and comprise the second-largest source of external funding for developing countries after Foreign Direct Investment (FDI). Significantly, remittances tend to be more predictable and stable than FDI or ODA. They continued to rise during the Asian financial crisis, for example, while flows of FDI fell. This is not an isolated case. Evidence collected by the World Bank indicates that when a country encounters political or economic difficulties, citizens who are living and working abroad support their compatriots by increasing the amount of money they send home (GCIM, 2005, p. 26).

The mutual benefit of all participating actors makes illegal migration an essential and everlasting element of the world economic structure despite official attempts to combat it. The problem of illegal migration can't be solved while on the labor markets of receiving countries there are possibilities for illegal job placement and interest of employers and government in cheap and franchised manpower that can provide the decrease of costs for social care and consequently provide lower price and higher competitiveness. On the other hand, the economic situation in the countries of leaving is always an active pushing out factor.

Together with the economic factors of illegal immigration we have to point at the political factor that is contributing to the increase of illegal migration scales provoking it from the side of host country as well as from the side of country of leaving. The Government of China supposes that the USA in fact encourages illegal migration by giving political asylum to the most of Chinese migrants while they are usually moved with economical reasons. At the same time, the Mexican Government, aimed to soften the problem of poorness, supports migration to the USA. Future illegal migrants are supplied with a necessary stock of food, water and medicine; they also get the address of social services that welcome immigrants without any questions (Buchanan, 2004).

Economic and political relationships between the countries play an important role in the increase of illegal migration, including traditional migration ties, gaps in economic development and cost-of-living indices, etc. Speaking about Russia and other former soviet states, we mention the following factors affecting illegal immigration:

– better economical situation in Russia in comparison with other CIS countries;

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- weakness of boundaries (poor boundary infrastructure and lack of control especially in the Asian region);
- lack of common Russian labor market;
- the huge share of informal economy;
- lack of language barrier;
- weak punishment for usage of illegal manpower;
- contradictions in Russian law of foreigners' enter and work placement.

The important factor of illegal immigration in some countries is their geographical position as **transit countries**. Many countries of East and South Europe face this problem. For instance, the Government of Malta claimed several times that they can't manage with the huge number of immigrants from Africa that pass through Maltese waters to Italy, but have accidents and illegal landings to the banks of Malta. Starting from 2006, the European Union started to control water boundaries of Malta to stop the boats with illegal immigrants in advance.

Russia is facing the similar situation. After it has joined international migration flows in the late 1980s and early 1990s, it has faced different, sometimes unexpected, consequences. One of them is related to geopolitical position of Russia as a transit country for migrants from Asia and Africa forwarding to Europe. According to the data of the Ministry of Interior, about 300,000 transit migrants from Afghanistan, China, Angola, Sri-Lanka, Turkey and Ethiopia stay in Russia. We have to agree that Russian official institutes responsible for migration management didn't manage to take transit migrants under control. Coming with transit or tourist visa or illegally, they just may be lost in the big country. At the same time border control in the western Russian boundaries is strict. By preventing illegal departure of transit migrants who stay in Russia, the Russian border services make the country a "settling pot" for illegal migrants.

In the late 1990s growing illegal migration has changed in its scale and structure. Russia has become the destination country for irregular labor migrants from the former Soviet states. In the recent years the labor migration becomes dominative. It is influencing Russian labor market particularly labor markets of the city of Moscow and the Moscow Province, St-Petersburg and its Province, the Far East Region, etc.). It is mainly related to migration from neighboring ex-USSR countries.

The majority of illegal migrants enter Russia legally (for work, study, as tourists or with private invitations) but later they start to work illegally on the Russian territory. The major countries of origin are Ukraine, Tajikistan, Kyrgyzstan, Azerbaijan, as well as China and Vietnam.

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The surveys show that main spheres of employment of illegal immigrants in central regions and big cities of Russia are construction, commerce, public transport, and small-scale industries. In the cities they are usually involved in: jobbing, market trading, private taxies, repairing, cottage building, restaurant service and some others. In the countryside illegal migrants are usually engaged in seasonal building and agricultural works. According to the estimations of experts, 30 to 50% of workers in big construction sites in the cities are employed illegally (Krasinets, Kubishin, Tyuryukanova, 2002). Another option is informal sector that doesn't require the registration and at the same time let people gain money quickly and avoid taxes (what is nearly impossible in the developed countries).

Consequences of the Illegal Immigration

When irregular migration takes place on a significant scale, it has a number of negative social and economic consequences. We specify main of them:

- spreading of shadow economy, as the irregular migrants create unjustified benefits for the companies employing them in comparison with the other companies;
- creating the goods and services market out of control, stimulating the development of shadow economy and breaking the system of relations between market players and government, illegal migration hamper the development of effective civilized national labor market;
- illegal immigration can be related to smuggling, prostitution and drugs distribution and other criminal activities;
- illegal immigrants do not pay taxes from their income and the companies employing them do not pay social security payments that lead to the lost of fiscal gains. In some cases illegal immigration can also result in increase of taxes for native inhabitants as the budget loose money to support immigrants: for education for their children, security, prisons etc;
- illegal migration challenges can even become a threat to public security, especially when it involves corruption and organized crime;
- the guaranteed minimum wage does not wound illegal immigrants that may cause the decrease of wages for unskilled workers;
- employees can ignore the requirements on safety, health care and accident prevention practices, this can lead to the injuries and even death of the immigrants;
- when in illegal status, migrants do not have medical checkup to define if they have diseases; they do not always make use of public services to which they are entitled, for example emergency health care. At the same time they can be exposed to the risk of illness especially if they travel illegally or under compulsion, because of bad unsanitary conditions of living, hard labor

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conditions and extra labor exploitation. It might cause serious medical risks as the diseases may spread among population of the receiving country;

- migrants with irregular status are often unwilling to seek help from authorities because they are afraid of arrest and deportation, that's why they usually become victims of crime;
- illegal immigration increase the level of criminality;
- illegal immigration is usually followed by creation of ethnic communities with significant ethnical and cultural distance from the local population that prevents them from integration into the receiving society. This may result in social and ethnical tension, strengthening of extremist nationalist tendencies;
- illegal migration can also generate xenophobic sentiments directed not only at migrants with irregular status, but also at regular migrants, refugees and ethnic minorities, that may lead to the social split;
- illegal migration is the main factor for ultra-right parties to win on the elections;
- social exclusion of illegal migrants from receiving society, forming of separate zones for migrants where they live according to their ethnic-based norms and values (ethnical enclaves) that is making integration of immigrants into the host society difficult or even impossible;
- in case of unfavorable development (prolonged accumulation of illegal immigrants) the situation can go out of control in some regions of country.

Such combination of factors is the reason for growth of problems related to illegal migration and illegal employment of foreigners. The situation is redoubled with criminal groups' activities. They 'assist' illegal immigrants to get job in the shadow sector or clandestine industries, or use them for executing risky crimes. In fact, they sustain growth of the global scale of illegal immigration despite declared counter-irregular migration strategies in most receiving countries.

Meanwhile, we would like to mention one more negative issue related to the growth of illegal migration. These are heavy financial losses, which Russia is suffering, both as a result of unpaid taxes and illegal outflow of money. In 2004, according to estimates of the President of the Russian Banks Association G. Tosounian, private transfers from Russia exceeded private transfers to Russia for 1.3 billion USD. Besides, hundreds of thousands of U.S. dollars are taken out of Russia aside the official bank channels. The survey of remittances of Ukrainian workers in Russia, including illegal migrant workers, conducted by V. Iontsev and A. Kamensky, showed that only this ethnic group of migrants sends from Russia to Ukraine about 300 million USD per year.

In this connection, we would like to stress that illegal migrants are often forced to send their savings home by means of informal channels as official money transfer systems are not well devel-

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oped and expensive. That makes the position of these migrants in Russia more vulnerable as they are in confrontation with official regulations.

The above said trends are contradicting the development of the CIS common labour market though there are obvious favourable conditions for that: common economic past and mutual economic interests in the present and for the future resulting from inevitable globalization trends; common language, similar labour traditions, etc. (see, for example, Iontsev, 2003).

**Illegal Immigration
and State Migration Policy**

In general, according to the state immigration policy the following measures against illegal forms of immigration can be taken: prevention (by information campaigns and special services for potential migrants); enhancement of border control; punishment of human traffickers and smugglers; strict sanctions against employers who hire migrants illegally; development of international cooperation between countries of destination, origin and transit in the field. There are exceptions when such immigrants can be legalized as well; however, it is possible only in definite cases and for particular reasons according to international law. At the same time, when arranging struggle against illegal immigration it is important to maintain confidence in asylum granting systems and in common migration channels as a whole.

In the recent years, governments in many countries, including Russia, were toughening up immigration policy. In the face of increasing international terrorism threat, the following aspects take on priority significance: immigration control; intensification of migrants' filtration according to national security requirements; toughening up measures against illegal immigration.

Strict laws against illegal immigration and against hiring illegal immigrants have passed lately almost in all developed countries: in 1986, 1990 and 2007 in the United States, in 1988–1990 – in Italy and Spain, in 1999 – in the United Kingdom, in 2002 – in Germany, etc.

Measures to reduce illegal immigration are introduced in the following main directions:

- *prevention of illegal immigration*. Information campaigns in the press, on television and radio in the main emigration countries, clarifying terms and conditions of stay and employment abroad, as well as dangers of legal immigration. With these campaigns, potential migrants in the countries of their permanent residence will be able and are expected to receive essential information on advantages of legal ways of immigration, transit and employment in the host countries. E.g., under the European Commission initiative, special information centers in the countries with the largest expected emigration flow are settled. The main function of these centers is to provide inhabitants with

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information on legal seasonal employment opportunities in the EU and to carry out information campaign about dangers of illegal immigration.

- *intensifying border control*. The European Commission considers that one of the key security components is effective guarding of the EU external borders. It is important not only in the context of anti-terrorism protection, but also against illegal immigration, human trafficking and organized crime as well. European borders protection agency - Frontex – is on duty to achieve this security goal;
- *suppression of criminal organizations activity*, that are engaged in illicit transit of migrants; *granting special visas* to those persons who act as witnesses against participants of such criminal groups;
- *imposing sanctions against transporters* – i.e. against transport companies bringing illegal immigrants on surface, by water or air;
- *increasing the extent of foreign citizens' responsibility* for illegal stay in the country. Among the measures against such behavior there are administrative penalty, detention, custodial placement, deportation, interdiction or restrictions on reentering the country;
- *introducing administrative and criminal liability of employers* for hiring illegal labor force. E.g., levying delayed tax payments and social transfers of these companies, commerce licence withdrawal, shutdown, deportation expenses payment, imprisonment of directors;
- *intensifying cooperation between countries of destination of illegal immigrants*, interaction with countries of origin and transit of illegal migrants. In particular, readmission agreements are signed within the frames of this direction.

Existing laws analysis shows the dual nature of host countries' policies against illegal immigration. On the one hand, policy on newly arriving migrants becomes more and more restrictive. On the other hand, there is legalization policy for those who arrived to the country earlier and were hired illegally. Thus, during the period from 1980 to 2005 over 25 migration amnesties took place in developed countries and more than 7 millions illegal immigrants was amnestied. It is significant that some experts oppose such campaigns as the last; in their opinion, migrants' amnesties can only increase the scale of illegal immigration (for more details: OECD, 2000, p. 53–70).

In 2003–2005, the **Global Commission on International Migration** was launched by the United Nations Secretary-General and a number of governments. It was given the mandate to provide the framework for the formulation of a coherent, comprehensive and global response to the issue of international migration and to achieve a more effective governance of it. One of the eight thematic projects was “**Irregular migration, state security and human security**”. This project examines the use and adequacy of different terms to be used in relation to the irregular immigration;

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examines the ways in which and the extent to which irregular migration constitutes a real or perceived threat to state security and sovereignty; provides an assessment of state policy and practice in relation to control of irregular migration. According to the recommendations of the Commission: border control policies should form part of a long-term approach to the issue of irregular migration that addresses the socio-economic, governance and human rights deficits that prompt people to leave their own country; states should address the conditions that promote irregular migration by providing additional opportunities for regular migration and by taking action against employers who engage migrants with irregular status; states should resolve the situation of migrants with irregular status by means of return or regularization; states must strengthen their efforts to combat the distinct criminal phenomena of migrant smuggling and human trafficking. In both cases, perpetrators must be prosecuted, the demand for exploitative services eradicated and appropriate protection and assistance provided to victims; states must respect the human rights of migrants, the institution of asylum and the principles of refugee protection (www.gcim.org).

As regards situation in Russia, at the moment almost all the attention of Federal Migration Service (FMS) is concentrated on prevention of illegal immigration and struggle against it. Though, FMS is entrusted with developing and carrying out the state migratory policy. Unfortunately, it is necessary to admit that Russia has not worked out strategic vision of migration as a positive phenomenon yet. Misunderstanding of this idea leads to such an attitude of FMS heads to migration processes that is still very similar to the police one, and migration itself (both legal and illegal) is considered, first of all, as a threat to Russian national security. E.g., according to the Konstantin Romodanovsky, the FMS Director, illegal labour migration undermines competitiveness of the Russian labor market and the damage caused by illegal migrants staying in Russia totals over 200 billion rubles a year. As a result, for over 10 years the Russian Government could not pass the State Migration Policy Concept. In the absence of such document, it is difficult to shape positive solution of illegal immigration problem.

To summarize, it is necessary to note that questions connected with illegal immigration management require complex approach. These problems should be considered in a broader context of the general immigration legislation. First of all, it should include definite juristic regulation of criteria and procedures for legal entrance to the country. This regulation should take into account the variety of modern immigration flows.

International experience of struggle against illegal immigration proves that in modern democratic societies this problem cannot be completely solved. At the same time it can be significantly reduced by encouragement of legal labor migrations.

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In order to estimate illegal immigration effectively, first of all, it is essential for Russia to develop juristic base for legal immigration, extend opportunities for legal residence in the country, and simplify procedures to get work permit. On the other hand, policies on illegal migrants and employers that break the law should be toughened up.

With juristic guarantees being expanded, a part of immigrants who now prefer illegal ways of entering and staying in the country will switch to legal position. It is significant that the recent Russian legislative initiatives in the field of migration management that were put into the force in January 2007 can help this process. However, they cannot give a fundamental solution to the problem of illegal immigration as long as its advantages are evident for those who benefit from it (businessmen, employers, consumers, representatives of legal bodies, human traffickers, etc.).

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