

How to Cite:

Korolova, V. V., Dolhoruchenko, K. O., Oliinyk, O. B., Glukh, M. V., & Hrytsiak, I. A. (2021). International legal aspects of migration in the EU: policies and standards. *Linguistics and Culture Review*, 5(S3), 539-553.
<https://doi.org/10.37028/lingcure.v5nS3.1539>

International Legal Aspects of Migration in the EU: Policies and Standards

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Abstract---Migration policy is an independent direction of public policy, which is closely related to its other components, both domestic and foreign policy. It is an element of population policy and, at the same time, as one of the means of projecting the desired population and labor force - part of socio-economic policy, a tool to achieve its goals. Migration policy, on the one hand, is aimed at planning the movement of the population, and on the other - performs the functions of control over it, is a reaction of the state to the spontaneous movement of people. The purpose of the article is to determine the basics of migration policy of the European Union, problematic aspects in migration policy and mechanisms for its improvement. The methodological basis of the work is represented by a set of methodological approaches, a set of philosophical, general scientific and private-scientific methods, which allowed to ensure the reliability and validity of the research results. The main purpose of the

article was to present a wide range of results of the study on the generalization of the migration policy of European countries and ways to improve it in today's realities.

Keywords---human rights, migration flow, migration policy, migration processes, migration shield, migration, national security.

Introduction

One of the historical factors of human development is migration. It is the movement of the population within the country, region, continent contributed to the formation of trade and economic relations in the world. Historically, several centers of migration have been formed, among which a special place is occupied by the European region. The development of globalization and democratization of public life has contributed to much greater opportunities for people to move between countries, significantly intensifying migration processes. International migration is an important element in the formation of the composition and population, a factor influencing socio-economic development and international relations (Pearson, 2006; Stark & Wang, 2002).

Migration has both a positive impact on the internal state of the country (economic - by increasing the labor force; cultural - the integration and renewal of culture) and negative (exacerbation of the criminogenic situation in the country, the formation of real danger in certain areas and sectors). Like any other global process, international migration not only opens up new opportunities but also creates new ones. The challenges caused by social changes caused by migration have led to the rapid politicization of the migration sphere, the transformation of migration policy into a mandatory component of the activities of national governments, intergovernmental associations, and the entire world community. The essence and content of migration policy have been the subject of numerous scientific studies, as well as discussions at the highest interstate level (Sergeieva et al., 2021; Ovcharenko et al., 2020).

The main element of migration management is the migration policy of both nation states and their associations. The importance and requirements for migration policy in today's world are growing. First, without an adequate migration policy, it is impossible to use the significant positive potential of migration for development, and second, the ability of national governments to properly regulate migration is a prerequisite for successful international cooperation in this area. Given the growing volume of international movement, their diversity and diversity, the state's task of regulating migration processes is extremely complicated. Among other things, states are limited in their actions due to their declared principles of respect for human rights and international commitments. Therefore, the issue of content, subject, essence and features of migration policy is attracting more and more attention of both politicians-practitioners and scientists (Buckler et al., 2009; Theoharides, 2020).

The relevance of the chosen topic is confirmed by the fact that migration as a social phenomenon is organically connected with such legal phenomena as civil

society and human rights, as it is one of the forms of realization of personal human freedom (Korniienko et al., 2021; Cherniavskyi et al., 2019). Migration and the problem of observance and protection of human rights is a cornerstone for the legal systems of individual states, which should encourage these states to develop the principles of modern migration policy. Such a migration policy of each individual state must contain a set of permits and restrictions on migrants (Reddick et al., 2015; Kanngießer et al., 2004).

As the issues and problems of migration are extremely relevant today, the phenomenon of international migration in the context of globalization of world markets, in particular the intensification of migration on the European continent, is the subject of research in the works of many domestic and foreign scientists. The issues of labor migration, normative-legal aspects of regulation of migration processes, migration policy of Ukraine in the aspect of cooperation with the European Union were taken care of by such scientists (Neisser, 2016; Kormich, 2020; Malinovskaya, 2018; Pak, 2017; Salt, 2005). The purpose of the article is to determine the basics of migration policy of the European Union, problematic aspects of migration policy and mechanisms for its improvement and present a wide range of results of the study to summarize the migration policy of European countries and ways to improve it in today's reality (Khurshid & Hassan, 2020; Aldim et al., 2018).

Materials and Method

The methodological basis of the work is represented by a set of methodological approaches, a set of philosophical, general scientific and private-scientific methods, which allowed to ensure the reliability and validity of the research results. Taking into account the specifics of the subject, purpose and objectives of the study, the following main methodological approaches were used, among others: a systematic approach - when considering the place and role of migration in the structure of social life; comparative approach - in the process of correlation of general, special, individual and unique in migration as a phenomenon; anthropological approach - in determining the problematic aspects of the legal regulation of migration through the prism of the "human factor", ie various forms of legal existence of man as a migrant; axiological approach - features of the legal values of the European Union (Khamari, 2021; Sarnoto & Hayatina, 2021).

The achievement of this scientific goal was facilitated by the use of a number of scientific methods, among which the most important were: the comparative legal method allowed to analyze current trends in the provisions of current EU law in the field of migration policy; the hermeneutic method was used to interpret the rules of current law in the field of migration; the synergetic method focused on the peculiarities of modern self-organized migration processes, taking into account changes, causes, factors that are based on random processes; formal-legal method helped to clarify the nature of the principles and norms of migration law, forms and mechanisms of their interaction through legal constructions and legal terminology. The whole research process was accompanied by the use of logical techniques (analysis, synthesis, induction, deduction, abstraction, generalization, analogy, modeling), which served to clarify and formulate a number of new scientific positions and concepts. The methodological basis of the

study was also based on the method of structural and functional analysis - to characterize the specifics of the legal framework for the management of migration processes in individual EU member states or at specific stages of the European Union; institutional analysis -to study the structure of management of migration flows, institutions for the development and implementation of migration policy (Chen et al., 2020; Ho et al., 2011).

The normative and legal basis of the work was the legislation of the European Union in the field of migration regulation. The theoretical basis of the work were the scientific works of domestic and foreign scientists in the field of international migration, state regulation and European integration. The legal field of the study consisted of current domestic and international legal research in the field of migration, state regulation and European integration. The information base of the work is official statistics, Internet resources. To solve the tasks set in the dissertation, a theoretical analysis of the scientific literature, reports of international organizations in the field of economics, migration, demography was also conducted (Dietrick et al., 1992; Krieger et al., 2002).

Results

Legal aspects of migration policy at the global level

For a long time, Europe was the center to which the largest migration flows gravitated. At the stage of formation of states and development of economic relations, migration led to new stages of intensive development. Only later did migration processes begin to cause significant damage to the economic systems of many European countries. Migration is a process that involves the regular movement of people and, consequently, many risks. The European Union (EU) was created as a unique trade and economic union, within which the founders established the principle of free movement of goods, capital and labor. Thus, the very nature of EU economic integration is built on the principles of acceptability of migration, its use for economic growth of individual countries, transformation into a powerful driving force of the economy through the tools of exchange of experience (Widana et al., 2020).

The migration policy of the state has a significant impact on the state of its labor potential and is a component of the general demographic policy and stands out as an independent element only in order to specify the measures to regulate the movement of the population. Without in-depth analysis and clarifying the causal links and the mechanism of migration processes to improve their management practically impossible. This mechanism affects mainly the sphere of socio-economic relations, which encourages the study of the causes and moments of movement of people. Thus, migration policy is a system of legal, financial, administrative and organizational measures of the state and non-governmental institutions for regulation migration processes from the standpoint of migration priorities, quantitative and qualitative composition of migration flows, their social, demographic and economic structure (Perederiy, 2016).

Migration policy at the global level is developed and implemented in declarations, conventions and other acts adopted primarily at the United Nations level by its

specialized agencies: the International Labor Organization, UNESCO, specialized agencies - the UN Economic and Social Council, the Office of the High Commissioner. United Nations High Commissioner for Refugees, the International Organization for Migration. The government of each country determines the direction and purpose of migration policy when developing a set of measures to regulate the processes of external labor migration, adhering to international legal standards.

At the same time, each country can act as an importer and exporter of migrants. This is an important feature of international migration - the regulation of such a process is carried out by two (or more) entities that influence different stages of population movement and pursue different interests. While the labor-importing country is more responsible for the arrival and use of migrants, the function of the labor-exporting country is to regulate the outflow and protect the interests of migrants abroad. Legal regulation of the mutual interest of countries receiving and sending migrants is carried out in the form of bilateral or multilateral international agreements on migration. Currently, a significant number of organizations, primarily within the UN, as well as regional groups are dealing with issues related to migration of labor and labor resources ([MacDonald et al., 2013](#)).

The legal framework at EU level for the regulation of migration processes is the Convention on Migrant Workers No. 97 [International Labour Office \(1949\)](#), and the Convention on the Abuse of Migration and on Ensuring Equal Opportunities and Equal Treatment for Migrant Workers No. 143 ([International Labour Office, 1975](#)). These instruments constitute recognition by ratifying States, equality of the latter regardless of their nationality, race, religion, gender, etc. Thus, the status of migrants is determined and the rights of migrant workers are protected by the following measures: organization of free services to help migrants and provide them with the necessary information; taking measures against uncertain information and propaganda on issues related to immigration and emigration of citizens; taking measures to facilitate all stages of migration: departure, relocation and reception of migrants; organization of relevant medical services; permission to transfer home earnings and savings of migrant workers.

The Council of Europe Convention on the Legal Status of Migrant Workers (The Council of Europe) establishes fundamental rights for migrant workers and members of their families, and ensures their social development and well-being under the Convention. Over the years, the Council of Europe has issued many recommendations on streamlining national asylum provisions, improving the skills of asylum officials, detaining asylum seekers, returning asylum seekers, and providing additional and temporary protection. The analysis of international acts allows us to conclude that migration policy contains or permeates such common concepts as environmental, social, national and international policy. The study of migration processes in the context of globalization allows us to distinguish two approaches (levels) to the study of migration control. These are international and national levels. At the first level, migration policy is considered in the context of international relations. In this case, migration control is interpreted as a structural need that stems from a mismatch between open, global, market forces and closed, territorially bound state entities. The analysis of the migration policy of the second level (national) is an attempt to determine the

internal factors that shape and determine the specific migration policy of Western countries.

It should be emphasized that the migration legislation of the national level of Western countries is based on the international legal basis and the uniform principles enshrined in intergovernmental acts, such as the Schengen Agreement of Europe (1989), the Maastricht Treaty European Parliament and Treaty of Amsterdam (Scarrow, 1997). The first important step towards European unity was the Schengen Agreement between the six European countries, which has been in force since March 26, 1995. It provides for the abolition of border controls at the borders of Schengen countries. No member state of the agreement is allowed to carry out permanent border controls at the borders with other member states. The agreement stipulates that border controls within the Schengen area may be reintroduced in the event of a serious threat to the national security of a member state of the agreement. The signing of the Schengen Agreement defined a common visa policy. Schengen visas are issued by any Member State that allows non-citizens of the European Union to travel throughout the territory.

An important role in regulating migration policy is played by the 1992 Maastricht Treaty, which sets out the principles for enhancing cooperation between the Member States of the European Union in the field of migration and security. The Amsterdam Treaty of 1997 provides for the development of a common migration policy, which is now the responsibility of the European Economic Community. This does not mean, however, that nation states are completely deprived of such competence. In accordance with the principle of subsidiarity, they can continue to apply national policies on European legislation (De Haas et al., 2015).

Migration policy in the general sense is a system of special national laws, as well as migration agreements to regulate migration flows, limit the influx or outflow of refugees and illegal immigrants and stimulate the influx of cost-effective human capital, especially researchers and highly qualified professionals. Migration policy is an independent direction of public policy, which is closely related to its other components, both domestic and foreign policy. It is an element of population policy and, at the same time, as one of the means of projecting the desired population and labor force - part of socio-economic policy, a tool to achieve its goals. Migration policy, on the one hand, is aimed at planning the movement of the population, and on the other - performs the functions of control over it, is a reaction of the state to the spontaneous movement of people. Thus, migration policy in the narrow sense is aimed at regulating the number, composition, direction of population movements, and more broadly - it is a state doctrine or concept of regulating migration processes, aimed at the future, to ensure sustainable development. In the context of globalization, migration policy acts as an aspect of international policy (Global Commission on International Migration, 2015).

Adequate migration policy must meet several basic criteria. First, as the famous English researcher John Salt wrote, its developers and their social partners must be well informed, and use the most reliable and up-to-date information. Second, migration policy-making must be open and transparent. Third, the procedures and rules formulated in the policy framework should be as clear and

unambiguous as possible. Fourth, any policy must be feasible within available resources, including information and financial resources, as well as time resources. Finally, and most importantly, policy must have clear goals and objectives, ideally to be achieved consistently (Salt, 2005).

Migration policy performs certain functions, among which we can highlight the regulatory, which is to influence migration flows in order to regulate them; controlling - ie control over the development of migration processes, protection of migrants' rights, counteraction to illegal migration; diplomatic, which involves finding solutions to migration problems at the international level; integrative, which is carried out both at the internal level through ensuring the integration of migrants into the reception society, and externally - through the development and implementation of migration policy agreed with other states (Malinovskaya, 2018).

The new immigration policy. Examples of foreign countries. Prospects for development

The basis of the policy of host countries in the EU is the direction (principle) of "multiculturalism". This principle does not require the assimilation of immigrants and allows the existence of closed communes of outsiders, whose members' lives are mostly built within either native or equivalent local cultures, regardless of traditions, history and other features of the "new homeland". Multiculturalism has long been considered the most successful model of "peaceful coexistence" of different cultures in one society. In general, the immigration policy of the EU, despite some differences and national characteristics, is characterized by measures to limit entry into the country of low-skilled labor, the fight against illegal migration and re-emigration policy.

As a result of the complex experience gained over the years, more and more countries of destination have begun to use a combined approach to migration. The essence of this approach is to combine better border controls, severe penalties with the real opportunities for migrants to use a number of legal forms of immigration. Border control has been improved by revising and changing the concept of national borders. The impetus for the combined approach has been the realization by developed countries that a single approach is not enough. And even the use of a combined approach does not allow to avoid unpredictable results. Large countries that receive migrants are increasingly recognizing that control measures or severe penalties are not in themselves a means of combating illegal immigration. On the contrary, the less effective legal migration processes are, the more they can inadvertently encourage illegal migrants to use illegal means (Kanu et al., 2019).

One of the biggest challenges for the entire EU migration system is the problem of significant refugee growth and illegal immigration. According to statistics, in 2019, almost 142 thousand illegal border crossings were detected at the borders of the European Union, compared to the lowest number recorded in 2013 (107 thousand people). A critical period of growth in illegal EU border crossings was recorded in 2015 (the peak of the European migration crisis), during which more than 1.8 million illegal border crossings were detected. To reduce the intensity of migration flows, the EU has introduced a set of measures that generally provide

enhanced financial support to intermediate countries to increase their capacity to deter intensive illegal migration (the use of "migration shield" tactics); financing communities in intermediate countries to minimize social tensions and compensate for losses from uncontrolled migration flows; strengthening EU border regions; conducting joint exercises for border institutions between the EU and intermediate countries. It should be noted that the EU migration policy is not always preventive, but it responds quickly to the challenges facing the EU migration system.

EU migration policy is aimed at regulating all types of migration, including a set of actions on refugees and stateless persons. However, the current migration challenges, first of all, the EU migration crisis in 2015, have identified the need to qualitatively improve the approved provisions of the EU migration policy. Particular attention needs to be paid to such areas of EU migration policy as ensuring control and legalization of stateless persons, timely preventive measures to reduce the negative impact of migration tensions, developing a mechanism to minimize the negative impact of migration of refugees, stateless persons and other migrants during global challenges. , in particular pandemics, providing a mechanism for the assimilation of refugees and stateless persons staying in the EU, improving cooperation mechanisms between the EU, intermediate regions and regions-centers of migration flows, ensuring effective coordination of efforts between EU countries to implement a common migration policy (Arar et al., 2019).

One of the key elements of the new immigration policy of Western countries is the development of educational migration. It is economically profitable because it brings foreign investment into the national education system, and also becomes a source of highly qualified personnel who have already adapted in the country of study. In many countries, international students have been granted the right to work immediately after graduation without having to travel abroad. By facilitating entry for high-skilled people, Western society is stepping up immigration controls and combating illegal migration. It opens the door to those who are interested in it, and at the same time strengthens protection against those who do not need it or threaten its security. The mistakes of previous years have prompted Western governments to pay more attention to the integration of immigrants, as political stability in society today depends on this. The new integration policy will take into account both immigrants who have lived in the country for a long time and those who have recently arrived in the country, including as refugees or relatives. In Germany, for example, attending special integration courses is mandatory for immigrants, and all costs of organizing these courses are borne by the state. Newly arrived immigrants who have not been trained may be denied a renewal of their residence permit, and long-term immigrants may be denied social benefits. Another area of integration policy is the fight against racism, other forms of discrimination and xenophobia.

As for migration policy and legal regulation of migration relations within the EU, it is worth noting that migration issues belonged to the "delicate" areas of national policy, so EU member states have long refused to share control over them, relying on "soft" forms of cooperation. However, even such "soft" cooperation has built up enough capacity to transform into a "hard" policy, which, in the case of migration

policy, means shifting some of the issues of visas, political asylum, entry and external border controls from the third pillar to the first, ie at the EU level. The practice of intergovernmental cooperation has demonstrated its shortcomings due to the complex decision-making process, the lack of clearly defined policy objectives, the closed nature of negotiations on migration issues, and the lack of parliamentary and judicial oversight of the implementation of decisions (De Haas et al., 2019).

All this necessitated the adoption of special measures in the field of migration policy at the EU level. The main factors in the formation of EU migration policy, in addition to external migration pressure, are the demographic situation in most European countries and the needs of the labor market. In the short term, the realities of the financial and economic crisis have also played a role, the consequences of which are quite painful, especially for some EU members. Internal European mobility has been affected by the enlargement of the European Union over the last decade, mainly at the expense of countries whose living and wage levels have lagged far behind the "old" EU members. Migration policies (conditions of entry, movement, residence, family reunification, employment of foreigners, prevention of unauthorized immigration) were qualified by the Maastricht Treaty as being of common interest and should be decided on an intergovernmental basis.

In recent years, the EU's migration policy has changed and its legal framework has taken on a new meaning. Informal intergovernmental contacts have evolved into a full-fledged legislative bloc of the community, an important part of the *acquis communautaire* of integration. Programs have been successfully implemented, which have made it possible to make significant progress towards greater openness and security in Europe, intensify internal European mobility, strengthen external border protection, develop legal standards for the reception of immigrants and refugees from third countries, deepen Member States' solidarity and develop EU cooperation. countries of origin of migrants. In addition to the development and adoption of legislation, the creation of specialized institutions and financial instruments, multilateral operations have been conducted, information exchange has been established, employees are being trained according to agreed programs, and so on (Pak, 2017).

At the same time, the process of forming the legal basis for an effective EU migration policy has not been easy. Migration decisions are always at the heart of the public debate at both national and European levels, as they are politically sensitive and must take into account a wide range of security, human rights and internal European solidarity. Difficulties arose in the implementation of decisions, their interpretation in different states and the possibility of actual implementation. Legal regulation of migration processes in the XXI century. has become one of the priorities on the agenda of modern Europe. The EU has announced the aim of formulating a "comprehensive migration policy based on the general basic principles of admission of third-country nationals to the territory of the Member States" while ensuring the protection of the EU's common border. Solving the problems of legal regulation of migration complicates the coexistence of diametrically opposed views: support for the policy of multiculturalism and protest against modern "colonization". This requires finding

the optimal format for legal regulation of EU migration policy, which reflects the contradictory nature of modern democracy with the coexistence of opposite principles: universality and territorial specificity, human rights and sovereignty of the people and so on. Current trends and developments necessitate the revision and improvement of effective models for regulating international migration processes. The European Union is taking such action, focusing on the need for new proposals to improve the theoretical basis and practical application of legal mechanisms for effective migration policy ([Kormich, 2020](#)).

Discussion

Due to the intensification of migration processes and the influx of refugees into Europe, the problems associated with the further socio-economic development of states and the stability of their political systems are exacerbated. All this has led to the fact that at present in the field of migration policy of European countries there are the following problems:

- An unprecedented increase in the scale of immigration, including illegal. This is due to the fact that the leadership of european countries has long turned a blind eye to the influx of illegal labor, as a result of which illegal immigration in recent decades has become an integral feature of many countries, despite the adoption of laws prohibiting illegal stay and employment of foreigners. In general, illegal migration seriously covers both the national and personal security of the inhabitants of the european union.
- The transformation of european countries, which were once suppliers of migrants to other european countries, into direct centers of immigrants today, as a result of changing migration flows and expanding the range of labor-supplying countries in the european arena. In particular, italy, spain, portugal and greece, which were previously the main sources of immigrants in europe, are now the so-called new european immigration countries.
- The emergence of isolated immigrant ethnic communities and the emergence of a multicultural society, which is a potential basis for the existence of hidden conflicts, which over time can escalate into intercultural confrontation.
- The growth of organized crime, and an important role is played by those communities that have settled in european countries as a result of migration processes. Thus, in a short period of time in the european union there was a well-organized criminal network, characterized by such features as a well-established information system, penetration into border control services in a number of countries, the availability of modern vehicles, deployment of the entire fake industry, etc.
- The existence in the eu of a problem of "vicious circle", which consists, on the one hand, in combating immigration flows, and on the other - in compliance with the principles declared by international law: protection of migrants' rights, combating poverty, etc.

I must say that the very structure of the central bodies of the European Union is bureaucratic and tightly regulated. In the search for a rational and balanced policy on internal and external migration, the European Commission and the governments of the member states tried to find a form of reconciling common and

individual interests that would best serve the interests of community development. With the adoption of the basic provisions of the EU in the wording of the Amsterdam Treaty, the coordination of actions of governing bodies and governments of the European Union was extended to migration and asylum. However, as practice shows, the problem of migration regulation has revealed the imperfection of the legal and regulatory framework of the European Union in this area and has become an incentive for sharp intergovernmental contradictions that do not solve urgent problems, but only try to "cosmetic" to solve painful problems (Neisser, 2016).

These and other problems in the field of modern migration policy make the issue of effective migration law policy in the European Union one of the most pressing on the agenda of both national and supranational levels. After all, illegal immigration has long been a challenge to the security not only of individual countries, but also of the EU as a whole. Europeans have realized that in today's reality there is an urgent need to combat illegal immigration, strengthen coordination and improve cross-border cooperation between police, border and immigration services. In this regard, it is necessary to implement a set of measures to regulate migration processes aimed at combating illegal migration and deterring the number of refugees from Eastern countries (Tkach, 2012). In our opinion, all the considered problems in the field of EU migration policy indicate that the EU's priority should be:

- Setting restrictions on the flow of migration at the European level, for which it is necessary to adopt relevant regulations.
- Strengthening the control of refugees crossing the borders of European countries, especially in southern Europe, as well as in mountains and forests.
- Formation of a single border service, which allows to take under special protection checkpoints on highways, airports, sea and railway stations.
- Encouraging refugees to return home and implement appropriate priority programs for the voluntary departure of immigrants.
- Unify the European legislation and the legislation of individual countries in accordance with the challenges and needs of today.
- Improving border control at the external border between the European Union and the rest of the country.
- Harmonization of the national laws of each EU member state aimed at combating illegal migration.
- Close cooperation between the police of the member states in the fight against illegal movement of people and the unification of criminal laws providing for liability for such criminal business in Europe.
- Development of an effective internal security strategy that should strengthen the protection of citizens, in particular from organized crime, terrorism and other threats that have begun to arise and are increasingly emerging today due to the uncontrolled influx of foreign refugees.

Therefore, there is a need for a comprehensive migration policy, characterized not only by a common view of all migration flows, but also by the incorporation of migration issues into all other areas of political activity of the European Union.

Improving migration policy requires the ability to see strategic goals, not just today's challenges. Migration, given its potential, should become an integral part of the economic plans and development strategies of each EU member state. These strategic measures should also be aimed at pursuing a common European migration policy, establishing a common asylum system, facilitating legal migration and strengthening the fight against illegal migration by strengthening the protection of the EU's southern borders.

Conclusion

In today's world, international migration is one of the key phenomena that characterize globalization, an inevitable consequence of society's transition to a post-industrial stage of development, as well as a source of both problems and opportunities for all mankind. The development of globalization and democratization of public life has contributed to much greater opportunities for movement of people between countries, significantly intensifying migration processes, which are the course or course of any migration phenomenon, the consistent change of its stages, periods and states.

The European Union is a powerful hub for migration flows. EU immigration policy is based mainly on restrictive and control measures. The implementation of these measures is a rather serious political, economic and legal problem. Usually, international migration occurs when there is a great contrast between the levels of economic development and the rate of natural growth of donor and recipient countries. Immigration policy and legal norms in the EU focus on a systematic approach. Immigration control and reception of migrants are coordinated with the provision of their accommodation, adaptation or integration, as well as with the adoption of external measures to limit and prevent the flow of unwanted migrants. Peculiarities of migration regulation, the degree of correctness of the migration policy in general and labor in particular, depend on the economic and political interests of the host countries and countries - suppliers of labor.

Migration policy in the general sense is a system of special national laws, as well as migration agreements to regulate migration flows, limit the influx or outflow of refugees and illegal immigrants and stimulate the influx of cost-effective human capital, especially researchers and highly qualified professionals. In modern realities, migration policy in European countries is an important factor in ensuring the national security of the European Union. After all, political, economic and social stability in society depends on a balanced migration policy, and it is on the basis of socio-economic indicators of the country's development that one can assess the strength or weakness of an individual state in the European community and the world in general. Due to the intensification of migration processes and the influx of refugees into Europe, the problems associated with the further socio-economic development of states and the stability of their political systems are exacerbated. The EU's migration policy requires a total overhaul and implementation of new approaches to solving the problems of illegal migration and Islamization of the European population. These areas should be combined into a single foreign policy of the European Union and, above all, into European security policy. Combating illegal immigration must be a top strategic priority in the EU's foreign policy as it expands.

References

- Aldim, A., Sholahuddin, A., & Sadhana, K. (2018). Policy implementation of nashir endowments. *Journal International Research Journal of Engineering, IT and Scientific Research*, 4(2), 63-72.
- Arar, K., Brooks, J. S., & Bogotch, I. (2019). *Education, immigration and migration: Policy, leadership and praxis for a changing world*. Emerald Publishing Limited.
- Buckler, K., Swatt, M. L., & Salinas, P. (2009). Public views of illegal migration policy and control strategies: A test of the core hypotheses. *Journal of Criminal Justice*, 37(4), 317-327. <https://doi.org/10.1016/j.jcrimjus.2009.06.008>
- Chen, H., Fu, Q., Liao, Q., Xiao, C., Huang, Y., Xia, A., & Zhu, X. (2020). Modeling for thermal hydrolysis of microalgae slurry in tubular reactor: microalgae cell migration flow and heat transfer effects. *Applied Thermal Engineering*, 180, 115784. <https://doi.org/10.1016/j.applthermaleng.2020.115784>
- Cherniavskiy, S. S., Holovkin, B. M., Chornous, Y. M., Bodnar, V. Y., & Zhuk, I. V. (2019). International cooperation in the field of fighting crime: Directions, levels and forms of realization. *Journal of Legal, Ethical and Regulatory Issues*, 22(3), 1-11.
- De Haas, H., Czaika, M., Flahaux, M. L., Mahendra, E., Natter, K., Vezzoli, S., & Villares-Varela, M. (2019). International migration: Trends, determinants, and policy effects. *Population and Development Review*, 45(4), 885-922.
- De Haas, H., Miller, M. J., & Castles, S. (2019). *The age of migration: International population movements in the modern world*. Red Globe Press.
- Dietrick, D. D., Issa, M. M., Kabalin, J. N., & Bassett, J. B. (1992). Intravesical migration of intrauterine device. *The Journal of urology*, 147(1), 132-134. [https://doi.org/10.1016/S0022-5347\(17\)37159-8](https://doi.org/10.1016/S0022-5347(17)37159-8)
- Global Commission on International Migration. (2005). *Migration in an interconnected world: New directions for action*. The Commission.
- Ho, Q., Nguyen, P. H., Åström, T., & Jern, M. (2011). Implementation of a flow map demonstrator for analyzing commuting and migration flow statistics data. *Procedia-Social and Behavioral Sciences*, 21, 157-166. <https://doi.org/10.1016/j.sbspro.2011.07.029>
- International Labour Office. (1949). Migration for Employment Convention.
- International Labour Office. (1975). Migrant Workers (Supplementary Provisions) Convention.
- Kanngießner, B., Hahn, O., Wilke, M., Nekat, B., Malzer, W., & Erko, A. (2004). Investigation of oxidation and migration processes of inorganic compounds in ink-corroded manuscripts. *Spectrochimica Acta Part B: Atomic Spectroscopy*, 59(10-11), 1511-1516. <https://doi.org/10.1016/j.sab.2004.07.013>
- Kanu, I. A., Omojola, I. O., & Bazza, M. B. (2019). The National Migration Policy: A Critical Review. *Nnadiesube Journal of Social Sciences*, 2(2).
- Khamari, Z. (2021). Politicizing flight in Edward Albee's seascape. *Linguistics and Culture Review*, 5(1), 10-19.
- Khurshid, A., & Hassan, A. (2020). Semantic complications in the war on terror discourse and manipulation of language by state and non-state actors. *International research journal of management, IT and social sciences*, 7(1), 162-168.
- Kormich, A. I. (2020). Legal regulation of EU migration policy: conditionality and significance.

- Korniienko, P. S., Plakhotnik, V., Blinova, H. O., Dzeiko, Z. O., & Dubov, G. O. (2021). Contemporary Challenges and the Rule of Law in the Digital Age. *Studies of Applied Economics*, 39(9).
- Krieger, K., Gong, X., Balden, M., Hildebrandt, D., Maier, H., Rohde, V., ... & Team, T. A. U. (2002). Erosion and migration of tungsten employed at the central column heat shield of ASDEX Upgrade. *Journal of nuclear materials*, 307, 139-143. [https://doi.org/10.1016/S0022-3115\(02\)01032-2](https://doi.org/10.1016/S0022-3115(02)01032-2)
- MacDonald, J. M., Hipp, J. R., & Gill, C. (2013). The effects of immigrant concentration on changes in neighborhood crime rates. *Journal of Quantitative Criminology*, 29(2), 191-215.
- Malinovska, O. A. (2018). Migration policy: global context and Ukrainian realities: monograph. *Kyiv: NISD*, 472.
- Neisser, H. (2016). European migration policy. In *Africa and Fortress Europe* (pp. 155-174). Routledge.
- of Europe, C. (1989). Convention on the Legal Status of Migrant Workers. *Annual review of population law*, 16, 180.
- Ovcharenko, M. O., Tavolzhanskyi, O. V., Radchenko, T. M., Kulyk, K. D., & Smetanina, N. V. (2020). Combating Illegal Drugs Trafficking Using the Internet by Means of the Profiling Method. *J. Advanced Res. L. & Econ.*, 11, 1296.
- Pak, N. A. (2017). Migration policy of the European Union: problems and prospects. *Bulletin of Karazin Kharkiv National University*, 6, 54-57.
- Pearson, R. G. (2006). Climate change and the migration capacity of species. *Trends in ecology & evolution*, 21(3), 111-113. <https://doi.org/10.1016/j.tree.2005.11.022>
- Perederiy, O. S. (2016). International economic relations. Kyiv: Center for Educational Literature, 274 p.
- Reddick, C. G., Chatfield, A. T., & Jaramillo, P. A. (2015). Public opinion on National Security Agency surveillance programs: A multi-method approach. *Government Information Quarterly*, 32(2), 129-141. <https://doi.org/10.1016/j.giq.2015.01.003>
- Salt, J. (2005). *Current trends in international migration in Europe*. Council of Europe.
- Sarnoto, A. Z., & Hayatina, L. (2021). Polarization of the Muslim community towards government policies in overcoming the COVID-19 pandemic in Indonesia. *Linguistics and Culture Review*, 5(S1), 642-652.
- Scarrow, S. E. (1997). Political career paths and the European Parliament. *Legislative studies quarterly*, 253-263.
- Sergeieva, L. M., Hriadushcha, V. V., Dubov, G. O., Didych, T. O., & Saienko, M. I. (2021). Compliance of the Quality of Educational Services Provided by Vocational Education Institutions with the Labor Market Demand in Qualified Staff under Economic Crisis. *Studies of Applied Economics*, 39(9).
- Stark, O., & Wang, Y. Q. (2002). Migration dynamics. *Economics Letters*, 76(2), 159-164. [https://doi.org/10.1016/S0165-1765\(02\)00042-3](https://doi.org/10.1016/S0165-1765(02)00042-3)
- Theoharides, C. (2020). The unintended consequences of migration policy on origin-country labor market decisions. *Journal of Development Economics*, 142, 102271. <https://doi.org/10.1016/j.jdeveco.2018.07.012>
- Tkach, V. Yu. (2012). European labor market in the system of international labor migration. *Economics of Agro-Industrial Complex*, 2, 138-143.

- Widana, I.K., Dewi, G.A.O.C., Suryasa, W. (2020). Ergonomics approach to improve student concentration on learning process of professional ethics. *Journal of Advanced Research in Dynamical and Control Systems*, 12(7), 429-445.