

ПЕРЕДМОВА

Увазі читачів пропонується видання, яке є збіркою тез доповідей учасників XII Міжнародної студентської науково-практичної конференції іноземними мовами «Протидія незаконній міграції (зарубіжний досвід)», яка була проведена в Харківському національному університеті внутрішніх справ.

Контроль та регулювання міграційних потоків населення є одним з найважливіших завдань держави, при цьому несанкціоноване пересування людей через міжнародні кордони є предметом її особливої стурбованості.

Найбільшої гостроти ця проблема набула останнім часом в зв'язку з глобалізацією світової економіки, зростаючою нерівномірністю розвитку країн світу, нестачею робочих ресурсів в розвинутих країнах, лібералізацією законодавства та зняттям обмежень на пересування людей та низкою інших факторів.

Негативний вплив незаконної міграції на різні сфери суспільного життя важко переоцінити: вона призводить до міжнаціональних конфліктів, супроводжується зростанням злочинності та стає базою для організованих злочинних угруповань та міжнародних терористичних організацій. На теперішній час нелегальна міграція перетворилась на вкрай прибутковий кримінальний бізнес, боротьба з яким потребує мобілізації всіх ресурсів держави. При цьому основний тягар протидії цьому негативному явищу припадає на правоохоронні органи. Саме вивчення досвіду роботи закордонних правоохоронців в цьому напрямку і стало головним об'єктом дослідження учасників конференції.

Проблеми, які розглядаються та узагальнюються молодими дослідниками, включають історичні аспекти та різноманітні причини міграції, ту загрозу, яку вона становить безпеці держави, її зв'язок з різними злочинними проявами, стратегія та методи протидії незаконній міграції, особливості боротьби з нею в окремих країнах, законодавче забезпечення такої боротьби, необхідність міжнародного співробітництва в цій сфері та багато то інших.

Хочеться сподіватися, що, незважаючи на молодий вік та недостатній досвід дослідників, їм вдалось проаналізувати різноманітні аспекти того вкрай негативного явища, яким є незаконна міграція, та запропонувати такі шляхи вирішення цієї проблеми, які заслуговують на уважне вивчення і подальше втілення в практику правоохоронної роботи.

Тези англійською мовою

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ILLEGAL MIGRATION

Each country is touched by the effects of international migration – particularly its unauthorized variant – illegal migration.

Statistics on international migration are essential to direction of all immigration flows. But most temporary and irregular immigrants are not included, because government data base do not report them.

Several forms of illegal immigration: unauthorized entrants (nationals of one state who enter another state clandestinely), individuals who are inspected upon entry into another state, but gain admission by using fraudulent documents, violators of the duration of a visa (individuals who enter another state but "wilfully" overstay their period of legal stay, thus lapsing into irregular status), violators of the terms and conditions of a visa (nationals of one state who enter another state with the proper documents and procedures, but at some point violate the terms of their visa).

Immigration systems bind sending, receiving, and transit countries together, creating self-feeding dynamics that encourage more migration. These dynamics include "push" and "pull" factors.

A strong "law-and-order" component to the overall approach to illegal immigration is necessary because illegal immigration subverts a society's legal order and undermines or perverts a variety of foreign and domestic policy priorities.

Regulation is a important part of any robust management system and the ultimate guarantor of a system's integrity.

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THE PHENOMENON OF ILLEGAL IMMIGRATION AND WAYS OF ITS REGULATION

Transformational processes up-country have a significant influence on all sides of the social, economical and political life of the society. The processes of human migration underwent changes. The illegals have their own areas of employment, which coincide with the areas of legal migrants: building, maintenance,

house cleaning, industry of seasonal production run, agricultural works, travel industry and show business, dining and hotel business, housekeeping. That's why here has been accelerate efforts to control the illegal migration. While developed countries are concerned with their set of problems – threats to security, perceived lack of control, effects on labour markets – less developed countries have their own concerns about unauthorized migration. These include the gross disregard for the human rights, labour rights, and other basic rights of their nationals who enter the illegal immigration stream. Illegal immigration now preoccupies most better-off societies, and this preoccupation is beginning to spill over into how governments and publics alike have begun to think about most immigration and immigrants. Four reasons for such systemic "failure" seem to be most important.

1. "Law-and-order" measures alone are ineffective throughout the world. Several hundred would-be immigrants die each year as they attempt to cross into the United States illegally from Mexico.

2. Immigration systems bind sending, receiving, and transit countries together, creating self-feeding dynamics that encourage ever more migration.

3. Unless a state buries itself in isolation, all transnational contacts (economic, political, social, and cultural) have at least some migration consequences. Attempts to deny such consequences simply route immigrants toward illegal entries and stays.

Globalization also becomes a major factor of migration.

4) People fleeing circumstances they consider intolerable will enter the illegal migration stream.

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ILLEGAL IMMIGRATION IN ITALY

It is thought that a majority of illegal immigrants in Italy are exploited in the black economy yet the government spends a significant amount of money every year in ineffective expulsion measures rather than investing in their integration, a report recently released says. The study on illegal immigration in Italy, carried out by a think tank of Catholic charity Caritas in cooperation with the Italian interior ministry, showed that only 44 percent of the 117,000 illegal immigrants apprehended by police in 2009 were expelled from the country.

Under Italy's legislation, approved in 2002 by the previous conservative cabinet to crack down on illegal immigration, the government approves every year a quota of permits, which can be issued according to labour market needs.

Italian Interior Minister Roberto Maroni said that the Italian immigration law needs to be reviewed since it is too complicated to understand and it keeps skilled workers from entering the country.

In 2007 Italy's lower house of Parliament approved a draft law that would allow authorities to expel illegal immigrants immediately or detain them until their expulsion, rather than giving apprehended foreigners 15 days to leave the country, as under current policy. Police estimates that only about 20 percent of the foreigners returned to their native countries.

The new law would also grant an amnesty to some foreigners in Italy. After five years in Italy, foreigners would be allowed unlimited residence permits after five years of living in Italy; they would be entitled to welfare and health care.

I think the Government of Italy tries to solve the problem of illegal immigration, implementing measures that regulate the situation in the country, in particular, migration issues, and guarantee their worthy living. In general, I can say that not only Italy must work hard on this issue, but all European countries, especially well-developed countries, must do everything possible to help qualified workers from other countries to be legalized and assimilate into local population.

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ISSUES OF ILLEGAL MIGRATION COUNTERACTION

One of negative phenomena that considerably influence on the state of crime, public order and public security is illegal migration. It is known that illegal migration is a well-organized criminal business, based on the transnational connections, bringing great profits to criminal groups. So, illegal immigrants participate in drugs-trafficking and arms-trafficking, perform the functions as couriers of criminal gangs, etc.

According to the 2001 population census, in Ukraine live 48,457,000 citizens, among them Ukrainians – 37, 500, 000. Representatives of all other nations make up 10 million. In recent years, Ukraine from the state of transit of asylum seekers, most of which were going to the West, has become a country-hoarder of migrants, mostly, due to increased immigration controls in Western Europe. Thus, Ukraine may become a convenient "jumping point" for migrants. In addition, problems of illegal migration mostly were only declared, but not considered. If that's the case, it is necessary: to enter into international cooperation in the form of intergovernmental agreements conclusions on cooperation in organization control questions over migration processes; to bring national legislation in compliance with universally recognized international legal norms; to improve the issues of visa regime throughout the state border; to perfect the system of control for realization rules of sojourn in Ukraine of foreigners and stateless persons; to organize interaction and information exchange at all stages between units of bodies of internal affairs, the Security Service of Ukraine, etc.

Thus, illegal migration creates significant problems for the proper social order and public safety in the state. In any case, these migration processes hinder the development of jural state in Ukraine.

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ILLEGAL IMMIGRATION TO THE USA

Illegal immigration to the USA means violating U.S. immigration policies and national laws by entering or remaining in the United States without proper permission from the United States government and it is a very big problem for the USA. It has come from many countries among them are Mexico, Canada, Latin American countries, European, Asian and African countries. It is about 12 million people and 56% of them are from Mexico. Illegal immigrants continue to outpace the number of legal immigrants – a trend that is held steady since the 1990s. While the majority of illegal immigrants continue to concentrate in places with existing large Hispanic communities, increasingly illegal immigrants are settling throughout the rest of the country. Illegal immigrants arriving in recent years tend to be better educated than those who have been in the country a decade or more. A quarter of all immigrants who have arrived in recent years have at least some college education but illegal immigrants as a group tend to be less educated than other sections of the U.S. population, for example 49% of all illegal immigrants have not completed high school. Illegal immigrants work in many sectors of the U.S. economy. According to the statistics they work in agriculture, service industries, construction, related occupations, production, installation, and repair. In 2006 about 4% worked in farming, 21% had jobs in service industries, and in production, installation, and repair 15% with 12% in sales. Illegal immigrants have lower incomes than both legal immigrants and native-born Americans, but earnings increase somewhat the longer an individual is in the country. A percentage of illegal immigrants do not remain indefinitely but do return to their country of origin; they are often referred to as "sojourners: they come to the United States for several years but eventually return to their home country." In 2008 about 344,000 children were born to parents of whom at least one was an illegal immigrant. These babies were, under the Fourteenth Amendment to the United States Constitution, American citizens. In 2008 the children represented eight percent of the 4.3 million births in the United States. So there are an estimated half million illegal entries into the United States each year and it remains one of the biggest problems in the USA nowadays.

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THE ILLEGAL MIGRATION COUNTERACTION IN THE USA

The internal migration is the globalization which can be characterized as expansion and speeding-up of the interconnection in the all kinds of the social life.

Even more in the end of the 19-th century such outstanding scientists as C.Lombroso and G.Tard studied the influence of migration towards the crime rate. They came to the conclusion that migratory processes intensity had complicated the situation in some countries and places where the immigrants had arrived.

The experience of the United States in the illegal migration counteraction is quite helpful to the all states throughout the past-soviet territory. Due to the official information about 5 million illegal immigrants live in the USA at the present time.

The key questions of migratory processes in the USA are under the jurisdiction of: the Law of immigration and naturalization, adopted in 1990; the Law of the reforming in the field of illegal migration struggle and the immigrants responsibility, 1991; the Law of Internal Security, 2002; the Law of Internal Security Ministry, 2002.

The Ministry of Internal Security is responsible for all these legal Acts implementation. The Ministry consists of:

- the Traffic Security Service;
- the Citizenship and Immigration Service;
- the Migratory and Custom Law Execution Service;
- the Frontier Custom Service; Secret Service and
- the Federal Emergency Management Agency.

The concentration of all the law enforcement functions in one department makes it possible to provide more effective activity towards the illegal immigration counteraction.

Violations in the field of migration in the USA concern: the right of entry, the procedure of staying in the country, passing in transit regulation, implementation of the foreign manpower, illegal job placement, braking the boundary by the person conveyance, using of the fake ID card.

The problem of the illegal migration is actual throughout the post-soviet territory. At present we have no sufficient experience for the effective regulation of the migratory streams. It's reasonable to analyze the normative legal documents of the foreign states and promote to eliminate the gaps in the migratory legislation throughout the post-soviet territory.

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EU LEGISLATION AGAINST ILLEGAL MIGRATION

Illegal migration is characterized by growing more rapidly, overcoming boundaries, bringing of capital, information, and crime. The active factor in promoting illegal immigration in Ukraine is a geographical position of our state. It is situated on the crossroads from Asia to Europe.

European Union tries to protect itself from illegal immigrants, actively improving its legislation. Taking into account it is expedient to consider some provisions of EU legislation. The main regulatory document is the Council Regulation (EC) of May 29, 1995 № 1683/95, laying down a unified format of visas in order to further improve visa's policy. The document concerns only visas for up to three months and transit visas through the Member States.

The introduction of strict measures for visas under the European Union has become one of the priorities of our country concerning visa's policy because of loyalty to Ukraine a significant number of illegal immigrants come here. European Union tries to reduce the number of illegal migrants by regulating migration: limit admission of the third country citizens to place in a job; organise the Center of information concerning on border crossing; fight against fiction marriages.

Particular attention is paid to deportation, and adjustment of a single interaction in expulsion and inspections of citizens who live without permission, fighting against illegal employment of nationals and repatriation of the third country nationals.

Regarding to implementation of relevant provisions of EU legislation to combat illegal immigration by national legislation legal acts should be adopted on: minimum standards for giving temporary protection, criteria and mechanisms for establishing the State responsible for considering requests for granting asylum; measures of preventing abuse of procedure of granting refugee status for the citizens of the third countries.

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THE PROBLEM OF ILLEGAL MIGRATION IN FRANCE

The origin of the illegal migration depends on the low social level of some backward countries. The illegal migration causes the conflicts of the local population with the immigrants on the base of race and national contradictions. The

main problem which is caused by the immigrants is that local people have to pay the increased taxes for those services which they do not use. The illegal migration has touched even the most developed countries of the Europe. France is under the most heavy threat of the illegal migration in the whole European Union. The comfortable geographical location, the presence of many international routes for the aircraft, sea, railway and modes of transport and the high living standard make France to be very attractive for the immigrants. It is also attracts some immigrants from the European countries which have no stable ethno political situation or the ones which have some difficulties in the economical sphere, including the countries-participants of the CIS and the Baltic republics. The immigration policy of France is directed to the attraction of immigrants, which causes the interest of the illegal immigrants. The biggest increase of immigrants comes from Algiers, Morocco, Tunisia. Due to the fact that the taxes in France grow up, some of the Frenchmen have already moved to the different countries of the European Union, where the taxes are more acceptable. The legislative acts, the visa system in fact protect France from this problem, but this is not an obstacle for the great number of illegal immigrants. The law provides some measures of counteracting this problem: "any foreigner, which is on the territory of France having no permitting documents has to leave the country". Herewith french authorities have the responsibility to give residence permit to any illegal immigrant which reflects the humanitarian character. This principle was confirmed by the State Council – the highest court instance on the immigration issues. Thereby, one can observe that in the system of law there are some collisions about the illegal migration in France which counteracts it's legislative system.

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COMBATING ILLEGAL MIGRATION IN EUROPE UNION

It is widely known that world globalization has many positive features like rise of partnership between states, growth of economics, development of nanotechnologies etc. But there are some negative effects which are caused by this process. We can name some of them: rise of international crimes, political conflicts, overpopulation and finally illegal migration.

Illegal migration means entering by somebody one country without being legally allowed to do it. Illegal migration has been recognized as one of the most serious factors threatening security of EU countries. Under the basic cost argument for illegal immigration, potential immigrants believe the probability and benefits of successfully migrating to the destination country are greater than

the costs. These costs may include restrictions living as an illegal immigrant in the destination country, leaving family and ways of life behind, and the probability of being caught and resulting sanctions. Migration from poor, less developed and unstable countries towards rich and opulent states is a phenomenon which carries on for centuries. In the recent years however, this problem leaves developed states in a huge ball of troubles. European countries, while trying to control increasing migration movements targeted their continent, face increasing volumes in smuggling networks partly due to their preventive border controls. By developing palliative precautions like border controls and increasing the border security, EU countries actually caused people escaping from oppression and poverty to be depending on organized crime groups.

To combat illegal migration we should use new approaches. On the basis of system approach, the possibility of application of mathematical models in the field of fighting illegal migration is considered. Application of mathematical modelling methods is progressive for analyzing migration processes with the aim of controlling, management and forecasting their development in the context of ensuring the modern national security system. The application of visa restrictions upon all states that are the main sources of refugees is the most decisive mechanism to block the flow of refugees. In addition to the visa policy, there are more mechanisms that exist in the EU in order to control the flow of migrants. Illegal migrants and asylum-seekers are also physically kept out of the EU territory by means of heat detectors, border guards with night-vision equipment, high speed patrol boats, and X-ray scanners and movement detectors.

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SOME ASPECTS OF EGYPTIAN LABOUR MIGRATION TO EUROPE (PARIS, FRANCE)

Egyptian labour migration to Europe is a growing phenomenon. Unfortunately this phenomenon has received little scholarly attention. If Egyptian migration to Europe has recently come into the spotlight, it is only because of the rising number of tragic deaths of would-be migrants who are being trafficked in very risky conditions. Labour migration is seen as a problem on both sides of the Mediterranean. Young men from the 'South' go to extreme lengths and bear great risks to get to Europe.

Egyptians in Paris: The Official Framework. The most obvious problem of migration is the lack of reliable data. This is mainly due to the fact that migrants are not registered. The available information based on official national statistics pertain mainly to permanent legal migration, and estimates the number of Egyptians in

France at 36,000 persons. However, the Egyptian ambassador in Paris states that this figure is greatly underestimated, and that the number could not possibly be less than 60,000 persons. It is estimated to be closer to 100,000 persons.

Investing Earnings. The main purpose of this migration is to earn money for improving one's own and family's living conditions. Earnings spent in Paris are only for covering the basic needs. The rest is saved and sent back to the motherland. In a typical sequence, the first thing the migrant does is to repay the money he has borrowed for this travel. This takes from one to two years. Then he buys land in order to build a house, and then he builds the house.

Accommodation and Living Arrangements. The typical arrangement is for four or five people to live together in a small flat (averaging about 30 sq. meters). Many evenings are spent with groups of friends and relatives watching Arab satellite television. On average, a person pays between 100 and 150 euros a month for rent and bills, and a similar amount on food.

Hardship and Vulnerability. The biggest problem the labour migrants face is their inability of visiting motherland because of two main reasons. First, the risk and expense involved in coming to France would be wasted once they leave. Second, most of the young men (under 30) who are in France have not performed their military service. Once they reach 30, they can pay a fine and settle this issue, but before that they cannot travel freely. These two obstacles in visiting their motherland intensify the feelings of estrangement.

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NO PERSON IS ILLEGAL

Illegal immigration may be prompted by the desire to escape civil war or repression in the country of origin. Non-economic push factors include persecution (religious and otherwise), frequent abuse, bullying, oppression, and genocide, and risks to civilians during the war. Political motives traditionally motivate refugee flows – to escape dictatorship for instance. According to international refugee law, a *refugee* is someone who seeks refuge in a foreign country because of war and violence, or out of fear of persecution. The United States recognizes persecution because of race, religion, nationality, political opinion, or membership in a particular social group as grounds for seeking asylum. Until a request for refuge has been accepted, the person is referred to as an *asylum seeker*. Only after the recognition of the asylum seeker's protection needs, he or she is officially referred to as a refugee and enjoys refugee status, which carries certain rights and obligations according to the legislation of the receiving country.

Illegal or undocumented migration has increased dramatically worldwide over the last 10 years and illegal and asylum seeker categories have become blurred in many Western and especially European Union countries. Levels of desire and need to move from poor and war-torn countries have heightened, as opportunities for legal entry, even to traditional immigration countries, have diminished. The number of people considered to be living and working outside their country of origin has been put at 120 million. Irregular migration has arisen as a major international challenge. One in 3 people who have moved to Western Europe, and one in 4 to the USA in recent years are estimated to have done so illegally, or as asylum seekers.

In many cases the country will neither recognize the refugee status of the asylum seekers nor see them as legitimate migrants and treat them as illegal aliens. The largest source countries of refugees are Afghanistan, Iraq, Myanmar, Sudan, and the Palestinian Territories. The country with the largest number of internally displaced persons is Sudan, with over 5 million.

The illegal migration and asylum seeker pressure on Western countries is expected to increase over the next 25 years. The only solution offered by international migration forums is to improve the living standards, political stability and democratic institutions in countries of origin, so that people no longer want or need to leave them.

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FAKE MARRIAGES

AS A WAY TO THE LEGAL IMMIGRATION IN THE U.S.

The fake marriage, or sham marriage, is a loophole in immigration laws. You marry someone not because of love or family choice, but because you want to use the loophole to become a permanent resident of the U.S. The law makes it clear you can immigrate if you are married to a U.S. citizen, and that any children you have will then be U.S. citizens. You might even be able to become a U.S. citizen yourself. However, if you use loopholes to get through the system instead of doing it properly, you're breaking the law.

A fake marriage hurts you more than it helps you. It's not valid if you want to immigrate to the United States from any country. But the secret is, you don't get caught with your fake marriage, right? You should consider the chances of being deported and never having a chance to become a permanent resident if not a citizen of the U.S.

The USCIS (U.S. Citizenship and Immigration Services) is hard to fool. You might think it will be easy: you say you're in love, they say they're in love,

you get married, and you move on. However, the USCIS is taking an active interest, using technology to catch marriage fraud early and often. They can not only look into your past life, but do so with everything from previous addresses, where you worked, and anything else in the public record. The USCIS has also been known to do field investigations. This is how serious they take marriage fraud.

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CRIMES AND DEPORTATION OF IMMIGRANTS IN THE USA

Everyone knows that serious criminal conduct will get you deported. However, some criminal activities that are not felonies or do not appear very serious also get you deported. Certain crimes will prevent you from getting your green card because they will make you inadmissible to the United States and certain crimes will get you deported from the US if you are a green card holder or illegally here. There are different categories of criminal activity. The key point to remember with all this is that if you are not a US citizen, it is critical that if you are facing prosecution for any criminal conduct that is not an infraction, you need to make sure that your conviction does not have an immigration consequence to the extent possible. There are too many crimes to list that have immigration consequences. There is a category of crimes that are labeled as "aggravated felonies". If you are convicted of an aggravated felony, it is the most serious under the immigration laws and will almost always guarantee loss of your green card and will prevent you from immigrating to the United States. A few examples are: illegal trafficking in controlled substances, crimes of violence for which the term of imprisonment of one year has been imposed, a theft offense for which a term of imprisonment for one year has been imposed. A less obvious one that might not seem so serious is an offense that involves fraud and the loss to the victim exceeds \$10,000. That would be enough to lose your green card.

Most drug offenses will get you into removal proceedings. A single offense of possession of 30g or less of marijuana can be waived. Just about any kind of possession for sale – even small amounts of drugs will get you into immigration trouble. Most possession for sale is not permitted and generally results in deportation. For firearms crimes this includes most anything to do with a gun and other similar devices e.g. bombs, grenades, etc. Simple possession of a gun in a car and domestic violence would be enough to get you into deportation proceedings. Green card holders who are convicted of moral turpitude may

face deportation only if the crime carries a possible jail sentence of at least one year and the crime was allegedly committed within five years of the alien being admitted into the United States of America. The list is long and ever changing. It is worth repeating that if you are in danger of being convicted for a crime, it would be worthwhile to have an immigration attorney review the charges together with your criminal attorney to make sure that the conviction you get will not jeopardize your legal immigration status in the United States to the extent possible.

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WHY DO PEOPLE EMIGRATE?

The economical-political relations among states, integration in the socio-cultural sphere, at the same time, the problems arising because of national, racial, regional conflicts, the extraordinary situations and natural disasters result in the mass migration. Migration processes are closely connected with the level of economic development of different continents, states and regions. The great differences between the living standards of highly developed and undeveloped countries are considered one of the main reasons of migration processes. People not being able to provide normal living standards in their own country try to settle in the developed countries by all means-legally or illegally. Fight against illegal migration plays an important role in the protection of labour market, reduction of unemployment level, also in the prevention of international terrorism, religious-political extremism, drugs and human trafficking in the countries. People emigrate from one country to another for a variety of complex reasons. Some are forced to move due to conflict or to escape persecution and prejudices, while others may voluntarily emigrate. Although such a move may be necessary, it can be quite traumatic on top of the challenges experienced so far. On the other hand, immigration can also represent an act of courage. For example, moving to a different country with different culture and norms can be quite daunting; The European Union has recently acknowledged a concern about immigration that has not received much media attention. That is, a large number of people are attempting to leave the devastation of their own country caused by the current form of globalization and other political and economic policies, which, as well as creating winners, is creating a large number of losers, and increasing inequality.

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ILLEGAL IMMIGRATION IN JAPAN

Globalization and economics integration all over the world faces with society problems in different countries. Japan is one of the most developed countries in the world. The Japanese culture is basically homogeneous. The police don't have to work with people from different cultures fighting against each other. Although Japan has some forms of discrimination against certain groups of Japanese, for example against immigrants.

More than 25,000 illegal immigrants have been arrested in Japan since January 2010, compared with 679 in all of 1996. The National Police Agency reports that 90 percent of the illegal immigrants arrested were Chinese, most from Fujian Province. The police attribute the rise in arrests to increased activity by smuggling organizations. The police announced a new focus on closing down routes used by snakeheads – people smugglers – to bring immigrants from China to Japan.

Japanese are living longer, yet having fewer children. The result is a shrinking workforce which threatens economic growth. So they need more young human resources. In July 1996, the Justice Ministry instructed local immigration offices to allow parents who are bringing up children born to one Japanese parent to stay in Japan, as long as the child is recognized by the Japanese parent. This rule could be applied to immigrants who have overstayed their visas if the justice minister decides that there are "special reasons" for making an exception.

The Education Ministry guarantees the right to public education for non-Japanese children, but schools are required to report the presence of undocumented children to immigration authorities. That requirement keeps many illegal immigrants from sending their children to public schools. Illegal aliens are not permitted to have public health insurance in Japan. Foreigners are allowed to join the National Health Insurance system after they have resided legally in Japan for one year.

Illegal labour could take up some of the slack. Japanese authorities say there are 250,000 illegal immigrants, the majority of whom entered the country on a temporary visa and over-stayed. Many of these people are thought to work as unskilled labourers. But the government wants to halve that number in the next five years, and it does not appear ready to legalize unskilled foreign workers. As the population continues to age, however, economic arguments against bringing in unskilled labour will weaken.

Japan has well-developed social policies regarding illegal immigrants. The Ukrainian government should borrow some aspects of its development into a more advanced and comprehensive system.

**ILLEGAL MIGRATION
IN THE UNITED STATES OF AMERICA**

Illegal immigration continues to be a controversial and divisive topic, not only in the United States of America, but throughout the world. An individual who is residing in a country illegally is known as an "illegal immigrant." Other terms that are commonly used include: undocumented immigrant, illegal immigrant, undocumented alien, unauthorized migrant, illegal migrant, illegal alien, migrant, or undocumented worker. Some undocumented immigrants entered the country illegally and others entered legally but overstayed the number of days permitted on their visa or violated the terms of their permanent resident card or refugee permit. Individuals generally choose to emigrate to countries that are more technologically advanced, have greater resources and offer more opportunities. Some immigrants also move to a foreign country to give their children a better life. In countries like the United States of America, children of illegal immigrants automatically gain citizenship. On the other hand, in other countries such as France, children are not granted automatic citizenship.

Throughout history, there continues to be a myriad of ways that immigrants cross the border in order to get into the United States of America. One method that is often popular with immigrants from the Caribbean is to cross the Atlantic Ocean to reach United States, often in a homemade boat or even a tube. Some immigrants from South America may fly into Mexico. Here they may illicit the assistance of a "coyote," or smuggler, to help them attempt to illegally cross the border into the United States of America. Other illegal immigrants may try to cross the border into the United States of America by cramming into shipping containers, trucks, or boxcars.

Once in the foreign country, illegal immigrants tend to become employed in what is known as "low skilled jobs." In the United States of America, for example, the landscaping and construction sectors tend to be popular with immigrants as there is generally no requirement to be fluent in the English language. Other employment sectors that attract illegal immigrants include restaurants, hospitality, prostitution, agriculture and domestic service. Work regulations, specifically in the United States, prohibit employers from hiring illegal immigrants. However, this does not deter some employers. Some employers feel they could get away with these human rights violations with illegal immigrants because they wouldn't report their employer out of fear of deportation.

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ILLIGAL MIGRATION – THREAT TO THE STATE SECURITY

Illegal migration is one of the main factors of threat to the state security in European Union countries. Owing to its geographical position and absence of any problems with Russian borders Ukraine is the transit country for many people who migrate from Asian countries to some countries of Western and Central Europe. Nowadays Ukraine has a lot of people who migrated illegally to its territory because there is no clear and effective mechanism of returning those, who have been detained, back to their origin country. On an average, monthly expenditure for one detained person in specialized camps costs more than one hundred and fifty dollars for Ukrainian government. Besides our powers have to meet their engagements of issuance of the documents which are necessary to send a detained person back to his native country, book him a ticket and provide him with two people who will convoy him during such a trip. In the whole the cost of only one detained person to be send back to his native land is nearly one thousand dollars. According to the statistics Ukraine occupies the forth place among the countries in the world as for the amount of immigrants (after the USA, Germany and Russia). This amount is nearly five million people.

In accordance with the last experts' researches the amount of people who migrate to this country will increase in the nearest future. This concerns people from Asia and Africa who use Ukraine as a transfer point on their way to Western Europe. Every year the EU makes the conditions of entering its countries more and more complicated. That's why WE becomes more attractive for illegal migration.

During the last years the problem of illegal migration became global. Now it is the real threat for the social security because this situation contributes to the criminality increase, expansion of dangerous diseases, creation of illegal labor market and so on and so forth.

In order to solve this problem the eighth European ministerial conference of CE took place in Kiev where the main priorities of migratory policy of European countries for the next five-eight years were marked. It is very important for illegal migration decrease and European migratory policy harmonization.

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ILLLEGAL MIGRATION TO RUSSIA

Illegal immigration describes people entering a country without formal permission. This factor threatens security of many countries including Russia.

Most illegal immigrants enter Russia on tourist visas; some take advantage of leaky borders and vague visa requirements.

Intensive growth of the population inflow, primarily Russian-speaking, migrating from the former Republics of the USSR into Russia has become a new socio-economic phenomenon. Thousands of foreigners from far abroad countries such as People's Republic of China and a number of the States of the Southeast Asia pour into this flow. First of all, Russia serves as a transshipment point for illegal migrants making their way to Western Europe, Canada, the USA.

There are two main causes associated with illegal immigration: socio-economic backwardness of the source countries and employers' need for cheap labor.

The inflow of relatively low-paid manpower, ready to do practically any work and in any condition causes to rise of the shadow employment and black labor market. According to the experts, the illegal immigrants engaging into black and private sectors of immigration countries' economy have 40 percent and 32 percent share respectively.

The illegal immigrants are frequently the link between criminal communities of the country of origin and the host country. Drug trafficking, illegal alcohol and arms trade, people smuggling and smuggling of goods, sex-marketing are the traditional sectors of criminal activity of the illegal immigrants.

Therefore, each year migrants deprive Russia of more than ten billion dollars, bypassing state control.

That's why the prevention of and the fight against illegal immigration should be essential parts of the immigration policy of Russia.

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IMMIGRATION IN PORTUGAL

Portugal only became a migration destination in the 1970s, with the fall of the dictatorship and the independence of its former African colonies that also brought back hundreds of thousands of Portuguese who were living in the colonies. The recent massive increase of immigration to Portugal, especially the new migratory wave coming from Eastern Europe, has made waves in the media and has prompted a great national debate about immigration policy.

The new legislation governs the conditions for the entry, residence, exit and expulsion of foreign people, to and from Portugal. Its main innovations include the granting of residence authorisation, which may be renewed annually, for foreign people who have been offered or have signed a contract of employment. Furthermore, fines may now be levied in the event of: self-employment by a foreign

person who does not hold the required work visa or resident's permit; employment by an employer of a foreign citizen who does not hold a work visa or resident's permit. The Government establishes a maximum annual limit for entries of third country nationals onto the national territory, and workers coming to Portugal must hold a labour visa or a residence permit.

The term "quota" is not mentioned in the law, but the quota principle is used. A new kind of work visa, for scientific and research activities, was created with the goal of keeping scientists and highly skilled people in Portugal.

The first step to immigration in Portugal is entering the country legally. There are four types of visas that allow entry into Portugal: Transit Visa, Short Stay Visa, Special Visa, Residence Visa. The Residence Visa allows you to stay for the longest period of time. Portuguese citizenship may be obtained through your relationship to a citizen in the following circumstances: marriage to a Portuguese citizen for at least three years; being a dependent child of a parent who obtained citizenship; having been adopted by a Portuguese citizen.

As for me, Portugal has a high level of immigrants and the authority doesn't take necessary measures to improve the situation. Although I support their policy in the question of attracting qualified people to the country.

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ILLEGAL MIGRATION: TRAFFICKING IN WOMEN AND PROSTITUTION

Migration linked to trafficking in women and prostitution is one of the features of inequality between women and men. This form of migration has developed into a gigantic, highly organized criminal trade linked to the exploitation of women. The main reasons for female immigration are poverty, discrimination, unemployment, political and economic instability. The women leave their country in order to have the opportunity to work abroad and see the world.

Women are forced to work in sectors where access to information is limited. They have no residence or work permits and are dependent on their employers financially and administratively.

Many women suffer beatings, rape, psychological coercion. Refusal to obey can lead to fines, physical violence and even death.

According to the International Organization for Migration in the past two years Russian border guards intercepted five thousand Russian women trying to leave the country with non-valid papers. The majority were going to Turkey, Italy, Germany, Bulgaria or Finland. Russian women are the third largest group of victims of trafficking into Germany after Lithuanian and Ukrainian women.

As far as Western Europe is concerned the situation is the same. The victims are from Moldova and Romania. The age range is sixteen to thirty-three, with an average age of twenty-three.

Migration linked to trafficking in women and prostitution is an urgent problem to be solved. For that reason the Council of Europe member states and other organizations and members of the community have a duty to take all possible steps to counter it.

Psychologists should inform the women who are going to work and live abroad of rape and beatings to avoid possible vulnerable consequences and breach of human rights.

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IMMIGRATION IN FRANCE

International migrations have become an important factor of the modern world processes; they also have a great influence on the status of international relations, both on bilateral and multilateral levels. In the first place, it is associated with the fact that almost all the countries are drawn into migration processes. Some of them, as a rule, are highly developed capitalist countries which consume a large amount of labor; the others as a result of the excess of the given workforce in the home market deliver it to the foreign one. Among the largest consumers of foreign labor at a low price are now such countries as the United States of America, Canada, Great Britain, France, Federal Republic of Germany, Scandinavian countries. Latin America, Asia and North Africa are considered the main providers of the given force. In some countries (the United States of America, Germany) immigrants make up 10 per cent of the labor force, and in some sectors of the economy, especially connected with large-scale application of manual labor (textile, leather, food, construction and other industries), "foreign" workers make up almost half, if not, but more, involved low-skilled labor. In these industries foreigners occupy at least 15 per cent more workplaces than representatives of residential population.

At present in France more than one third of the whole local residents are descendants of immigrants, that is of those who have arrived to the country with the purpose of settling down there permanently. This fact gives the right to state that somehow or other the issue of immigration touches upon the history of many French families. During the last presidential elections in spring 2002 the problem of immigration was of special significance. Some extraordinary security measures were taken to prevent collisions of supporters of the far right candidate J.-M. Le Pen and followers of the candidate from right, – centrists Jacques

Chirac. The results of the first round of election, when the nationalist J.-M. Le Pen has had 17.5 per cent of votes and thus reduced the gap between Chirac to 2.5 per cent resulted in wave of disorders in the whole country. Therefore the study of impact of migration flows on the social, political, cultural and religious life of the host country is nowadays considered as a question of urgent importance.

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PROBLEMS OF MIGRATION IN THE NORTH KOREA

Migration in the North Korean context can largely be divided into two types: humanitarian and economic. North Korean emigration primarily consists of refugees and temporary contract workers sent by the government to work abroad. But North Korea imposes very strict migration controls on the entries and exits of foreigners and of its citizens. North Korea doesn't uphold Article 12(2) of the International Covenant on Civil and Political Rights since 1981, which states, "Everyone shall be free to leave any country, including his own." Instead, North Korea has long regarded unauthorized departure as an act of treason.

From the early 1950s to the mid-1960s, Kim Il-sung's Centralized Programs of rapid industrialization pushed North Korea to become one of the world's fastest growing economies. In fact, this economic growth, coupled with the effects of a famine that struck China in the early 1960s, prompted many Chinese to migrate to North Korea.

Refugee flows from North Korea began with the economic downturn in the late 1970s and grew larger when floods, droughts, and a famine struck the country in the 1990s, killing between 600,000 and 1 million people, or 3 to 5 percent of the country's population, according to a study by the US Census Bureau. Further, in mid-2002, the government's economic reforms led to large-scale layoffs in factories, pay cuts, and inflation, prompting more people to flee. Political persecution and repression have also been key drivers of refugee flows from North Korea.

Total North Korean refugee outflows to China are difficult to gauge, but the US State Department places the figure between 30,000 and 50,000, while other organizations have estimated anywhere between 100,000 and 300,000.

For some North Koreans, China has become a country of destination, though most only consider it a point of transit. Most North Korean defectors intend to stay only temporarily in China and later reside permanently in South Korea.

Instead of recognizing North Korean defectors in China as refugees, the Chinese government regards them as unauthorized economic migrants who must be repatriated to their homeland. That's why both countries have come to an agreement to "mutually cooperate on the work of preventing illegal border crossing of residents," which primarily consists of repatriation from China to North Korea.

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ILLEGAL MIGRATION IN THE RUSSIAN FEDERATION

Democratic changes which have taken place in the Russian Federation since the mid 1980s had a profound influence on all spheres of society and economy. Changes have occurred in the sphere of illegal immigration as well. One of the problems currently affecting the Russian internal labor market is the growing emigration of Russian workers and the increase in the use of foreign labor.

1) Huge influx of immigrants into Russian Federation (primarily via the southern borders) includes a considerable number of illegal aliens.

2) Undocumented immigrants got involved in the shadow economy, illegal business and in criminal economic activities (including trade in narcotics and weapons), and in the illegal trafficking of workers to Western Europe, the US, and Canada.

There are three primary political measures which could help to regulate illegal immigration:

1) prevention of illegal entry and employment;

2) sanctions against the employer and deportation of illegal aliens in their countries;

3) legalization of illegal immigrants.

These three measures are not mutually exclusive and should be implemented concurrently.

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TO THE PROBLEM OF IMMIGRATION IN GERMANY

For Germany, as well as for other developed countries of the world, immigration has become very problematic because of about 7,5 million aliens. It

may well be true but nowadays 10 % of 82 million's population own foreign passports. Former foreigners who have recently got the German passports (about 7 million) aren't included in these statistics and approximately 15 million persons in Germany have immigrant roots. About 4 million of them are ethnic Germans from countries of former socialist bloc. In accordance with this index Germany remains behind the USA only.

The most considerable ethnic group among foreigners is made by Turks, according with the official data there are over 2 million of them in Germany now. The problem of exactly this ethnic group consists in that the Turks aren't anxious for inclusion to the German culture; they live separately and don't aim to master the German language. A stumbling block of the problem was recently created by a new release of the law "On immigration", approved by Parliament, that in particular provides some changes in the sphere of family reunification. The foreign family members arriving to Germany, must pass the German exam including elementary volumes of necessary routine knowledge. However some leaders of Turkish communities consider this requirement unfair and raise objections concerning reversal of this statute.

This is strange but Germany is famous for its unfriendly attitude towards foreigners in spite of the need in their labor force. Last year the lack of workers in some branches of German economy resulted in direct losses of 15 milliard Euro.

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MIGRATION IN ISRAEL

If you visit Israel, you will be surprised to hear not just Hebrew, or even just Israel's recognized languages of Hebrew and Arabic, Russian and Amharic, but also many other different languages. The reason of this phenomenon is that there are many "foreign workers" live in this country.

Why the "foreign workers" choose Israel? Due to the "push" and "pull" factors in the Israeli economy and in migrants' home economies, also a range of other sociological, cultural, religious factors play a role in migrants' choice of Israel as migration destination. Also the following reasons influence on this choice:

- the first reason, applicable particularly to "legal" Filipina caregivers who come to Israel searching the possibility of improved work and living conditions;
- a second reason for choosing Israel is "the tourist loophole";
- a third reason is the appeal of being in the Holy Land.

So, the migrant workers in Israel are grouped into two categories: "legal" workers who were recruited in their home countries to fulfill short-term con-

tracts and then return home, and "illegal" workers who reached Israel with the help of their "tourist loophole".

It is necessary to pay attention to the third group: migrants who arrive as "legal" workers but subsequently lose their legal status. This third group of "formerly legal" workers has also been described as "illegal workers generated by the system".

So the problem of the illegal migration can be solved in the following ways:

- by limiting the number of documented or "legal" workers entering the country;
- by maintaining minimal involvement in their living conditions;
- by ensuring such "legal" workers leave the country at the conclusion of their contracts thereby preventing their permanent settlement;
- by preventing the entry of spontaneous undocumented or "illegal" workers;
- by refusing "illegal" workers recognition as legitimate clients of the welfare state;
- by stimulating, either indirectly or directly – via arrest and deportation – their departure from the country.

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BRITISH LEGISLATION ON IMMIGRATION POLICY

The UK government adopted a package of measures to crack down on illegal immigrants and employers who hire workers illegally. Powers to stop illegal employment will be strengthened in the 'Nationality, Immigration and Asylum' bill. They include measures to "compel" employers hiring cash-in-hand workers to cooperate.

Immigration officers will have new powers to enter businesses to search for illegal immigrants and demand information to detect asylum fraud. The officers will be empowered to remove children born in the UK when their parents entered the country unlawfully.

The maximum jail term for those convicted of harbouring or trafficking illegal immigrants rise from 6 months to 14 years.

Carriers will be obliged to check passengers' details against a database to confirm they pose no known immigration or security risk.

Using new technology known as 'Borderguard' will also help detect forged papers. The system will help catch people who try to get into the country on different occasions using false identities.

Great Britain is not a fortress. It is an open, trading nation that will continue to meet its obligations along with the rest of the international community.

The UK government determined that would-be illegal immigrants get the message of tightening the rules. The country takes possible measures to deter and to detect illegal immigration. It is easier to tackle fraud by requiring banks, employers and public authorities to share information about suspected illegal entrants with the immigration officers.

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HOW TO STOP ILLEGAL IMMIGRANTS

One of the most divisive issues in our society is illegal immigration. We need immigrants to fill jobs that many citizens do not want to fill. Fewer and fewer citizens want to do such work as cleaning the house, caring for elderly parents, keeping the grounds looking nice etc, so we ought to allow immigrants who are eager to do them the freedom to work. However, illegal immigrants can cause problems as well. There is prostitution, terrorism, drug trafficking etc. Thus the most important issue is what we can do to stop illegal immigration. I propose four effective ways of solving this problem.

1. To expand the guest worker programs for agriculture and service workers. There are visa programs that allow legal immigration, but they are limited and it takes a very long time to get visas approved. One way to stop illegal immigration is to make legal immigration a viable option.

2. To establish a secondary minimum wage for certain types of jobs. Currently illegal immigrants are paid far below the minimum wage. If a guest worker wage limit is established it will provide an stimulus for immigrants to participate legally in the guest worker programs. This will help stop illegal immigration because illegal immigrants will not receive the higher wage.

3. To implement strong assimilation programs. There is no reason to keep immigrants from honoring their culture and heritage at home, but they should also be responsible for learning the language of the country and becoming part of the society they live in. For instance, by current laws of the USA legal immigrants must know English, U.S. history, U.S. laws, and principles. It means no person shall be naturalized as a citizen of the U. S. if s/he cannot demonstrate an understanding of the English language, including the ability to read, to write and to speak, knowledge and understanding of history, principles and forms of the US government. It is possible to stop illegal immigration by providing responsibility once the immigrants arrive.

4. To enforce the current laws. Illegal immigrants must be exported when they are found. If there is no penalty for being an illegal immigrant and no good reason to immigrate legally, there is no reason for potential immigrants to stay out. There should also be penalties for people who bring, harbor, employ, recruit or refer illegal immigrants from imposing fines to imprisonment. The most important step to stop illegal immigration is to penalize immigrants who are in the country illegally.

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COMBATING ILLEGAL MIGRATION IN GREECE

I want to start my article with the notion of "Migration". What is it? Migration is a movement of people across boundaries of different territories with a change of domicile either permanently or for shorter or longer time. There are different classifications of migration: the forms, stages and the causes. There is International Migrants Day which is celebrated on December 18.

The problem of illegal immigrants facing Greece in the early 90's. Are now significant effects on the situation in the country. According to various estimates, the country without permission of the authorities is from 350 to 470 thousand foreigners. The flow of immigrants, mostly coming to work, seriously affected the labor market in Greece, led to an increase in crime, the deterioration in the health sector, additional budget expenditures.

In April, 1999 created a special Border Guard to combat the illegal movement of migrants, and strengthened system of patrolling the city. And also took steps to strengthen measures to deport illegals. In 1997 and 1998 the number of deported migrants declined by 6 per cent and 34 per cent respectively, in 1999 it increased to 23 thousand people.

Most of the deportees – Romanians, Albanians and Bulgarians. Greece has signed agreements with Albania and Turkey for the return of illegal migrants from those countries. The Greek Parliament has approved new measures to fight illegal immigrants. According to the adopted document, the country will set up a special office that will deal with the placement of detained illegal immigrants, and the service review of asylum applications.

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ILLEGAL MIGRATION IN RUSSIA

Illegal immigration describes people entering a country without formal permission.

Problems of control and regulation of migration flows of population, including illegal migration, most acutely faced the Russian frontier regions and in areas with the most advanced economies. High levels of migration to frontier areas related to the geographical location of regions.

In some areas, hard work and skills of foreign workers, the simplicity in the socio-residential arrangement, the low wages explain the high demand of employers in some areas of economic activity in the work of foreign citizens "

Using the same visa-free regime allows foreign nationals who enter the territory of Russia legally, under the guise of tourists, and already there – to carry out illegal employment and commercial activities. Damage which can bring illegal migration, it is difficult to overestimate. Among the crimes committed by illegal immigrants, dominated by selfish violence perpetrated, including criminal gangs formed, usually because of irregular migrants who have not completed the work. In addition, illegal immigrants often make transportation and distribution of drugs, smuggling of excise goods, illegal transit of the workforce in developed countries through the territory of Russia.

Highly relevant in this regard was the introduction of 30 January 2005 criminal prosecution of those who organize illegal migration (322-1 CC). This rule provides for liability for the organization of illegal entry into Russia of foreign citizens or stateless persons, of their illegal stay in Russia or illegal transit through the territory of the Russian Federation.

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THE NETHERLANDS – "SOCIETY OF MIGRANTS"

The Netherlands is one of the most densely populated and urbanized countries in the world. Increasing number of residents of foreign origin has been typical for this country after World War II. The Netherlands experienced three waves of immigration.

Since 2000 the opposition to immigration in the Netherlands has been growing, opinion polls show that 2/3 of the Dutch believe that there are too

many migrants in the country. Anti-immigrant sentiments have intensified and become anti-Islamic after the events of September 11, 2001 in the U.S., killing of politician Pim Fortuyn and filmmaker Theo van Gogh. However, strict government policy on the issue of migrants' deport to homeland displeased a large part of the Dutch because it enforced people to return to politically unstable countries where there was no human rights respect, and lead to disruption of established social relations, resulting from long-term migrants' residence in the Netherlands. Thus, in the Netherlands' migration policy there is a certain duality. On the one hand, low-paid manpower is needed for stable economic growth and ensuring an adequate population supply. In addition, the majority of the population stood for leaving the migrants in the territory of the kingdom, as most migrants had assimilated as standard residential population of the Netherlands. But on the other hand, illegal immigration seems to be the cause of criminalization and the radicalization of the society, drop in the living standards as well as a high level of social stratification. Apparently, the "integration measures" taken by the country Government are unilateral and limited. Obviously, complex migration policy must be developed by the government to respect the national interests and the rights of those migrants who stay in the country.

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GENERAL ARGUMENTS OF ILLEGAL IMMIGRATION TO EUROPE

The main arguments cited in support of immigration are economic arguments, usually related to labour supply, and cultural arguments appealing to the value of cultural diversity. Some groups also support immigration as a device to boost small population numbers, like in New Zealand, or, like in Europe, to reverse demographic aging trends. When we think about possibility of immigration to Europe a thought about illegal immigration comes to our minds. In many countries the procedure of legal immigration is complicated, takes lots of time and money. It seems that illegal immigration to Europe is cheaper than legal one. People wishing to immigrate often do not know immigration laws of foreign country so they believe specialists of immigration companies and they do not tell the truth. Without knowing immigration laws and having detailed plan of immigration to Europe illegal immigration seems to be cheaper, faster and more effective. But if to consider immigration process seriously and to calculate risks of possible deportation and psychological problems that will certainly appear and influence your health illegal immigration will not seem so preferential

for you. Europe has been losing its war on illegal immigration. According to various EU estimates, around half a million illegal immigrants still enter the European Union annually, even after years of measures that have included policing, detention, and repatriation. To achieve widespread and lasting change, the European Union must address the reasons why many illegal immigrants leave their homes in Africa. In recent talks with their counterparts from African nations, EU ministers have now offered substantial development aid as part of a package to curb illegal immigration. Though the intention of their plan is fundamentally correct, several aspects of the plan, if not addressed soon, may stand in the way of curbing Europe's illegal immigration problem.

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ILLEGAL IMMIGRATION TO ITALY

Italy's geographical position makes it an ideal place for illegal immigration. Most illegal immigrants mostly come from North Africa through the Mediterranean Sea. Many illegal immigrants arrive by traders' boats.

Immigration has recently become an indispensable event in the life of Italian society. During the twentieth century until the early 1970's Italy was one of the main centers of emigration in the world. Since 1971, the number of immigrants in the country, for every ten years, increased almost twice, reaching currently about 3.9 million or 6.5% of the population.

Formation of immigration legislation faced a number of difficulties, namely: liberal travel policy, long and poorly guarded coastline until the 1990's and developed informal sector. However, under the pressure from European countries, the Italian government was to precipitate the development of immigration policy that met the standards of the European Union. Ministero Dell' Interno of Italy coordinated the implementation of immigration policy of Italy.

Today Italy, like other European countries, solves the problem of limiting the growing inflow of illegal immigrants from third countries.

To combat illegal immigration Italian government take a large number of different measures. System of border control is strengthened. Foreigners without entry visas and foreigners who violated the conditions to stay in the country should be deported. Persons who promote the illegal entry of foreigners may be punished by imprisonment of up to 12 years and fine of 30 million Italian liras for every illegally imported person. The employers who use the work of illegal immigrants could be punished by imprisonment of one year and fine of 6 million Italian liras. One of the most legitimate act passed by parliament in 2009 provides illegal immigrants with a fine of €5,000-10,000 and allows immigration officials to detain them for up to 6 months.

Thousands serious fines and prison terms continue to threaten not only to illegal immigrants, but those who shelter them.

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ILLEGAL IMMIGRATION IN MEXICO

For many generations Mexicans have illegally crossed the border into the United States. Reasons for the high rate of migration from Mexico include the close proximity of Mexico to the U.S. and the noticeable difference in the quality of life between the two countries. Many individuals come from poverty-stricken towns in Mexico and desire to come to the United States to achieve the "American dream." For many, just gaining employment at a low wage job in the United States provides a much higher standard of living than in their home country. During the 1980s, the United States saw a significant increase in illegal immigrants from Mexico.

Those from bigger cities such as Guadalajara, Monterrey, and Mexico City do not necessarily have a higher quality of life than those Mexicans residing in rural communities. However, individuals from larger cities do tend to have a greater access to opportunities. Many who live in smaller towns tend to be employed in the agriculture sector or try to set up a small business in order to make a living. The average Mexican wage is about \$4.15 an hour and those in the agricultural industry make even less. While an individual may be able to survive on that wage alone, it becomes more difficult for those with families. Currently about 40% of the Mexican population is below the poverty line. Unemployment is about 4% but it is estimated that nearly 25% of those working are classified as underemployed.

Even when jobs are created, in many instances they are not sufficient to meet the growing demand of the Mexican people. Thus, many Mexicans from both small and big cities find the neighboring United States to be extremely attractive. Treaties such as the North American Free Trade Agreement (NAFTA) have brought more American companies into the country. However, the jobs that have been created are not enough and many wages are still relatively low. Many dream of going to what is known as the "the North" to make more money. However, illegal immigration to the United States is becoming increasingly difficult due to advanced technology, infrastructure, and enforcement. Some illegal immigrants illicit the assistance of a "coyote", or smuggler, to help them navigate through the land and cross the border. As such, the assistance of "coyotes" is in high demand. The fees for a "coyote" easily run into the

thousands per individual. Many illegal immigrants save up money or borrow money to cover this fee. "Coyotes" generally have insider knowledge about crossing the border, and know the best routes to avoid detection.

Increasingly, illegal immigrants and "coyotes" have tried to cross the border through the Arizona desert. Especially during the summer months, there tend to be more cases of illegal immigrants who try to cross the Arizona desert and die from dehydration. Throughout the U.S. – Mexican border, more check points with U.S. border patrols have been added on the American side of the border. Once a Mexican immigrant successfully crosses the border into the United States, they generally have two main goals. Their first aim is to send part of their earnings back home to their family and their second goal is to bring more family members to the United States. Eventually they hope to gain permanent residency (green card) and possibly U.S. citizenship status.

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COUNTERACTION OF ILLEGAL MIGRATION AND EMPLOYMENT

Federal Republic Germany is the state in the world with the largest economic and demographic potential. On population takes the second place in Europe (after Russia) and the first – on number of the foreign population.

After peak in dynamics of immigration of 1992 when the number of immigrants has reached in Germany of 1,2 million persons, the next years there was a decrease in its level. However and by the end of 90th years Germany still remains the largest world center of gravity of the international migrants. In 2000 the number of the immigrants arriving to the country, has made a little more than 700 thousand persons; in the country of profit about 300 thousand time workers, 96 thousand ethnic Germans and 79 thousand refugees.

In total for last forty years to Germany on a constant residence has moved about 30 million persons. On number of immigrants the country takes the second place in the world after the USA and the first – in Europe. Germany is the basic host country for the persons searching for a refuge in the Western Europe.

Development of effective measures on decrease in illegal labor immigration of foreign citizens is one of the most actual problems of modern Germany. A policy on struggle against illegal immigration are spent on variety of directions.

First of all considerable efforts go on improvement of a hardware of systems of external boundary control and increase in the personnel of a frontier

service. In Germany the Federal boundary police uses every possible measures of opposition to illegal crossings of border.

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CAUSES OF ILLEGAL IMMIGRATION IN THE USA

The US is a nation of immigrants and, although today less than 12 per cent of the population is foreign-born. Annual immigration is around 1 million, added to which hundreds of thousands of illegal immigrants enter the country each year, over half from Mexico.

Many illegal immigrants obtain their "illegal" status by entering the country illegally. Throughout history, there continues to be a myriad of ways that immigrants cross the border in order to get into the United States. One method that is often popular with immigrants from the Caribbean is to cross the Atlantic Ocean to reach United States, often in a homemade boat. Some immigrants from South America may fly into Mexico. Here they may illicit the assistance of a "coyote," or smuggler, to help them attempt to illegally cross the border into the United States. Other illegal immigrants may try to cross the border into the United States by cramming into shipping containers, trucks, or boxcars.

Why do people enter the country illegally? There are many cases, for example.

1. Economics and labor markets cases (trade liberalization, poverty and so on).

2. Overpopulation. In Mexico alone, population has grown from 13.6 million in 1900 to 107 million in 2007. In 2000, the United Nations estimated that the world's population was growing at the rate of 1.14% (or about 75 million people) per year. According to data from the Central Intelligence Agency's 2005–2006 World Factbooks, the world human population currently increases by 203,800 every day.

3. Family reunification. Some illegal immigrants seek to live with loved ones, such as a spouse or other family members. From studying Mexican migration patterns, Douglas Massey finds that the likelihood of a Mexican national to emigrate illegally to the US increases dramatically if they have one or more family members already residing in the United States, legally or illegally.

4. Wars and asylum. Illegal immigration may be prompted by the desire to escape civil war or repression in the country of origin.

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SOME HISTORICAL ASPECTS OF IMMIGRATION

Immigration played a significant role in settling of the Earth and had a great impact on the dynamics of size and structure of population of many countries. Sexual and age structure of immigration is characterized by predominance of young and middle-aged males. Immigration results in the emergence of new nations and nationalities in the mixing of different ethnic groups.

Immigration is the characteristic of all known historical periods and over the last two millennia there were the following most extensive waves of this phenomenon:

- migration to Europe (in the 5th – 7th centuries);
- Arabic conquests (in the 7th -8th centuries);
- expansion of Turkic and Mongolian tribes (in the 11th – 17th centuries);
- intercontinental migration, that took place in the era of great geographic discoveries (in the mid 15th – 17th centuries), mainly from Europe to America and Australia;
- population displacement associated with two world wars;
- the resettlement of more than 16 million people, caused by division of British India into two independent states – India and Pakistan;
- migration related to immigration of Jews to Israel.

The massive stream of immigrants to Europe started at the end of World War II. In the late 20th – early 21st centuries the rates of migration has not decreased, among the major population movements should be mentioned:

- migration related to the collapse of the USSR and Yugoslavia;
- migration from Latin America, Africa and South Asia to more developed countries of Western Europe and North America;
- migration caused by local armed conflicts.

The most significant displacements are mainly caused by economic reasons.

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FRONTEX

Frontex is the European Union agency for external border security. It is responsible for coordinating the activities of the national border guards in ensuring the security of the European Union's borders with non-member states. Frontex was established by Council Regulation (EC) 2007/2004 having regard to the Treaty establishing the European Community. It is headquartered in Poland.

The main tasks of the agency include: coordination of operational cooperation between Member States in the field of management of external borders; assistance in the training of national border guards; carrying out risk analysis; following up the development of research relevant for the control and surveillance of external borders; assistance in circumstances requiring increased technical and operational assistance at external borders; providing Member States with the necessary support in organizing joint return operations.

By the end of December Frontex has completed its first joint operation devoted to the irregular immigration of children into the European Union, which was called Agelaus. It was a one-month fact-finding exercise conducted at 42 airports across Europe.

Its key objective was to increase awareness of the phenomenon of irregular migration involving children, in order for Member States to address the issues of people smuggling and trafficking in human beings at the EU external air borders. A longer-term aim was to develop pro-active policies and procedures to deal with irregular illegal migration involving children arriving at EU airports and to provide the basis for a more flexible approach to tackling the facilitators and organized crime groups involved.

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INTERNATIONAL COOPERATION IN COMBATING ILLEGAL MIGRATION

Illegal migration has become a challenge to the international community, which extent and negative consequences threaten international stability and sustainable development. Combating illegal immigration is directly linked to national security of the state, as illegal immigration contributes to the creation of organized crime groups engaged in smuggling of migrants, including human beings traffic, sexual exploitation of women and children. Certain sphere of criminal business specialized in providing "services" in the field of illegal migration formed at the state borders of many countries. In particular, international organized crime controls the processes of crossing the border by illegal migration from South and East Asia, Middle East, Africa, which directly creates challenges and threats to national security of Ukraine and countries of European Union.

To minimize the negative consequences of migration processes and the opposite – getting the maximum benefit from them, migration policy should be carried out on the basis of consistency, competence and development of international cooperation for more effective management of migration at the national, regional and global levels.

Migration Policy of Europe in general is not adequate to the present situation and needs consistency, ordering, coordination efforts of all the countries, their ministries and departments and increase of funding for implementation of state migration programs and projects. To form a balanced and effective policy to combat illegal migration in the system of European it is necessary to take a consistent set of measures to combat illegal migration, which include strengthening of operational support for border protection, specialist training, creation of an appropriate regulatory framework, establishing effective communication and exchange information with international organizations dealing with migration problems.

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ILLEGAL MIGRATION ACROSS THE RUSSIA-KAZAKHSTAN BORDER

Today an opinion that the control along all the newly emerged borders with the former Soviet republics should be made more rigorous is gaining popularity in the Russian official circles. The authorities intimidate at large each other and entire population with the danger of illegal migration stressing the high level of criminality amongst migrants, presence of large number of people with no official registration and enormous scale of illegal labor activities of foreign citizens on the territory of Russia.

The border migrants are primarily Russians of 30-50 years of age having families of 3–4 persons including underage children. Thus, it is primarily employable, educated, and married citizens who enjoy the advantages of life near the border. It is noteworthy that the majority of migrants are Russians by birth, although inhabitants of Kazakhstan clearly dominate in the border migration. As a rule, the near-border migrants go to the neighboring country several times a year for private purposes mainly to visit their relatives and friends.

One fifth of the migrants, those who earn money through their trips, cross the border several times a week. Their number has even increased compared to the Soviet period. Obviously, the population does enjoy the advantages of near-border life, price differences in particular. Apart from the proper merchants, there are people who buy and sell while visiting their relatives. Thus, the group of commercial migrants is nearly 40 per cent.

Nearly 50 per cent of the Kazakhstan citizens regard the closeness of the border as an advantage, while the number of Russians who think so is almost three times lower.

The general satisfaction with life differs substantially in Kazakhstan depending on nationality but 90 per cent of Kazakh migrants are not going to migrate permanently to Russia under any circumstances.

Despite of many differences in the replies of Russian and Kazakhstan migrants, 78 per cent believe that the Russian- Kazakh border should be absolutely open both ways.

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MEXICAN IMMIGRATION TO THE USA

Immigration has been something that the United States has welcomed for hundreds of years. People coming to the U.S. from other countries in search of a better life have been seen as acceptable, for the most part. Immigrants have traveled hundreds and sometimes thousands of miles to reach the "promised land" in hopes of making a better life for themselves and their families. In the past many of them have been successful, but in the past 20 or so years and especially recently, some have faced challenges in being able to stay in the US successfully.

In the late 1800s and early 1900s the United States saw a huge influx of immigrants coming into Ellis Island. Having fled from their native countries, they embarked on long, sometimes fatal journeys by ships to the United States, dreaming to establish better lives for themselves. Many times families were split up. Fathers and sons came to the U.S. first, then later they sent for the mother and other children when they had raised enough money. Mexican immigration works in much the same way today. Many Mexicans cross the border in hopes of finding prosperity and a better way of life in the United States. Mexican wages are very small for the most part. The average daily wage in Mexico is 53 pesos per day, or 4.53 in American dollars. Many Mexican immigrants believe that they must do whatever is necessary to get to the U.S., so they will be able to earn enough to support their families. Very often they cross the border illegally.

The majority of Mexican immigrants who cross the border know the dangers of such an attempt. If they cross the border undetected, they will be almost certain to find a job somewhere in the U.S. that will be paid much more than they were accustomed to do in Mexico.

Mexican immigration is a delicate issue for majority. There are those in the U.S. that support Mexican migration, while others are opposed to it. Some argue that Mexicans bring drugs and other problems to the U.S., while those in favor of immigration argue that no one else will take the jobs that the immigrants are willing to do. Others argue that Mexicans come to the U.S. to get free health care, food stamps and assistance from the government, robbing working U.S. citizens of benefits that they could have.

If the immigrants are discovered, they could face rather horrid consequences. Most are often sent back to their origin country, although those who

are lucky maybe accepted by the charitable organizations and are allowed to stay in their destinations and provided with the necessary aid.

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CONTROLLING ILLEGAL IMMIGRATION

Clearly, virtually no country is untouched by the effects of international migration – particularly its unauthorized variant. The issue is certain to remain a top agenda item in national, regional, and "global" conversations for the foreseeable future.

It should thus be no surprise that illegal immigration now preoccupies most better-off societies, or how governments and publics alike have begun to think about most immigration and immigrants. Deep and increasing concerns about the potential connection of new and old immigrants to terrorism make the political and security resonance of the issue even more pronounced.

There is an emerging appreciation among analysts and some government officials that the problem cannot become the policy goal when dealing with the complex social and economic issues associated with unwanted immigration. The standards it demands are too high, and any policy designed to meet them will ultimately be judged a failure.

In Europe and the U.S., this basic premise seems to have remained valid even when such responses have been at least somewhat coordinated to include much tougher border controls, ever greater labor market regulation, higher energy interior policing, and more persistent efforts to reduce the demand for asylum (by making it more difficult both to launch applications and succeed in the adjudication process).

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IMMIGRATION PROBLEMS IN KAZAKHSTAN

Immigration as an integral part of the globalization phenomenon has increasing impact on the society, brings notable benefits to the countries with the growing old population, solves problems in the economy connected with short-

age of manpower resources etc. At the same time there are also negative aspects of immigration such as illegal migration, human trafficking, xenophobia and racism, ethnic and social conflicts, the problems related to safety of the country. Therefore one of the main priorities in the policy of the developed states is maintenance of migration management to increase its positive effect and to minimize its negative consequences. Disintegration of Soviet Union was accompanied by the whole complex of the migratory problems demanding their decision. In the conditions of formation of a sovereign state, migratory processes in Kazakhstan had unprecedented character. In 1991–2006 about one million has arrived to the country and more than 3 million people have left. According to the experts' data of the World Bank, Kazakhstan takes the ninth place in the list of the receiving countries. Immigration during the nineties was perceived as a decision of the problems connected with catastrophic falling of population (birth rate falling, death rate increase, migratory outflow). But this position changed, when the country began to experience the pressure of labor illegal migration.

Meanwhile, migration seems to be one of the most exclusive and at the same time indistinct subjects in the state politics. Reasons of migratory policy are interfaced to a number of difficulties caused by the nature of migration and by the statistics, called to reflect realities. Independent experts of the United Nations calculate one million illegal migrants. The structure of illegal immigrants is unknown, and the reasons of their entrance to Kazakhstan are far from the factors specific for natural migration.

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COMBATING ILLEGAL IMMIGRATION

As globalization and interdependence have become dominating characteristics of economies and societies at the end of the twentieth century, it is only natural that cross-border migration should also become more substantial. Such migration depends on such factors as ethnic conflict and poverty, as well as transnational familial linkages and the prospect of economic betterment. It is clear that these dynamics are enormously powerful and difficult to reduce or contain. At the same time, governments in many of the developed industrial countries have attempted to restrict the flow of immigrants.

The Director General of the International Organization for Migration has noted: "The combination of increased freedom of movement, pursuit of better opportunities, diminished legitimate migration possibilities, and demand for foreign labour have resulted in a profound rise in the level of illegal migration".

These conditions have also resulted in the rise of criminal networks and organizations which ruthlessly exploit the desire of many people to achieve greater personal security or economic advancement through migration. Indeed, these networks profit from human misery, putting at risk not only their health and well-being but their very lives. There are also numerous cases in which the traffickers take the money and leave the would-be migrants stranded at some point en route.

For all its ruthlessness, illegal migrant trafficking has become "a global business, generating huge profits for traffickers and organized crime syndicates, creating serious problems for governments of the countries involved and potentially exposing migrants to abuse and exploitation.

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MANAGING MIGRATION FLOWS: AFRICA PROJECT

In Bamako, the capital of Mali, one of the world's poorest countries, the Migration Management Centre was opened to inaugurate a pilot scheme and try to dissuade Africans from taking the hazardous routes to Europe.

This centre paves the way for managing migration flows more effectively. Instead of demonising the migration phenomenon, it should be supported, structured and managed optimally.

Mali is a hub for tens of thousands of Africans who try to get to Europe illegally every year by embarking on boats to Spain's Canary Islands from the west coast of Africa. Many of them die on route. Recently Spanish coastguards have rescued a group of 230 Africans – the largest single boat load of illegal immigrants to reach Spain.

Seeking to stem illegal migration to the EU, the new Bamako centre is also to act as a reception point for illegal immigrants who have returned or been deported to Africa, as well as acting as a clearing house for legal migrants.

The aim is that individual EU countries, for example France and Spain, will use the centre to offer seasonal work for temporary legal migrants. They hope the Mali project will be the first of a network of European migration centres across West Africa.

The new centre is also to act as a transfer point for the remittances of Malians abroad sending money home to their families.

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ILLEGAL MIGRATION IN CHINA

The problem of illegal migration is actual for many countries of the world. Today, illegal migration has become a social phenomenon that went beyond the individual states and become an international problem. It is regarded as one of the reasons for the growth of crimes, the spread of dangerous diseases and development of the illegal labor market.

There are about 150 million migrant workers in China. Illegal migrants from Vietnam, South-East Asia and other countries of the world migrate because of various reasons: inflation, mass unemployment, civil war, environmental catastrophe in these regions or states. The government of China is trying to prevent such a thing as illegal immigration. And so they have certain plans and ways of prevention, such as: incentives for illegal immigration must be eliminated namely all public benefits for illegal aliens; increase of fines for violations of immigration laws in force; introduction of new technologies to combat illegal migration. Chinese experience of counteraction illegal migration is important for Ukraine because according to official statistics, 85% of 3 million Ukrainians working abroad, are illegal migrants, who entered foreign countries as tourists and stayed there to work. Ukraine has reached bipartite agreements on employment with Poland, Lithuania, Russia, Belarus, Latvia, Slovakia, Moldova. Although Labour and Social Policy Ministry insists that Ukraine should better launch the policy of returning home, which can be achieved by means of raising salaries and social dialogue. We must establish large, mobile and modern labour market in Ukraine.

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ILLEGAL MIGRATION IN FRANCE: MODERN STATE AND PROBLEMS

France's new immigration and integration law, adopted on July 25, 2006, aims to overhaul France's immigration system by giving the government new powers to fight illegal migration more effectively, and restrict family immigration.

The unrest illustrates that France will not have an easy transition to a selective immigration system that 1) emphasizes employment-driven immigration at the expense of the 113,000 immigrants who arrive in France annually for family-related reasons and 2) that carries out a robust campaign against illegal migration.

Many French citizens have criticized the law's limits on family reunification and its greater stringency in giving legal status to illegally resident immigrants. Politicians in France were not always in agreement either: The bill underwent over 300 amendments in the National Assembly and Senate before finally being passed.

Nevertheless, most policymakers agreed that France's immigration system is failing.

As last fall's riots in the Paris suburbs illustrated, France has fallen short in its efforts to integrate its immigrants and their children, many of whom are French by birthright. More controlled migration will lead to better integration of migrants. The new immigration and integration law has four main objectives: It authorizes the government to identify particular professions and geographic zones of France that are "characterized by recruitment difficulties." For those identified employers, the government plans to facilitate the recruitment of immigrant workers with needed skills or qualifications. However, this means employers who are not on the government-selected list may have more difficulty (or may face longer waiting periods) obtaining residence permits for migrant workers they wish to employ.

Illegally resident immigrants who disturb the "public order" would also be vulnerable to deportation.

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ILLEGAL MIGRATION AND POLICY IN GREAT BRITAIN

Immigration to Great Britain in the 21st century is larger and more diverse than at any point in its history. As the global recession bites, early evidence shows a reduction in the numbers of immigrants coming to work. However, fundamental dynamics indicate sustained net immigration is here to stay. Although Great Britain has received immigrants for centuries, the country has traditionally been a net exporter of people; only from the mid-1980s did Great Britain become a country of immigration.

Government policy on illegal migration has developed incrementally since 2002. In addition to external measures, such as tougher visa regimes, the government has also developed internal measures to combat the problem. These measures can be loosely categorized into four areas: identity management, increased employer compliance, more public service compliance, and regularization.

In response to September 11 and for other security concerns, the government introduced compulsory biometric identification data for all migrants who intend to stay in the country for longer than six months. Though these measures

have controversial civil-liberties implications, the government has argued they reduce the scope for illegal entry and working and that more secure identity documents will prevent the entry of people who may pose a security threat. The government has imposed increasing sanctions on those who employ unauthorized workers. Similarly, schools have been asked to check the status of children and report those not legally resident to the immigration authorities although Great Britain guarantees the right of all children, illegally resident or not, to attend public school.

The effectiveness of such measures is difficult to judge given the nature of the issue. But it is equally necessary to change and improve them.

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COMBATING ILLEGAL IMMIGRATION IN GREECE

The dramatic increase in illegal immigration in Greece has been of great concern over the past few years. The Greek government has maintained that they are simply overwhelmed by the huge numbers of illegal immigrants and are trying their best to handle the problem appropriately. Meanwhile, Greece is suffering from economic, social and cultural implications caused by the influx of people into their communities.

One of the most radical accusations made headlines recently. A small number of independent Greek organizations are now claiming that it is Turkey who is causing their illegal immigration problems. Turkey previously has been accused of arranging for smuggling of individuals into Greece and also for arranging for a ‘facilitator’ for the immigrants to stay with, once in Greece. This facilitator will help to keep the illegal immigrant hidden from Greek police and also set up transportation into other European countries. Apparently, some feel that they planned this illegal immigration problem in attempt to destabilize the Greek economy. Others feel that this accusation is wildly inaccurate.

Greek authorities blame the Turkish and the Turkish respond by blaming the Greeks. Both have received harsh criticism for refusal to accept responsibility and lack of cooperation. Many members of the international community feel that it is essential for the two nations to work together if they want the problem solved.

So far the European Union has provided some support via equipment and personnel to assist at detainment centres. They are also in the process of passing new legislation that will support stricter Greek immigration policies.

The Greek government has too taken steps to combat the problem by passing new laws allowing for lengthened detainment and or easier deportation of illegal immigrants. Also, the third group of individuals was recently deported to Pakistan and Afghanistan, numbering about 85.

Though minimal progress has been made, the numbers are still overwhelming the Greek government. The majority of asylum applications have been refused which is causing complaints from several human rights groups.

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SOME AMERICAN STRATEGIES TO STOP ILLEGAL IMMIGRATION

Illegal immigration is a problem that just won't go away. There are over ten million illegal immigrants already in the USA and more keep coming in everyday. This puts a strain on resources – both state and federal. Public funds tend to get diverted to provide housing, health, education and other facilities for the incoming and existing illegal immigrant population, necessary public and welfare measures and projects get ignored. Seeing their tax dollars spent in supporting illegal immigrants also causes a lot of resentment among the legitimate, resident American population. Listed below are some ways in which the problem of illegal immigration can be stopped.

The 1st step is expanding visa programs. Much of immigrant labor is used for jobs which the native or citizen population does not want to take up. Examples of such jobs are in seasonal agriculture or farming, maid services, etc. Rather than encourage illegal immigration, it is important to introduce or expand visa programs through which migrant or domestic services' workers can be allowed to enter the country legitimately. Existing quotas are quite minimal and the process and procedures involved are quite complicated and time-consuming. Hence, people find it easier to enter the country by illegal means. If visa quotas are increased and the procedures simplified, more immigrants would opt for legal entry, thus resolving the problems of illegal immigration to a great extent.

The 2nd is tweaking the wage levels. The majority of the illegal immigrant population is paid wages way below the minimum wage paid to American workers. It obviously does not make sense for the immigrants to spend lots of money using the legitimate channels to migrate for wages they are paid. Hence, most prefer to enter the country illegally. The solution is to establish a minimum wage level for immigrant labor, similar to what is available for the resident population. If the immigrants know that they can depend on a guaranteed level of income and decent standard of living, then more of them will be encouraged to use legal means of coming to the US for work.

The 3rd step is strict enforcement of immigration laws. Much of the current illegal immigration problem would not have occurred had laws been enforced strictly. Even worse, is that the administration in the past, has actually encour-

aged illegal immigration, by offering retrospective legal status to millions of illegal immigrants. With such loopholes to exploit, the problem of illegal immigration will only grow and thrive. It is important to enforce laws strictly. Illegal immigrants must be deported immediately and without any excuses or be made to pay strict penalties; instead of giving them welfare relief. Enforcement and immigration authorities must be armed with sufficient power to help them combat the illegal entry into the country.

The 4th step is "into the melting pot". America is a country where immigrants have come to its shores for centuries, but have been able to assimilate themselves into a homogenized population. There is no reason why the same cannot be followed by recent immigrants. While it is important to maintain and nurture one's own culture and roots, there is no reason, why good customs of the host country should not be adopted. It must be made compulsory for all non-English speaking immigrants to study English and to participate in community empowerment and assimilation programs.

The sooner some strict measures, such as those suggested above, are put into place, the sooner will the country be able to resolve its current illegal immigration problem. Allowing people from other parts of the world to come to the US in a controlled and properly regimented manner, is the most important way in which we can put an end to illegal immigration.

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FIGHTING AGAINST ILLEGAL MIGRATION IN SPAIN

Today International migration spreads all over Europe and Spain is no exception. It has about 300 to 500 thousand illegal immigrants.

As usual, a considerable part of immigrants arrives into the country on legal grounds – on private invitations, on tourist, educational or labour visas and after their expiry they remain in the country and become illegal immigrants.

In the last few years Spain witnessed a sharp growth of criminality. Now it has armed bands of Colombians specializing in the robbery of jewellery shops and house-breaking, Albanians robbing industrial enterprises, Africans buying and selling trade drugs, Latin-American and Arabic young people arranging street fights.

Illegal immigration has resulted in a collapse in medicine, which is free of charge in Spain, because according to the local law, any foreigner living in the country has, for example, the right to be operated free of charge irrespective of the operation cost. Moreover, most of illegal immigrants like to be treated, using their knowledge of language.

An analogical phenomenon took place in the educational system, which is compulsory for all children living in Spain. There are no special classes for illegal immigrants in Spain and classes are overcrowded by children who usually don't understand anything at lessons, because they do not know Spanish.

Moral values have dropped in Spanish society since illegal immigrants came to Spain because of the sphere of intimate services having broadened considerably.

Spain has worked out a new plan for fighting against illegal immigration by:

- creating general constabulary forces for patrolling and guarding water-side more effectively, and paying more attention to strengthening copes in mountain districts and forests;

- changing the state of educational and medical services and the terms of staying on the territory of the country;

- strengthening the visa mode.

Teaming up with the countries of the world, Spain must create a general program which will prevent uncontrolled migration and deportation of immigrants. It is thought that if it's impossible, Spain will have to create more work-places and accommodations for immigrants, due to which the criminality will diminish and economy of the country will improve.

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REASONS OF ILLEGAL MIGRATION AND WAYS TO COMBAT IT

Human migration is one of the most important problems in population studies. Migration processes pose a real threat to the national integrity and welfare. Generally, we see two kinds of migrations: voluntary migration and forced migration. Voluntary migration is willingly done, in which one plans to settle in a new place. The main determinants of forced migration are: war in the country, genocide, dissident violence and state repression, economic and demographic factors. Almost every country faces the problem of illegal migration. Illegal migration is the process of entering one country by people without formal permission. Illegal migration is one of the most sensitive instruments, immediately reacting to the social, economic and political changes a particular region, a country or in the world.

There are different reasons of illegal migration. Some of them are the following.

1. *Political reasons.* People have to move because of their political activity and political views.

2. *Armed conflicts*. It is well established that forced migration is related to armed conflict.

3. *Discrimination*. Restriction or deprivation of civil rights of certain categories of citizens.

4. *Ecological catastrophes*. Volcanic eruption, landslides of rocks.

5. *Unpopular state reforms*.

6. *Very complicated and expensive requirements of the destination country*.

7. *Economic problems*. Economic factors – one of the main reasons of illegal immigration. Many people leave their home to search a better quality of life in another country. Canada, USA, Germany, Italy, Russia are the countries where people are more likely migrate to achieve their stability in order to have better living conditions.

Here are some methods that different countries have applied to combat illegal migration.

1. Quota system. It is used to regulate the number of permanent immigrants and temporary skilled workers.

2. Deportation.

3. Many countries have placed an immigration control officers at airports and sea ports.

4. Certain sanctions are applied against the airlines and shipping companies that bring illegal immigrants to the country.

5. Domestically, in order to prevent counterfeiting or forgery of documents granted to immigrants the level of protection raises.

6. Thorough marriages foreigners checking to prevent false marriages for obtaining a residence permit.

7. Strict border control.

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ILLEGAL IMMIGRATION TO SPAIN

Last year the population of Spain rose to 45.1 million people (by 400,000 people in comparison with the previous year). What is more interesting is that the immigrant population increased by the same number from 4.1 million to 4.5 million people. This was the smallest increase during the past seven years.

The main ways of entering illegal immigrants to Spain are coming by sea to the Spanish islands and the mainland, by car and air.

In Spain a number of regions from which illegal immigrants enter the country is distinguished. They are: North Africa (Morocco, Algeria and other African countries); Latin America (Colombia, Ecuador, Dominican Republic);

Eastern Europe (Romania, Ukraine, Poland); China and other countries of Asia-Pacific region.

Last year 3,632 people were detained by Spanish immigration authorities. According to data provided by the Minister of Internal Affairs of Spain Alfredo Perez Rubalcaba, the number of illegal immigrants arriving to Spain by boat has decreased by fifty percent compared to 2010. The number of people whose entry to Spain was prohibited decreased also from 12 226 in 2009 to 9453 in 2010.

To reduce immigration to Spain the border patrol by the government was strengthened, the cooperation of Spain with Moroccan and Algerian governments took place, several agreements on African repatriation of migrants were signed. One method of combating illegal immigration to Spain was to restrict the rights of illegal immigrants, namely the right to organized protests, the increase of fines for enterprises which hire people who do not have permission to perform any activity in Spain. Greater powers to detain and deport illegal immigrants were given to central and local executive authorities. Air carriers required all passengers having a tourist visa to use their return tickets and provided the competent executive bodies with information that interested them. If all the requirements were not met, the company was imposed a fine of € 60,000.

Nowadays, because of its geographical position the Kingdom of Spain feels special pressure from illegal immigration, ever increasing danger and tries to fully support the desire of other European countries to intensify their efforts to solve this problem. From March, 11, 2004 the problem of immigration to Spain has become the problem of security for this country when the explosions in Madrid local trains arranged by terrorists killed 191 people, and all terrorists connected with the preparation to the explosions were citizens of Morocco.

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MUSLIMS ILLEGAL IMMIGRATION

At the beginning of the twentieth century, there were 10,000 Muslims living and working in Britain. The Muslim population in Britain has grown by more than 500,000 to 2,4 million in just 4 years. Muslims have migrated to Britain because it is more tolerant to Islam than other European countries. But there are 2 problems associated with Muslims living in Britain.

The first problem is that "Muslims" have an ideology. The influx of Muslim religion is having an affect on faith in Britain. Migration has caused an increase in the proportions of the population affiliated to non-Christian faiths.

The second problem stems from the fact that Muslims are violent, unreliable and prone to anarchy. Persistent stereotypes relating to Muslims were iden-

tified, namely that Muslims are 'intolerant', 'violent', and 'cruel'. So there is latent Islamophobia in Britain. Parts of the media continue to create negative perceptions that is not conducive to bringing together all of communities that make up the UK. Therefore Islamic extremists have created "no-go" areas across Britain where it is too dangerous for Britons to enter. Relation between Britons and Muslims are getting worse.

Language adviser

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IMMIGRATION IN THE CANADIAN PROVINCE OF QUEBEC

Today, the most attractive destination for immigration to Canada is the Canadian immigration in Quebec.

In 1978, thanks to an agreement between the Federal Government of Canada and the province of Quebec, Quebec obtained the right to pursue an independent immigration policy, and evaluate candidates for a professional immigration in accordance with its own system of counting points, lists of preferred professions education. Under this agreement the Government of Quebec opened at Canadian embassies in some countries their immigration offices.

Delegation of Quebec, called consulate, independently from the federal government, made the selection of potential immigrants and conduct interviews with applicants. If successful interviewing immigration officer from Quebec, the applicant receives a so-called Certificate of Selection Quebec, which is the document certifying the successful completion of the process of professional immigration. Then the applicant can only pass medical board and tested for reliability, administered by the federal government.

Use the following immigration trend in Quebec:

- Independent immigration;
- Business – Immigration.

Independent immigration to Quebec, Canada

To successfully pass the process of professional immigration program for Quebec, the applicant should have education, skills and experience that are in demand in Quebec job market.

Business immigration to Quebec, Canada

The successful passage of business immigration process, the applicant must demonstrate the ability to make a significant contribution to the economy of the province.

Language adviser

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ILLEGAL IMMIGRATION TO AMERICA

An illegal immigrant is defined as anyone who migrates to a country for a permanent residence without any form of identification. There are many problems which develop, including overpopulation, rising crime rates and unemployment. Therefore, the American government must control the flow of illegal immigrants into America in order to provide more opportunities for Americans. Statistics show that illegal immigrants significantly contribute to the increasing population of the United States. California's illegal immigrant population is still the largest in the nation, declined by 250,000 to 2.6 million. Many studies show that illegal immigrants could threaten the jobs available in major urban areas. These areas are mainly near the border which is where the immigrants usually stay so that, in case of trouble, they can go back to their native country. As immigration rises and hatred grows more laws will be made trying to release some of the tension. The problem of illegal immigration is still considered to be very difficult to solve. We must continue to pass laws that raise the number of legal immigrants allowed into America, and try to control the number of illegal ones. Another thing the government can try to do is to build a wall around the border, so that it's not easy for people to jump or climb over it. One more thing to be taken into account is that the government has to make sure that they enforce whatever laws or policies they created. The American government must control the flow of illegal immigrants into America in order to provide more opportunities for Americans.

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COUNTERMEASURE TO ILLEGAL MIGRATION IN MEXICO

The topic under discussion is based on different conferences, forums, seminars and even films (short movies of G. Bernal under the title "Invisible Men").

Peculiarities of Mexican migration process are: active influence of the government on immigration, for example, compared to the government of China which doesn't prevent immigration if the people aren't of value; next peculiarity is Mexico's geographical position – neighborhood with developed countries, abundance of natural resources.

The following measures in Mexican practice of illegal migration fighting could be emphasized:

- border control: strengthening the personnel of border services, wide usage of modern facilities of mobile control (radars, infra-red devices, specially trained dogs, helicopters and patrol crafts);

- illegal entry into the country is qualified as a crime punished by imprisonment up to two years. Forgery involves imposition of fine and imprisonment;

- native Mexicans have rights to arrest illegal foreigners;

- an extreme reaction of the government to illegal migrants is deportation from the host country;

- Mexican government distributes cartoons-based brochures which admonish potential migrants of United States illegal border crossing; also the brochures provide some useful private safety advice.

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MIGRATION PROCESSES CONTROL

A high level of illegal migration is the peculiarity of contemporary international migration. Illegal migration – is a migration that violates legal norms which are adopted in a particular state and established order of entry, transit, residence and departure of foreign citizens and stateless persons. Illegal migration can be classified according to its types:

- 1) by degree of organization: organized and unorganized;

- 2) by number of illegal immigrants transported: individual and group;

- 3) by method of entry: occurred by illegal border crossings with forged documents, through unguarded borders or outside of checkpoints across the state border and legal entry and staying after the authorized time. To combat illegal migration different measures are adopted; the main ones are:

- 1) the intensification of the measures of responsibility for organizing the smuggling of immigrants;

- 2) the improvement of border services;

- 3) the limitation of the cases of illegal employment by monitoring the labor market and applying administrative, criminal and civil sanctions against employers;

- 4) the application of sanctions against carriers, i.e. against, transport companies which have imported an illegal immigrant by land, sea or air;

- 5) the intensification of liability of foreign citizens for illegal residence in the country;

- 6) the number control of people with illegal status through extradition or migration amnesties;

7) the wider usage of the channels of the legal migration.

Language adviser

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ILLEGAL MIGRATION IN UKRAINE: APPLICATION OF INTERNATIONAL STANDARDS IN LEGISLATION

Illegal migration is a subcategory of international migration. Its distinctive feature is the legal status that is defined by the rules adopted by national governments and interstate organizations. In other words, illegal migration cannot be separated either from the global economics nor the government politics. Thus, although legal and illegal immigration differ in many respects, they are both located at the intersection of international, economic and political systems.

Counteraction to illegal migration is mentioned in the UNO Protocol "Against the trafficking of migrants by Land, Sea and Air" and the UNO Protocol "About preventing and termination of human traffic". The Protocols are supplements to the so-called Palermo Convention or more specifically the UNO Convention on Transnational Organized Crime adopted by the UNO General Assembly on 15 November 2000 (UN A/55/383).

Illegal migration is a threat to the national security of all countries of the world Commonwealth. As to the illegal migration in our country, it is related to the size of Ukraine, its geographical position and national politics. It influence on the problem of illegal migration very considerably. It is very important to substantial facts: first, Ukraine is a source of illegal migration. Secondly, Ukraine is obstacle for its spreading from Asia and the Middle East to Europe and the West. Third, it is a potential purpose for illegal migration. Also Ukraine is considered as transit country now.

Analysis of current legislation and practice of its application proves the existence of systemic problems in counteraction to illegal migration, particularly because of the long-standing lack of progress in solving them. In addition, the legislation of Ukraine needs to provide the observance of international and European standards.

The conceptual uncertainty of Ukrainian state migration policy does not allow to increase the effectiveness of efforts in struggle with such phenomena as: illegal migration, outflow of the most skilled manpower and intellectual potential from Ukraine.

The result of the reform of migration legislation of Ukraine must be consecutive solution of existing problems in sphere of migration. In particular, harmonization of national legislation as to the migration with international and

European standards, improvement of the fight against illegal migration, solution the problems of adaptation and integration of migrants into Ukrainian society.

Language adviser

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CRIMES COMMITTED BY ILLEGAL IMMIGRANTS

Illegal immigration causes despair, grief, wars, public disorder and violent crimes with innocent victims. Illegal immigrants are mainly ignorant poor people without permanent lodgings and low standard of living. They may break the law under certain circumstances and become criminals.

As a rule, the level of violent crimes such as murder, rape, theft, burglary, drug trafficking, kidnapping and terrorism is higher in the countries with a great number of immigrants in comparison with other countries. There are several reasons why a lot of such offences are unsolved:

- juveniles who commit minor crimes are not arrested;
- apprehended illegal immigrants are voluntarily returned to their home countries without tabulation in national crime statistics;
- illegal immigrants provide false statements, present forged documents and they often do not have necessary documentation;
- non-citizens who committed crimes may be apprehended as illegal immigrants.

To solve this problem the governments in many countries adopt national laws and concentrate their attention on immigration policy. Detained illegal immigrants are charged under valid legislation and, if convicted, are sent to prisons. They may be deported or sentenced that is different from that for a native-born person.

Language adviser

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FIGHTING ILLEGAL IMMIGRATION IN UK

The Home Office estimated in 2005 that the illegal immigrant population in Britain was almost 570,000 but other groups such as Migrationwatch UK, which campaigns against mass immigration, have put the figure far higher.

Now the Home Secretary has published a package of measures to crack down on illegal immigrants to the UK and on UK employers who hire workers illegally.

According to the new rules immigration officers will have new powers to enter businesses to search for illegal immigrants and demand information to detect asylum fraud.

Another tough move will see the maximum jail term for those convicted of harbouring or trafficking illegal immigrants rise from six months to 14 years.

In a bid to strengthen Britain's borders, travel operators such as airlines will face a new "right to carry" scheme, where they will have to obtain clearance for passengers before they begin their journeys. Carriers will be obliged to check passengers' details against a database to confirm they pose no known immigration or security risk.

The new Borderguard technology will help catch people who try to get into the country on different occasions using false identities.

So UK government is tightening rules and deploying every possible measure to deter and to detect illegal immigrants.

Other points in the bill include improvements in the system of sharing information on suspected illegal entrants between public and financial institutions, stricter punishments for forging documents, providing tiered systems of accommodation centres to asylum seekers, introducing pledges of allegiance to the Monarch and obligatory command of English.

Language adviser

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SOME ASPECTS OF MIGRATION IN EUROPE

In accordance with the annual report of the United Nations in several years Britain is able to out-distance Germany as European country with the highest rates of population. The gap between these countries of more than 20 million persons seems to be reduced to 2050.

Increase of Britain's population takes place owing to rates of immigration and it means that the given country still remains and will take the third place in the list of the world's states considered as the most attractive for migrants. The UN Population Division informs that at the moment the population of Germany is about 82 million inhabitants and will increase to 71 million till 2050, at the same time in Britain it will increase from 61 to 72 million and that of France – from 62 up to 68 million.

The above mentioned changes are mainly caused by "net migration", that intends the number of entering the country as migrants minus the number of those leaving it. Until 2050 in Britain the rates of net migration will result in 174,000

migrants by year. In comparison in the USA this number will increase to 1, 1 million, in Canada – to 214,000 and in Germany – to 100,000 migrants by year.

It is to note that German total population will reduce because of other factors such as low birth-rate and quickly ageing population. According to UN Office for National Statistics, in the UK the net migration seems to be lower and it means that on average the country has to restrain the number of population within the frameworks of 70 million till 2028.

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SOUTH KOREAN EXPERIENCE IN COUNTERACTION TO ILLEGAL MIGRATION

One of the main problems in modern South Korea is a large amount of illegal labor immigrants. If earlier a lot of people were leaving the country, today it is otherwise. Very few workers receive official permit from the government, others get the status of "industrial training" for certain period of time (about 30%), but more than 50% are those, who are working illegally, were marked by migration services and those who are waiting for the departure home.

A lot of illegal migrants cross the country border on legal basis with short term visas of tourists or Koreans with foreign origins. After crossing the border they appeal to illegal labor. The immigrants who arrive in the country as industrial probationers often leave their probation sight and become illegal workers.

Immigration Services of Justice Ministry are responsible for controlling legality of sojourn and labor of foreign citizens. Direct function of deportation is given to police. Deportation is usually carried out within 48 hours and a stamp of ban to cross South Korean border is placed in the passport with complementary registration of biometric data.

Severe control is applied to the immigrants who try to enter South Korea if the officials of Immigration Services have any doubts or a person seems to be suspicious, they have authority to make them come back home right from the airport or from crossing border point. Practice shows that during 24 hours 100-150 suspicious people can be sent home at the airport in Seoul after a detailed conversation. It is quite a big fine a person has to pay for breaking visa's permits. For example, a person coming to South Korea with a student's visa is to study but not work in the trade or industry.

For counteraction to illegal immigrants Justice Ministry appeals to illegal immigrants to leave South Korea by their own will with no sanctions applied.

Language adviser

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ILLEGAL IMMIGRATION AND TERRORISM

Southern borders of the USA remain to be open for the terrorists from the Middle East. An average white American may not know the difference between an immigrant from the Middle East and an immigrant from Latin America. Illegal immigrants can easily get to Mexico, assume Hispanic identities and simply walk across the borders together with millions of native citizens from Latin America.

The terrorists can live among illegal immigrants in the community. The members of the community of illegal immigrants may suspect that those people do not belong to their environment, but they will never report them to local law enforcement bodies, because it will bring the law into their community, perhaps, searching house-to-house, and the illegal immigrants themselves can be arrested and deported. Thus they are involved in their own business even if a terrorist is among them.

American offenders are entered on a criminal list in electronic data base and are tracked afterwards whilst there may be no information about illegal immigrants or terrorists in papers or electronic records.

While the nation is debating whether the illegal immigrants are law-abiding citizens who simply want the American dream or are criminals who are taking over whole communities, there is a different thing the average American does not get: the nation's security.

If a poor Hispanic, as some people allege, simply wants to live and work in the United States, and obtain a set of legal documents, what actions does a terrorist undertake?

The World Trade Center was attacked by a handful of people, not the army. As long as the border of the country remains open for illegal immigrant, any terrorist can easily cross it too.

Language adviser

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LEGAL BASIS AND MECHANISMS OF COUNTERACTING ILLEGAL IMMIGRATION IN THE EUROPEAN UNION

Nowadays, no one can imagine modern world's development without the migration of population. Generally, the process of migration positively affects

the socio-economic and political development of all the nations. It promotes the integration of the international community, cultural rapprochement of nations, the development of the productive forces. However, the migration process is uncontrollable, so the countries' security level falls down. Especially it should be considered at the current period, when the world's community has faced the great wideness of terrorist threats and violence.

The global nature of migration comes into notice not only before politicians of the majority of countries, but also before the researchers of different fields of scientific community as well.

The high living standard, the stable political and economic system of development states of the EU are attracting neighborhood countries' citizens who look for better life. This circumstance actually leads to such phenomena as illegal immigration. In Europe, over the past twenty years, the number of illegal immigrants increased from 1.5 to 5 million people.

By 2003, the EU initiated the establishment of fingerprint database of refugee. The purpose of creating such a database is to prevent a person and to get an asylum in several EU countries at the same time. Due to EU governments, the creation of the unified fingerprint database will stop the residence permit in several states at once.

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CAUSES OF ILLEGAL MIGRATION AND METHODS OF COMBATING IT

There is no doubt, that migration from poor, less developed countries towards rich states is a phenomenon which carries on for centuries. The most common reasons which make people illegally migrate to more advanced countries are the following: desires to improve living standards, the difference of income distribution between the countries, economic problems, regional and civil wars, political and ethnic oppressions.

The multi-faceted character of illegal migration is reflected in the variety of "instruments" used by most of the countries in their fight against illegal migration, individually or in cooperation with other states.

Indeed, in recent years, the fight against illegal migration has become increasingly complex. Nowadays in discouraging of illegal migration following traditional methods are used: visa regimes, border controls and expulsions of illegal aliens.

However it is necessary to consider positive experience of each separately taken country in working out of more effective methods of struggle against illegal migration. In order to reduce the growing flow of illegal immigrants, Greece for instance, takes the following steps: carries out regular operative actions along sea and overland borders for the purpose of revealing of illegal crossing of border and elimination of mains of smugglers, reduces the number of jobs available to persons not authorized in the country, strengthens employer sanctions in order to discourage employers from hiring unauthorized workers.

In conclusion we would like to notice that the problem of illegal migration can be solved only by integrated work of all countries.

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ON THE BORDER. USA AND MEXICO

There are a lot of people who cross the border illegal or remain in the United States without proper permission from the United States government. Just calling people "illegal" does nothing to solve the real problems that exist.

To solve the very real problems, we have to move beyond name calling, to real solutions. Problems are real and serious. And yes, solutions do exist. We can't just hide our heads in the sand and ignore the fact that, like it or not, legal or not, immigrants are here. In 2008, about 344,000 children were born to parents of whom at least one was an illegal immigrant. These babies were, under the Fourteenth Amendment to the United States Constitution, American citizens. The children represented eight percent of the 4.3 million births in the United States that year. The illegal immigrant population of the United States in 2008 was estimated by the Center for Immigration Studies to be about 11 million people, down from 12.5 million people in 2007. According to a Hispanic Immigration Center report, in 2005, 56% of illegal immigrants were from Mexico; 22% were from other Latin American countries, primarily from Central America; 13% were from Asia; 6% were from Europe and Canada; and 3% were from Africa and the rest of the world.

There are 8.5 million Mexican-born people in the United States, three million of whom are undocumented. About 300,000 Mexicans come to settle permanently in the United States each year, half of whom are undocumented. The Mexican immigrant population is highly concentrated, with 78 percent living in just four states, and nearly half living in California alone.

The problems that exist today are the result of economic differences between Mexico and the United States. Solutions might include programs of Peace-Corps, local education and training in Mexico. Mexicans are the descen-

dants of the Aztecs and Mayans, premier scientists of their time, and their descendants have it in their genes – in their blood – to be inventive and the best educated people on earth if given the opportunity.

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ILLEGAL MIGRATION, HUMAN SMUGGLING AND HUMAN TRAFFICKING

Illegal migration, human smuggling and human trafficking are nested, but yet different concepts. Therefore it is important to make a careful distinction between these terms. This distinction is relevant because these different categories of the illegal movement of people across borders have quite different legal and political consequences.

Illegal migration is a subcategory of international migration. It cannot be separated from the large dynamics of the global economy. Illegal migration is located at the interface of international economic and political systems.

Human smuggling is defined as the facilitation, transportation, attempted transportation or illegal entry of a person or persons across an international border, in violation of one or more countries laws, either clandestinely or through deception, such as the use of fraudulent documents.

Trafficking refers to the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or other forms of coercion.

The involvement of criminal groups in migration means that smuggling leads to trafficking and thus to victimization and the violation of human rights, including prostitution and slavery.

Human smuggling is a special case of illegal immigration, while human trafficking is a subcategory of smuggling.

In fact, human smugglers and traffickers tend to use entry points and routes where the risk of getting caught is lowest in comparison to the amount of money that can be potentially earned.

So, one of the main reasons of illegal immigration and human trafficking is lax immigration laws and small penalties for these crimes in some countries, such as Italy and Spain. To prevent or just lessen spreading of such crimes all countries first of all have to try to harmonize the immigration laws and asylum procedures.

Illegal immigration, including human smuggling and trafficking, is an element of the large problem of organized crime and the illicit global economy and thus important political and social issue.

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MIGRATION POLICY IN ARIZONA

Nowadays there are about 11 million illegal immigrants in the USA. According to information of the Department of Internal Security and the official powers of Arizona, there were about 460 000 of illegal immigrants in Arizona in January, 2009.

The main feature of such huge illegal migration of population to Arizona is the U.S. border with Mexico. The highways of transporters and guides of illegal immigrants, narcotic traffic and smuggling of weapon from Mexico and other Latin American countries pass through Arizona. Every state in the USA has its own laws, but the legislation of Arizona in terms of migration policy must be perfect since illegal migration came up the highest level in this state.

The government of Arizona uses various legal methods of combating illegal migration. In 2010 the Arizona governor passed the law about the intensification of illegal migration control. Also one of the methods of combating is detention of illegal immigrants by law-enforcement units both on the border and within the country.

An experimental 28 miles sector of high-technology was built along Mexico border. It contains observation cameras, radars, touch-sensitive devices and detectors to react motion and infrared rays.

Thus, basing on Arizona's experience of combating illegal migration, it is necessary to introduce in the USA technological and electronic means of safeguarding of the state's borders that eradicates corruption factors and makes possible to ensure the defense of national interests of the United States more efficiently.

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THE PROBLEM OF ILLEGAL MIGRATION IN THE WESTERN EUROPE COUNTRIES

Migration is a complex global phenomenon. There are many reasons why people are compelled to migrate. There are also many ways to assess the impact of migration and to address the issues arising from migration. People leave their own country in search of another for many reasons. For some, they are looking for better economic prosperity, for others, they are forced to move because they cannot find work at home. People move not just for themselves but also for their

families – often to send money back home. Still, for others, their safety is in danger for political reasons and so they move.

According to the IOM, "people tend to move only when their situation and that of their families falls below a critical threshold of tolerance, below which they no longer perceived possibilities of survival according to local norms of safety, dignity and well-being." In other words, when people's basic human needs are not being met, they see no other option than to look for another place to live. Most international migrants are from developing countries but migration does not just occur from the South to the North. While 60% of migrants live in the most developed countries, 40% live in less developed countries, with migration occurring within and/or between developing countries. An important trend in international migration is the increase in transnational migration. Some of the global forces influencing migration include the rise of new information and communication technologies. These have made it easier for migrants to communicate with each other and to stay in touch with those left behind. Also, changes in global transportation have made traveling cheaper and easier. Many African migrants face racial discrimination and barriers in public places and at the work place, even very qualified migrants. They become compelled into a sub-normal existence, by pre-judge circumstances in which they find themselves.

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Тези німецькою мовою

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EU-EINWANDERUNGSPOLITIK

Mit bereits geschätzten acht Millionen illegalen Einwanderern in der EU steht für viele Mitgliedsstaaten das Stoppen des weiteren Zustroms ganz oben auf der Tagesordnung. Dem Europarat zufolge sind im Jahr 2007 rund 51.000 Migranten mit Booten in Italien, Spanien, Griechenland und Malta gelandet.

Im Juni 2008 hat das Europäische Parlament ein Paket von EU-Regeln zur illegalen Einwanderung beschlossen. Demnach können illegale Migranten für bis zu 18 Monate interniert und mit einem Rückkehrverbot für fünf Jahre belegt werden. Die Abgeordneten haben das Gesetzespaket mit großer Mehrheit unterstützt. Die Mitgliedsstaaten haben zwei Jahre Zeit, die Regeln in eigenes Recht umzusetzen. Die EU ist der Auffassung, dass die Rücksendung von illegalen Einwohnern in ihre Herkunftsstaaten nur dann effektiv ist, wenn zugleich mit den betroffenen Ländern systematische Gespräche über die Migrationskontrolle geführt werden. Brüssel hofft ferner auf den Abschluss weiterer Rückübernahmeabkommen, wie sie bereits mit Hong Kong, Macau, Sri Lanka und Albanien in Kraft sind.

Die Zusammenarbeit mit Drittstaaten in weiteren Bereichen konzentriert sich auf die Bekämpfung des Menschenhandels und die Entwicklung von neuen Technologien, um Reisedokumente und Ausweise sicherer zu machen. Die Gemeinschaft versucht außerdem verlässlichere Informationen über Migrationsflüsse zu gewinnen.

Den Anreiz für illegale Migration soll nicht zuletzt die Europäische Nachbarschaftspolitik (ENP) senken. Sie soll langfristig Reformen, Rechtsstaatlichkeit, stabile Demokratien und Wohlstand unter anderem in den EU-Nachbarländern fördern, aus denen die meisten illegalen Zuwanderer kommen. Ferner bietet die ENP Verbesserungen bei der kontrollierten Migration, etwa durch die Vereinfachung von legalen Kurzreisen und die erleichterte Visa-Erteilung für bestimmte Besucherkategorien.

Die bei weitem häufigsten Gründe für illegale Auswanderung sind Armut und der Mangel an Entwicklungsmöglichkeiten im Heimatland. Deshalb will die EU, der weltweit größte Geldgeber im Bereich Entwicklungshilfe, die Armut beseitigen. Dazu gehört auch die Erreichung der Millennium-Entwicklungsziele der Vereinten Nationen. Die EU-Grenzschutzagentur Frontex mit Sitz in Warschau wurde als spezialisierte und unabhängige Organisation errichtet, um die Zusammenarbeit zwischen den Mitgliedsstaaten im Bereich des Grenzschutzes zu koordinieren. Frontex beschäftigt sich zunehmend mit der Bekämpfung illegaler Einwanderung.

Beraterin

Sorokina G.M.

DER AFRIKANISCHE TEUFELSKREIS FÜR SPANIEN

Viele junge Afrikaner kommen auf die Kanaren. Die lebensgefährliche Reise mit einem kleinen Fischerboot von Westafrika auf die Kanarischen Inseln kostet für einen illegalen Auswanderer etwa doppelt soviel wie ein Flugschein von Dakar nach Madrid. Um aber auf dem Flughafen der spanischen Hauptstadt eingelassen zu werden, müßte der Besucher aus dem Senegal dann ein Touristenvisum und möglicherweise eine Rückfahrkarte vorlegen.

Die jungen Afrikaner sind gut informiert. Sie wissen, dass sie nach geltendem spanischem Recht maximal drei Tage auf einer Polizeiwache festgehalten werden dürfen. Sie wissen auch, dass sie danach maximal vierzig Tage lang in einem Auffänglager untergebracht werden dürfen. Wenn sie binnen dieser Frist nicht in ihre Heimat zurückgeschickt werden können, wenn sie keinen Ausweis haben und auch nicht sagen, woher sie stammen, müssen sie spätestens dann von den Kanaren auf das Festland gebracht werden. Dort erhalten sie einen Ausweisungsbescheid und danach sind sie ohne Arbeits- und Aufenthaltsgenehmigung in irgendeiner spanischen Großstadt sich selbst überlassen. Nun beginnt der Weg in die Schattenwirtschaft: auf Baustellen und Gemüseplantagen, als Händler von CD-Raubkopien, Handtaschen- und Markenuhrimitationen, Haschisch oder auch als „Kamel“ für Kokain.

Die spanische Regierung zeigt sich wieder mit schwachen Abwehrmitteln in einem Einwanderungsteufelskreis gefangen. Sie verabschiedete nun einen „Plan Afrika“, der darin besteht, Diplomaten in Länder zu schicken, mit denen es keine Repatriierungsvereinbarungen gibt, um dort den Rücknahmewillen zu stärken. Sie entsandte Militärflugzeuge und Patrouillenboote zur „Aufklärung“ und Kooperation mit den lokalen Behörden vor die afrikanischen Küsten, aber ohne klare Richtlinien oder eine Vollmacht, die Fischerboote in spanischen Hoheitsgewässern aufzuhalten und zurückzuschicken.

Der spanische Ministerpräsident hat den Präsidenten von Mali, Senegal und Guinea-Bissau Briefe mit der Aufforderung geschrieben, sie möchten sich nicht länger gegen eine Rückführung ihrer Landsleute sperren. Daraufhin antwortete ihm aus Dakar Präsident Abdullah Wade mit dem Hinweis, das ließe sich vielleicht schon im Austausch von „Geld“ machen. Spanische Fachleute sagen mit Hinweis auf die afrikanischen Ausgangsländer, dass diese „Präsidenten“ inzwischen „praktisch von den Illegalen leben“. Die Devisen, die diese aus Spanien, Frankreich, Italien, Großbritannien und anderen EU-Staaten nach Hause schicken, erhielten nicht nur ihre Familien, sondern auch manche bankrotte Regierungen.

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DIE VERSCHÄRFUNG DER MIGRATIONSPROBLEME IN GRIECHENLAND

Eine illegale Einwanderung ist die Einwanderung unter Verstoß gegen die Gesetze des Ziellandes.

Migration ist gesetzlich geregelt, zum Beispiel in Deutschland eine zentrale Rolle bei der Regulation der gegebenen Frage spielt das Aufenthaltsgesetz. Das Aufenthaltsgesetz ist als dessen Artikel 1 Hauptbestandteil des Zuwanderungsgesetzes. Illegale Einwanderung hat viele Formen: Fluchtmigration, Arbeitsmigration usw...

Seit dem Schengener Abkommen grenzt die EU „geschlossen“ an Länder mit deutlich niedrigerem Wohlstandsniveau und vergleichbar großem Wohlstandsgefälle wie zwischen West- und Osteuropa.

Das dringendste Problem, das das Thema der illegalen Einwanderung ist, entstand in Griechenland. Die Situation an der griechisch-türkischen Grenze wird immer angespannter. EU-Kommissarin Malmström zeigte sich "sehr besorgt" über die humanitären Bedingungen der Flüchtlinge. Durch den Einsatz der Frontex-Teams solle diese Notlage "so schnell und effektiv" wie möglich unter Kontrolle gebracht werden. Sie hat schnelle Eingreifteams der EU-Grenzschutzagentur Frontex angefordert.

Frontex Grenzschützer überwachen bereits seit fast einem Jahr die Meeresengen zwischen Griechenland und der Türkei in der Ostägäis mit Erfolg.

Die EU-Kommission hat nach eigenen Angaben Athen ein Paket mit finanzieller und praktischer Unterstützung angeboten, um sein Asylsystem zu reformieren. Die EU müsse ihre Einwanderungspolitik überdenken.

Die Regierung in Athen kann nicht die Zahl der illegalen Migranten reduzieren. Ziel der Immigranten ist die Weiterreise in andere Länder der EU.

Unserer Meinung nach sollen die staatlichen Grenzen strenger kontrolliert werden, die Zahl der Grenzeren vergrößert werden und die Sanktionen gegen die illegale Migranten verschärft werden.

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MIGRATION IN DEUTSCHLAND

Die Prozesse der heftigen Entwicklung der Migration sind zurzeit für die ganze Menschheit charakteristisch, insbesondere für die industriell entwickelten Länder, wo das demographische Stammbevölkerungswachstum gehemmt ist.

Deutschland als ein der größten westeuropäischen Länder hat in den letzten Jahren mehr Zuwanderer, als ganzes Europa empfangen. Gerade Deutschland ist unter der größten Last des hauptsächlich vom Osten zum Westen bewegenden Stroms der kontinentalen legalen und illegalen Migration.

Die mit der Lösung der Probleme der Migration beschäftigten deutschen offiziellen Dienste haben ihnen nur neulich Sorgen deswegen gemacht, dass die Auswanderer zum Land mit entsprechenden Deutschkenntnissen ankommen. In Deutschland ist auch das strategisch-analytische Zentrum für die Lösung der Probleme der illegalen Migration oder Gemeinsames Terrorismusabwehrzentrum (GTAZ) begründet, um die Leistung des Kampfes gegen die internationalen Banden zu steigern. An der Arbeit des Zentrums nehmen die Vertreter aller staatlichen Strukturen teil, die wie dem auch sei mit der Kriminalität und Migrationen verbunden sind. Dazu gehören Bundesnachrichtendienst (BND), Verfassungsschutzamt, Polizei, Bundesamt für Bekämpfung der organisierten Kriminalität, Zolldienst, Bundesamt für Migration und Außenministerium, das für die Arbeit der Konsulate der BRD im Ausland verantwortlich ist.

Die Einwanderung und der Aufenthalt der Ausländer in Deutschland werden durch im Jahre 1968 verabschiedeten Sondergesetz geregelt. Die Gesetzgebung zieht in Betracht, dass alle Zuwanderer vor der Einwanderung eine Aufenthaltserlaubnis bekommen sollen. Die moderne deutsche Immigrationsgesetzgebung sieht zwei Arten der Bewilligung der Einreise und des Aufenthalts aufs Territorium Deutschlands vor: Aufenthaltserlaubnis und Aufenthaltsgenehmigung.

Das deutsche Strafgesetzbuch enthält einige Straftatbestände, die mit dem Verstoß gegen Immigrationsregeln verbunden sind. Die Sanktionen betreffen nicht nur die einzelnen Personen, die die illegale Einwanderung fördern, sondern auch die Personen, die die illegale Einführung der Ausländer im Bestande von den Verbrecherbanden gewährleisten.

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USA: ILLEGALE EINWANDERUNG

Die USA gelten im Allgemeinen als das Einwanderungsland schlechthin. Seit über zweihundert Jahren kommen Einwanderer ins Land. Wohl kaum ein anderer Staat wird derart von Einwanderung geprägt wie die USA. Dementsprechend gelten die Vereinigten Staaten neben Kanada und Australien als eines der „klassischen“ Einwanderungsländer. Heute ist die Einwanderung durch große Vielfalt gekennzeichnet: Die USA ziehen jährlich zahlreiche Personen mit unterschiedlichen sozialen und ethnischen Wurzeln und verschiedenem Bildungshintergrund an. Gegenwärtig steht Einwanderung sowohl für eines der grundle-

genden Merkmale im Selbstverständnis der Vereinigten Staaten als auch für eine politische Kontroverse. Bis Mitte der 1960er Jahre waren es in erster Linie Europäer, die in die USA kamen. Im Laufe der letzten Jahrzehnte hat sich der regionale Schwerpunkt der Herkunftsländer in Richtung Lateinamerika und Asien verschoben.

Obgleich das Selbstverständnis der USA von Einwanderung geprägt ist, hat seit den Terroranschlägen vom 11. September 2001 ein drastischer Wandel in der US-amerikanischen Einwanderungspolitik stattgefunden. Seit dieser Zeit spielt die Sicherheit des Landes eine immer wichtigere Rolle, ebenso die Debatte über irreguläre Einwanderung.

Um Drogenkriminalität, Waffenschmuggel und illegale Einwanderung einzudämmen, sollen rund 1200 Soldaten der US-Nationalgarde die amerikanisch-mexikanische Grenze überwachen. Die Truppe soll den örtlichen Behörden helfen, die rund 3000 Kilometer lange Grenze zu überwachen, um illegale Einwanderungsversuche zu stoppen. Die Nationalgarde wird normalerweise in Katastrophenfällen oder bei Unruhen im Landesinnern von den Bundesstaaten mobilisiert. In Ausnahmesituationen kann sie auch vom Präsidenten eingesetzt werden. Gleichzeitig stellt Präsident Obama rund 500 Millionen Dollar zum Ausbau von Sicherheitsmaßnahmen an der Grenze bereit.

Illegale Einwanderung ist eines der brennendsten innenpolitischen Probleme in den USA. Experten gehen davon aus, dass bis zu 1,5 Millionen Menschen jährlich ohne Erlaubnis in die USA kommen. Obama plant eine umfassende Gesetzesreform, die die Einwanderung besser kontrollieren und ein geordnetes System schaffen soll. Die oppositionellen Republikaner fordern von dem Präsidenten schon seit längerem, vor einer solchen Reform zunächst den Weg für strengere Sicherheitsmaßnahmen an den Grenzen freizumachen, um die illegale Einwanderung einzudämmen.

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JAPAN: EINWANDERUNGSPOLITIK

Japan ist eines der Industrieländer, deren Bevölkerungsstruktur durch einen niedrigen Ausländeranteil gekennzeichnet ist. Japan verfügt über eine strenge Zuwanderungskontrolle. Die Einreisemöglichkeiten für Ausländer sind sehr beschränkt. Der Ausländeranteil lag bis Mitte der 80er Jahre fast unverändert bei rund 0,7% der Gesamtbevölkerung.

In den vergangenen zwei Jahrzehnten nahm die Zahl der Ausländer zu und erreichte eine Rekordhöhe. Nach Angaben des japanischen Amtes zur Einreisekontrolle lebten Ende 2001 über 1,7 Mio. Ausländer in Japan. Die ausländische

Bevölkerung Japans lässt sich in zwei Gruppen unterteilen. Die erste Gruppe umfasst Migranten und deren Nachkommen, die sich im Zuge der japanischen Kolonisationspolitik (1910-45) als Zwangsarbeiter in Japan ansiedeln mussten. Die zweite seit zwei Jahrzehnten stetig wachsende Gruppe sind Personen, die zum Zweck eines Studiums oder eines Praktikums bei japanischen Betrieben nach Japan kommen, wobei eine begrenzte Beschäftigung erlaubt ist. Im Vordergrund dieser Praktika steht oftmals nicht die Ausbildung, sondern die Möglichkeit zur geringfügigen Beschäftigung.

Eine japanische Besonderheit ist der Rechtsstatus der brasilianischen und peruanischen Migranten. Dieser Personenkreis wird inoffiziell als „Nikkei“ (Personen mit japanischer Abstammung) bezeichnet, da sie als Nachkommen der japanischen Auswanderer gelten, die um die Wende vom 19. zum 20. Jahrhundert aus wirtschaftlicher Not in diese lateinamerikanischen Länder auswanderten. Sie erhielten eine unbefristete Besuchserlaubnis bei ihren Verwandten sowie eine Arbeitsgenehmigung.

Japan versteht sich nicht als Einwanderungsland und legt hohen Wert auf seine ethnische Homogenität. Offiziell gilt weiterhin strenge Zuwanderungskontrolle, aber inzwischen wird die Einreise billiger Arbeitskräfte auf mehreren Wegen ermöglicht und sogar gefördert. Dies hängt mit der seit Mitte der 80er Jahre zunehmenden Nachfrage nach Arbeitskräften zusammen. In der Öffentlichkeit, vor allem von Seiten der Wirtschaft, werden jedoch die Stimmen für eine gesteuerte Öffnung des japanischen Arbeitsmarktes immer lauter. Begründet werden diese Forderungen vor allem mit dem Arbeitskräftemangel im Bereich der Informationstechnologie und im Pflegebereich.

Immer noch restriktiv bleibt dagegen die Anerkennungspraxis von Asylsuchenden. Japan ratifizierte 1982 die Genfer Flüchtlingskonvention und nahm mehr als 10.000 vietnamesische Bootsflüchtlinge auf. Allerdings gelingt es vielen Asylsuchenden nicht, überhaupt einen Antrag in Japan zu stellen.

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KEINE AUSSICHT AUF LEGALISIERUNG IN MENSCHENRECHTE

Illegale Migranten sind Leute voller Angst, im Alltagsleben irgendwo aufzufallen. Die gehen auch nicht bei Rot über die Ampel, weil sie fürchten, dass ein Polizist sie anhalten könnte - und dann Ende der Fahnenstange. Sie meiden öffentliche Verkehrsmittel, Bahnhöfe, alles, wo sie kontrolliert werden könnten. Sie arbeiten schwarz in schlecht bezahlten Jobs, sind nicht versichert, gehen nicht zum Arzt. Sie getrauen sich nicht, Beratungsstellen aufzusuchen. Es gibt

wirklich dramatische Schicksale, von Leuten, die ihre kleinen Kinder einschließen und verstecken. Was hat es mit der Meldepflicht auf sich? Die gilt für öffentliche Behörden wie Gesundheitsamt, Sozialämter, Schulen. Wenn diese Kenntnis von Menschen ohne Aufenthaltsstatus bekommen, müssen sie das der Ausländerbehörde melden. Die geht dann der Sache nach und im Ernstfall wird abgesprochen. Bei der medizinischen Versorgung ist die Problematik eine andere. Ärzte sind ja in der Regel keine Beamte und aufgrund ihres Eides zur Hilfe verpflichtet. Da spitzt es sich meistens auf die Kosten zu. Wenn jemand nicht bezahlen kann, wendet sich das Krankenhaus ans Sozialamt, welches wiederum Meldepflicht hat – das ist ein Teufelskreis. Es gibt deshalb die Forderung nach Fonds, aus denen die medizinische Hilfe bezahlt werden kann. Legalisierungsaktionen in Deutschland sind politisch nicht durchsetzbar, aus Angst, man könnte eine Sogwirkung auslösen. Von der Meldepflicht runterzukommen wird ebenfalls schwierig: Da fürchtet man, dass das wieder auf die Sozialkassen geht. Aber in Teilbereichen wie Kindergärten und Schulen sieht man am ehesten die politische Bereitschaft dazu, auch bei der CDU. Dieser Ansatzpunkt ist humanitär am ehesten nachvollziehbar: Die Kinder dürfen nicht die Leidtragenden sein.

Menschen ohne Aufenthaltsstatus sind bisher auch im Zuwanderungsgesetz ganz ausgespart. Es muss sich endlich etwas bewegen!

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MIGRATIONSMUSTER UND MOTIVE

Illegale Migration ist gesellschaftlich erzeugt. In einer modernen Gesellschaft kommt es ständig zur gleichzeitigen Erzeugung und Wiedereinschränkung von Migrationsmotiven. Tagtäglich entstehen zahlreiche Motive, Anreize und Möglichkeiten international mobil zu sein. Migration und Mobilität ist in vielen gesellschaftlichen Bereichen vollkommen normal und zu erwarten, ob man das nun in Bezug auf die Ökonomie sieht, den Sport, die Wissenschaft oder andere gesellschaftliche Bereiche. Migration ist etwas vollkommen Normales. Allerdings wird Migration zu etwas Unnormalem, wenn der Staat ins Spiel kommt. Illegale Migration wird zu einem Problem, da sie die geschilderte Einteilung der Weltbevölkerung in Nationalstaaten infrage stellt. Die meisten Länder sind Einwanderungsländer, die Migration erlauben und viel Einwanderung erfahren. Deutschland zum Beispiel hat sehr viel Einwanderung bezüglich des Arbeitsmarktes erfahren. Illegale Migration ist etwas Unvermeidliches. Staaten können aber auf der anderen Seite natürlich nicht darauf verzichten, Migration zu kontrollieren und zu beschränken. Die Position „Offene Grenzen für alle“ ist

ziemlich naiv. Aber es ist auch so, dass Staaten durch ihre Kontrollanstrengungen, die Bedingungen für illegale Migration ungewollt, aber sozusagen automatisch direkt mit produzieren. Es gibt also bei dieser Fragestellung keine einfache Lösung, da eine umfassende Kontrolle, die illegale Migration vollkommen verhindert genauso illusorisch wäre, wie die Abschaffung jeglicher Migrationskontrolle.

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ILLEGALE EINWANDERUNG

Eine illegale Migration ist eine Einwanderung unter Verstoß gegen die Gesetze des Ziellandes. Illegale Einwanderung hat Formen der Fluchtmigration und der Arbeitsmigration. Bei der Fluchtmigration entsteht die Verlagerung des Lebensmittelpunkts aus der Herkunfts- in eine Zielregion. Die Arbeitsmigration hat die Form der Pendelmigration oder zirkulären Migration, bei der der Lebensmittelpunkt im Herkunftsland beibehalten wird. Illegale Migration ist eine Begleiterscheinung. Von großer Bedeutung sind hierbei grenzübergreifende private, ethnische, kommerzielle und kriminelle Netzwerke, über die Informationen, Geld und andere Ressourcen zwischen Herkunft und Zielländern verlaufen. Dies führt zu grenzübergreifenden transnationalen sozialen Räumen, die Herkunfts- und Zielregionen von Immigranten verbinden.

Ein illegaler Migrant (umgangssprachlich „Illegaler“) ist eine Person, die unerlaubt (illegal) in ein Land einreist und/oder sich unerlaubt in einem Land aufhält. Unter einer unerlaubten Einreise wird verstanden, dass die betreffenden Personen für ihre Einreise keine gültigen Papiere besitzen beziehungsweise besitzen können, die ihnen diese Einreise erlauben würden. Sie müssten deshalb, im Falle einer Kontrolle, mit einer Einreiseverweigerung, einer Abschiebung, Ausweisung oder einer Verhaftung rechnen. Unerlaubte Einreise besteht auch dann, wenn die Papiere ungültig werden, die einst regulär erhalten wurden und einen erlaubten Aufenthalt begründeten; das sind zum Beispiel: (Aufenthaltserlaubnisse und -bewilligungen, Asyl, Visa ...).

Der Hauptgrund aller Migrationsbewegungen ist allerdings nach wie vor Armut. Das Geschehen kann als eine Art Wettrüsten gesehen werden: Zunehmend ausgeklügelte Grenzkontrollmaßnahmen halten Migranten nicht von ihrem Wunsch ab, sich aus verschiedensten Gründen (z. B. Wunsch nach Sicherheit, Familieneinheit oder Arbeit) dennoch in das Gebiet eines anderen Staates zu begeben. Dabei sind Migranten zunehmend auf professionelle Grenzübertrittshilfe angewiesen.

Immer mehr Immigranten und deren kommerzielle und kriminelle Dienstleister (Schleuser, Menschenhändler) nutzen scheinbar legalen Migrati-

onsmöglichkeiten zur Erreichung der selbst gesteckten Ziele, etwa die Zweckentfremdung von Visa. Der Zusammenhang von illegaler Migration und Kriminalität besteht weniger darin, dass einzelne Einwanderer kriminelle Delikte begehen. Vielmehr entsteht kriminelles Verhalten vorwiegend aus der Verwicklung der Migranten mit dem professionellen Schleusertum.

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DEUTSCHLAND: "ORDNUNGSRECHT VOR MENSCHENRECHT"

Fast eine Million illegale Einwanderer leben in Deutschland, die wenigsten sind Drogenhändler, Schleuser und Prostituierte. Illegale führen in Deutschland auf Dauer ein Schattendasein ohne Grundrechte. Das sind „Schattenmenschen“ mit ganz unterschiedlichem Hintergrund: Arbeitssuchende, ältere Menschen oder Kinder, die ihren Familien folgen, Flüchtlinge, Studierende und Au Pairs, die einfach länger bleiben als erlaubt. Die wenigsten reisen schon illegal nach Deutschland ein, viele tauchen irgendwann ab, wenn sie ihren Aufenthaltstitel verlieren. Nach deutschem Recht sind sie dann kriminell, sie erfüllen einen Straftatbestand.

"Illegale Migranten sind noch immer ein Tabuthema in Deutschland. Wer illegal hier lebt, ist damit schon kriminell und unerwünscht", sagt die bayerische FDP-Vorsitzende Sabine Leutheusser-Schnarrenberger. Aber eine veröffentlichte Untersuchung zu Migration und Illegalität in Deutschland stellt keinen Zusammenhang zwischen illegaler Einwanderung und Kriminalität fest. Die Autoren des Wissenschaftszentrums Berlin für Sozialforschung vermuten vielmehr, dass statuslose Migranten in der Regel versuchen, die Gesetze zu respektieren, um ihre versteckte Existenz nicht zu gefährden.

Jeder Polizist kann nach den Papieren fragen, jeder Vermieter nach der Anmeldung beim Einwohnermeldeamt: Die Bundesrepublik besitzt ein einzigartiges System der Registrierung und Überwachung. Alle öffentlichen Stellen sind verpflichtet, Ausländer ohne Aufenthaltspapiere sofort zu melden. Ärzte, die Illegale behandeln, bewegen sich am Rande der Legalität. Das Gleiche gilt für Schuldirektoren, die Kinder von illegalen Einwanderern nicht weitermelden.

In Deutschland gibt es bisher nur wenige Politiker, die das Ausländergesetz freizügiger interpretieren wollen. Die Stadt München übernimmt dabei eine Vorreiterrolle. Der Stadtrat verschickte Briefe an alle Schulen und erklärte darin seine Rechtsauffassung: Alle Kinder seien schulpflichtig, und Schulleitungen seien nicht verpflichtet nachzufragen, ob sich ein Kind illegal in München aufhalte.

Für die anderen, die weiter im Schatten leben, müsse es wenigstens elementare Grundrechte geben: Rechtssicherheit, Zugang zu Sozialleistungen und Bildung. "Denn eines ist doch klar: Ein demokratischer Staat kann illegale Zuwanderung nie ganz verhindern. Allein das wirtschaftliche Gefälle in Europa sorgt dafür, dass Menschen ihre Heimat verlassen", nach der Meinung von Leutheusser-Schnarrenberger.

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ITALIEN GEHT GEGEN ILLEGALE EINWANDERER VOR

Laut jüngsten Angaben leben in Italien zwischen 700.000 und einer Million illegale Einwanderer. Der Staat hat ein ernstes Problem mit diesen Massen. Die meisten reisen mit einem Touristenvisum nach Italien oder haben eine Einreisegenehmigung als Saisonarbeiter und tauchen dann im Land unter.

Auch wenn Italien eines der sichersten Länder der EU ist, hatte sich Berlusconi im Wahlkampf vor allem auf die innere Sicherheit konzentriert. Bei seiner Regierungserklärung hatte er gesagt, Italien müsse wieder „Herr im eigenen Haus“ werden. Diese Bestimmung zielt vor allem auf rumänische Staatsbürger und unter ihnen vor allem die Sinti und Roma. Nach dem EU-Beitritt Rumäniens waren zehntausende Rumänen, viele davon Roma, nach Italien eingewandert. Die Rumänen sind den Italienern ein Dorn im Auge, die während des Wahlkampfes wiederholt verschiedener Straftaten beschuldigt wurden. Kritik an den Regierungsplänen Italiens kommt vor allem von außen: So warnte Kardinal Renato Martino, der „Justizminister“ des Vatikans, vor einer Kriminalisierung des rumänischen Volkes.

Die italienische Regierung macht ihr Wahlversprechen wahr: Das Vorgehen gegen illegale Einwanderer wird drastisch verschärft. Im Wahlkampf hatte Silvio Berlusconi in ganz Italien Plakate mit der Aufschrift „Nie mehr illegale Einwanderer vor der Haustür“ aufhängen lassen. Nun macht die Regierung Ernst. Italienische Sicherheitskräfte haben Hunderte Menschen festgenommen, davon mehr als die Hälfte Ausländer, meist ohne Aufenthaltsberechtigung.

Neue Gesetze sind in Planung. Das Kabinett hat auf seiner Sitzung in Neapel ein „Sicherheitspaket“ verabschiedet. Es basiert auf dem Fünf-Punkte-Plan. Demnach will die Regierung vor allem die illegale Einwanderung aus Ländern, die nicht der EU angehören, stoppen. So soll auch die „clandestinità“, der Aufenthalt ohne Erlaubnis, als Straftat verfolgt werden. Der italienische Senat verabschiedete eine entsprechende Gesetzesänderung. Ausgenommen werden soll, wer Arbeit und Wohnung hat. Doch die Regierung plant auch, EU-Bürger,

die nicht über ein eigenes Einkommen verfügen oder eine Straftat begehen, in ihre Heimatländer abzuschieben. Demnach soll illegale Einwanderung mit sechs Monaten bis vier Jahren Gefängnis bestraft werden. Die Mindeststrafe soll nach Plänen der Regierung bei 15 Tagen Haft liegen, auch eine sofortige Abschiebung soll möglich sein. Zudem ist der Bau neuer Lager für Einwanderer vorgesehen. Illegale Einwanderer zahlen in Italien künftig Geldstrafen bis zu 10.000 Euro.

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ILLEGALE MIGRATION

Illegale Migration findet in allen Teilen Europas statt. Das Phänomen ist vielschichtig: Wirtschaftliche Not, kriminelle Profitgier, gesellschaftliche Strukturen und politische Zwänge greifen eng ineinander. Und fast immer ist viel Geld im Spiel.

Nach Expertenschätzungen wandern jährlich mehr als 500'000 Menschen illegal nach Westeuropa ein. Manche gelangen auf Schlepperbooten, versteckt in Lastwagen, in Kofferräumen von Personenwagen, in den Dachhohlräumen von Zügen oder zu Fuß über die grüne Grenze nach Westeuropa. Andere reisen über die offiziellen Grenzstellen. Hierbei nutzen sie ver- und gefälschte Papiere, bisweilen verfügen sie auch über einen echten Reisepass mit erschlichenem Visum.

Die illegal reisenden Migranten gelangen auf drei Hauptwegen nach Westeuropa: Afrikaroute, Balkanroute, Osteuroparoute.

Legale und illegale Migration funktioniert in aller Regel unter Zuhilfenahme von Netzwerken. Insbesondere bei der illegalen Migration spielen sie eine nicht zu unterschätzende Rolle. Im Wesentlichen lassen sich fünf Typen unterscheiden: private Netzwerke, kommerzielle Netzwerke, kriminelle Netzwerke, politische Netzwerke, humanitäre Netzwerke. Die Grenzen zwischen diesen Netzwerken sind meist fließend. Tatsache ist, dass jeder illegale Migrant, der sich schließlich im Schweizer Asylverfahren befindet, irgendwann im Laufe seiner Migration aus seinem Herkunftsland in die Schweiz eines oder mehrere dieser Netzwerke in Anspruch genommen hat.

Das Streben nach Verbesserung der eigenen Lebensumstände liegt in der Natur des Menschen. Ist der erwünschte Fortschritt nicht im eigenen Land zu erzielen, so wird das Glück fern der Heimat gesucht, auf legalen und – insbesondere wenn der Leidensdruck groß genug ist – auch auf illegalen Wegen. Werden die Hürden gegen illegale Wanderungsbewegungen erhöht, so lassen sich diese vorübergehend durchaus abschwächen oder umlenken. Der gewünschte Effekt lässt jedoch rasch nach. Die Tatsache bleibt: Illegale Wanderung liesse sich

auf Dauer nur zum versiegen bringen, wenn das bestehende Wohlstands- und Demokratiegefälle zwischen den Herkunfts- und Zielstaaten ausgeglichen werden könnte. Dies wird in absehbarer Zukunft nicht der Fall sein.

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DIE GEGENWIRKUNG DER UNRECHTLICHEN MIGRATION IN DER BRD

Die Regierungen der müsten Staaten Europas betrachten die unrechtliche Migration als grundsätzliche Aufforderungen und Bedrohungen der internationalen Sicherheit gemeinsam mit dem Terrorismus, der transnationalen organisierten Kriminalität, dem unrechtlichen Drogenumsatz.

In der BRD ist die Realisierung der Immigrationspolitik die Verpflichtung des Bundesministeriums des Innern, das für die Verarbeitung der Politik der Immigration und der Integration verpflichtet ist. Die Migrationsverwaltung des Ministeriums die zentrale Basisdaten, die die Ausländer und die Bundesverwaltung der Migration angehören.

Die Konzeption der Bekämpfung der illegalen Migration in der BRD betrachtet die Grundrichtungen der Vervollkommung der Bekämpfung der illegalen Migration in der BRD.

1. Die Vervollkommung des nationalen Grenzschutzes.
2. Die Vervollkommung der nationalen Gesetzgebung der BRD.
3. Die Verwendung der operativen Fahndungsmethoden, gemeinsam mit der kontrollierten Beförderung der illegalen Migranten.

Außerdem in der Kriminalpolizei der BRD wird hervorgehoben:

die Bekämpfung der Säuberung der kriminallen Mittel, die man vor der illegalen Migration bekommt; die Verwendung der Aufklärungsmassnahmen für die Aufdeckung der illegalen Kanäle und der Fürer der Beförderung der Migranten das Schaffen des Informationszentrums der illegalen Migration.

Wie kann man einen Flüchtigen von dem Mann, der mit der Kriminalität und Ferrororganisation verbunden ist, unterscheiden? Die illegale Migration ist nicht nur ein Problem an der Grenze des Landes, sondern die Gesamtheit der Probleme auf dem Finanz wirtschaftlichen Gebiet und dem Transportwesen.

Dieses Problem ist auch für den postsowjetischen Raum, es ist nicht mit den Anstrengungen eines Staates zu bekämpfen, nur in den Rahmen der internationale Zusammenarbeit kann man die erwünschten Erfolge erreichen.

Berater

Golowanew S.W

EU-POLITIK AUF DEM GEBIET DER ILLEGALEN MIGRATION

Die EU hat begonnen, eine gemeinsame Einwanderungs-, Asyl- und Visumpolitik sowie eine gemeinsame Strategie zum Schutz ihrer Außengrenzen zu entwickeln. Die einzelnen EU-Mitgliedstaaten führen bereits seit Jahrzehnten Maßnahmen zur Steuerung der Einwanderung durch. Auf der Ebene der EU wurde das Thema erst im Oktober 1999 in Tampere aufgegriffen. Auf diesem Gipfel beschlossen die Staats- und Regierungschefs der EU-Mitgliedstaaten eine gemeinsame Asyl- und Einwanderungspolitik zu etablieren. Die Ergebnisse des so genannten „Tampere-Programms“ wurden im Mai 2004 veröffentlicht. Der Europäische Rat einigte sich im November 2004 darauf, die Initiative fortzusetzen. Das neue fünfjährige Programm lief unter dem Namen „Haager Programm“ und zielte darauf ab, die EU zu einem Raum der Freiheit, Sicherheit und des Rechts zu machen. Beide dieser Programme umfassen EU-Initiativen zur legalen und illegalen Einwanderung.

Im Februar 2002 nahm der EU-Ministerrat einen umfangreichen Plan zur Bekämpfung der illegalen Einwanderung und des Menschen Schmuggels in die Europäische Union an. Dieser Plan umfasst Initiativen in den Bereichen Visapolitik, Rückführung von Einwanderern, Grenzschutz und Menschen Schmuggel. Drittstaatsangehörige in der EU, die über keine Aufenthaltsgenehmigung verfügen, müssen in ihr Herkunftsland zurückkehren. Dies sollte auf freiwilliger Grundlage erfolgen. Die Kommission hat im November 2002 jedoch ein spezielles Rückkehraktionsprogramm angenommen.

Mit der illegalen Migration ist oft die Kriminalität verbunden. Der Handel mit Menschen und die Ausbeutung von Menschen – insbesondere die sexuelle Ausbeutung von Frauen und Kindern – sind Verbrechen, die gegen die Europäische Grundrechtecharta verstoßen. Das Haager Programm soll die Zusammenarbeit auf EU-Ebene verbessern, um beste Praktiken zur Bekämpfung von Menschenhandel und Schleuserkriminalität zu entwickeln. Finanzmittel stehen diesem Vorhaben im Rahmen des speziellen Programms zur Verfügung. Im Jahr 2002 sind europäische und internationale Gruppen zusammengekommen, um die Brüsseler Erklärung zur Bekämpfung des Menschenhandels zu unterzeichnen.

Man kann abschließend um die drei Ebenen sprechen, auf denen die EU-Staaten in der Bekämpfung der Schleuserkriminalität kooperieren: Zuerst ist hier die grenzsichernde Zusammenarbeit mit Nachbarländern zu nennen, zum Zweiten die Kooperationen entlang von Schleuserouten und drittens die Beteiligung an multinationalen Projekten wie z.B. Europol oder Interpol.

VERTRAUEN IST GUT, KONTROLLE IST BESSER

Eine illegale Migration ist eine Einwanderung unter Verstoß gegen die Gesetze des Ziellandes. Sie wird trotz technisch verbesserter Kontrollmöglichkeiten für die Staaten immer schwerer kontrollierbar. In der heutigen Welt fördern und erlauben Staaten bestimmte grenzübergreifende Wanderungsbewegungen (z. B. von Geschäftsleuten, Touristen), was es eben auch anderen ermöglicht, diese erlaubten Wanderungsmöglichkeiten «zweckzuentfremden». Der Einschluss biometrischer Merkmale in Personaldokumente wird an hier bestehenden Kontrollproblemen nicht viel ändern. Laut Bundesgrenzschutz-Jahresbericht in der BRD 2002 kam es zu 436 580 484 Reisebewegungen über die deutschen Schengen-Außengrenzen. Würden hier stets alle Papiere in der erforderlichen Gründlichkeit geprüft, brähe der Grenzverkehr zusammen. Der unerlaubte Übertritt über die Grüne Grenze verliert zunehmend an Attraktivität wegen der immer höheren Kosten und des immer höheren Risikos, von der Grenzpolizei mithilfe von hochtechnisierten Geräten aufgespürt, anschließend verhaftet und zurückgeschoben zu werden. Vergleichbar ist die Situation an der *Blauen Grenze*, also dem Seeweg, wie die unvermindert hohe Zahl Todesfälle im Mittelmeer belegen. In allen Fällen gilt aber: Hat man aber die EU-Außengrenze an einer Stelle überwunden, besteht aufgrund der europaweiten Reisefreiheit kein größeres Problem mehr, an den gewünschten Zielort zu gelangen. Für die EU-Politik bedeutet dies, dass es aufgrund der Komplexität des Migrationsthemas weder einfache noch schnelle Lösungen geben kann.

Beraterin

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ILLEGALE MIGRATION: WEG INS GELOBTE LAND

Illegale Emigration bringt nicht nur Probleme auf dem Arbeitsmarkt, sondern auch im Bereich der Kriminalität. Nicht selten werden Illegale von Menschenschmugglern als Packesel für Drogen verwendet oder sie müssen ihren „Fuhrlohn“ durch Sklavenarbeit, Prostitution oder kriminelle Delikte finanzieren.

Wir kennen das Schlagwort von den „kriminellen Ausländern“ aus Fernsehen und Zeitung. Gemeint sind mit dieser Bezeichnung vor allem Illegale und Asylanten. Tatsächlich werden in Österreich nicht ganz ein Drittel der Straftaten durch Ausländer begangen. In dieser Statistik scheint jedoch nicht auf, ob diese Ausländer legal oder illegal in Österreich sind. Wie kriminell Asylanten und

Illegale tatsächlich sind, lässt sich somit schwer ermitteln, aber die Volksmeinung hat ihr Urteil gefällt.

Opfer und Täter: Drohung, Nötigung, körperliche Gewalt und Vergewaltigung werden angewendet um Geld aus den Migranten zu pressen. Ein Gutteil der illegalen Migranten ist daher Opfer und Täter in einer Person. Laut einem Bericht der UNO wird von Menschenhändlern ein jährlicher Gewinn von 31,7 Millionen Dollar gemacht, eine Summe die von den Migranten herangeschafft werden muss. Die Bekämpfung der illegalen Emigration ist daher nicht allein eine humanitäre Angelegenheit, sondern auch ein Teil der Verbrechensbekämpfung.

Das Problem einfach abzuwarten und dann die Polizei loszuschicken wird keine Lösung sein. Zu lösen ist das Problem nur gesamteuropäisch, politisch und humanitär, doch die Polizei in allen Ländern muss vorsorgen, denn Strategien erst zu entwickeln, wenn tausende Emigranten ins Land strömen, ist zu spät.

Beraterin

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ILLEGALE ZUWANDERUNG

Am 1. Januar 2005 ist in der Bundesrepublik Deutschland das neue Zuwanderungsgesetz in Kraft getreten. Damit wird nach jahrelanger Diskussion die reguläre Zuwanderung neu geregelt. Die irreguläre Migration, von der Deutschland wie die ganze Europäische Union betroffen ist, bleibt hingegen ein offenes Problem.

Gegenüber dem Phänomen ‚illegale Zuwanderung‘ besteht insofern politische Einigkeit, als man den Ursachen für Migration mit entwicklungspolitischen Instrumenten begegnen und die international organisierte Kriminalität im Bereich von Menschenhandel – insbesondere zu nennen ist hier der Frauenhandel – mit Nachdruck bekämpfen will. Diese Optionen richten sich aber nur auf bestimmte Ausschnitte des gesamten Phänomens ‚illegale Zuwanderung‘, das in Deutschland nach Schätzungen eine halbe bis eine ganze Million Menschen betrifft.

Der irreguläre Aufenthalt einer so großen Anzahl von Menschen wirft gravierende Probleme auch für das Selbstverständnis des Staates auf, denn so werden rechtlich geordnete Verpflichtungen und Ansprüche zwischen den Bürgern unterlaufen und das Vertrauen der Bürger in die Fähigkeit des Staates, die rechtsstaatliche Ordnung zu garantieren, beschädigt. Dazu kommt die humanitäre Situation der Migranten und Migrantinnen selbst, die häufig ihre Rechte nicht wahrnehmen können.

Die bisherigen Erkenntnisse im Umgang mit irregulärer Zuwanderung zeigen, dass ausschließlich aufenthaltsrechtliche und polizeiliche Maßnahmen in ihrer jetzigen Form alleine nicht genügen, um die existierenden Probleme ausreichend zu regeln, zumal die inländischen Nutznießer irregulärer Aufenthaltsverhältnisse, beispielsweise im Bereich der Schattenwirtschaft sowie Schleuserorganisationen, davon nur in geringem Umfang getroffen werden.

Aus diesem Grund muss jeder Versuch, irreguläre Zuwanderung im Rahmen der rechtsstaatlich vertretbaren Möglichkeiten zu begrenzen, sich auch mit ergänzenden und alternativen Maßnahmen auseinandersetzen. Dabei sind etwa zu berücksichtigen: praktische Fragen im Zusammenhang mit humanitären Anforderungen wie etwa der medizinischen Grundversorgung, dem Schutz vor Ausbeutung und Schuldknechtschaft oder der Berücksichtigung mitbetroffener Kinder ebenso wie grundsätzlichere Überlegungen zu den Wechselwirkungen zwischen regulärer und irregulärer Zuwanderung und den damit verbundenen asyl- und ausländerrechtlichen sowie zuwanderungspolitischen Gestaltungsoptionen.

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FORMEN, ROUTEN UND URSACHEN DER SCHLEUSUNG VON MIGRANTEN

In den letzten Jahren festigt sich der Eindruck, dass der Anteil der Illegalen an Bedeutung als eigenständige Gruppe mit spezifischen Problemen gewinnt. Laut Migrationsbericht lebten 2005 schätzungsweise 2,86 Millionen Menschen ohne gültige Aufenthaltspapiere in der Europäischen Union. Das entspricht 0,6 bis 1,3 Prozent der regulären Gesamtbevölkerung.

Es zeigte sich eine große Bandbreite von Formen der Schleusung. Heute spricht man mit Recht von der hohen Professionalisierung von Schleuserorganisationen. Ein Merkmal ist dabei das differenzierte, arbeitsteilige Vorgehen solcher Schleuserorganisationen. Die Führungsebene und die mittlere Stufe dieser Organisationen sind zumeist ethnisch homogen. Ganz unten in der Hierarchie stehen diejenigen, die die Migranten bei ihrem illegalen Grenzübertritt begleiten. Die Professionalisierung schlägt sich auch in einer breiter werdenden Palette von in Zusammenhang mit der Schleusung begangener Delikte nieder. Exemplarisch wurde hier die Beschaffung von Dokumenten angesprochen.

Andererseits entsprechen längst nicht alle Schleuserorganisationen dem bei Medienmachern so beliebten Bild der skrupellosen Kriminellen. Fallstudien haben gezeigt, dass häufig Verwandte und Bekannte die illegale Migration ermöglichen. Vertrauen ist dann die Basis, auf der die Schleusung stattfindet. Ein

soziologischer Ansatz, der versucht, die zunehmende illegale Migration zu erklären, geht von einem weltweit zusammenwachsenden Wertsystem aus. Die Attraktivität der Zielländer beruht darauf, dass sich hier diese Werte am ehesten verwirklichen lassen. Gleichzeitig wächst auch in Entwicklungsländern die Mobilität. Beides zusammen führt dazu, dass sich der Migrationsdruck erhöht. Nachdem dieser auf legalem Wege nicht abgebaut werden kann, entsteht eine große Nachfrage nach Dienstleistungen, die die Migration dennoch ermöglichen, also nach Schleusung.

Vor dem Hintergrund verschiedener Studien wurde die schwierige Situation illegaler Migranten beleuchtet. Durch die ständige Angst vor Entdeckung und Abschiebung stehen die Migranten unter einem extremen Anpassungsdruck. Diesen Umstand nutzen gut organisierte Schleuserbanden, um Migranten im Zielland auszubeuten, sie z.B. zur Prostitution zu zwingen. Die illegalen Migranten geraten leicht in Abhängigkeiten. Ihre Arbeit wird schlecht bezahlt und findet oft unter unzumutbaren Bedingungen statt.

In diesem Zusammenhang wurde die Doppelmoral der westlichen Gesellschaften angesprochen, die einerseits die illegale Einwanderung bekämpfen, andererseits aber einen Bedarf an dieser Form der Schwarzarbeit haben.

Beraterin

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ZUWANDERER IN DER UKRAINE

Das Problem der Rechte von Zuwanderern während der Maßnahmen der Miliz zur Bekämpfung der illegalen Migration ist heute sehr gross. Es ist verständlich, dass sich ein Zuwanderer in einer ziemlich schwierigen Situation befindet. Die Ukraine proklamiert einen demokratischen Staat und schätzt allgemeine menschliche Werte. Mit der illegalen Einwanderung steigern die Aktivitäten der ethnischen kriminellen Gruppen.

Man beobachtet ein negatives Bild von den illegalen Zuwanderern. Die Bürger der Ukraine können sie als potentielle Überträger von ansteckenden Krankheiten, Bewerber für verschiedene Berufe oder Wohnungen, Menschen mit der verwirrenden und möglicherweise feindlichen Weltanschauung betrachten. Die offene Feindseligkeit gegenüber den berühmten "Personen kaukasischer Nationalität" ist eine beste Darstellung dazu. Fernsehen und Druckmedien veröffentlichen regelmäßig Berichte über Vorfälle, die auf dem Territorium der Ukraine stattgefunden haben.

Zum Beispiel, die Operation "Zuwanderer", während deren die Miliz eine große Zahl von illegalen Einwanderern gefunden und meisten von ihnen aus dem Land deportiert hat. Aber die Geschichte zeigt, dass noch viele Zuwanderer in der Ukraine illegal bleiben. Die überwiegende Mehrheit dieser Personen reist

in die Ukraine nur mit einem Ziel ein, einen Beruf zu bekommen und damit das Wohl der Familie zu erhöhen.

Die Gesetze der Ukraine sehen einige Maßnahmen gegen die illegale Migration voraus. Es gibt spezielle Dienstzweige in der Ukraine, die sich mit den Fragen der Zuwanderer beschäftigen. Solche illegalen Personen werden gefunden und deportiert.

Dieses Problem bleibt heute sehr aktuell, weil 2012 die Ukraine die europäische Fußballmeisterschaft führen wird. Viele ausländische Gäste werden in unser Land kommen. Und unter ihnen können auch illegale Zuwanderer sein.

Beraterin

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BEKÄMPFUNG DER ILLEGALEN MIGRATION IN TSSCHECHIEN

Seit den 1990er Jahren hat sich die Tschechische Republik von einem durch Auswanderung geprägten Land zum Einwanderungs- und Transitland gewandelt. Der tschechische Staat reagierte auf die sich radikal ändernde Situation, indem er sich zunächst auf einzelne Probleme konzentrierte, vor allem auf die illegale Migration. In den letzten Jahren wird aber das Bemühen um eine umfassendere und kohärentere Migrations- und Integrationspolitik deutlich.

Tschechien ist ein EU-Mitglied. Tschechiens Nachbarländer Deutschland und Österreich versuchen ihren Arbeitsmarkt vor einem plötzlichen Zustrom von Arbeitskräften aus den neuen Mitgliedsstaaten zu schützen. Daran knüpft sich die Diskussion an, ob es für Tschechien Sinn macht, Gleiches mit Gleichem zu vergelten. Und schließlich sind da noch Immobilien und Grundstücke, die wiederum Tschechien vor dem allzu schnellen Zugriff westeuropäischer Interessenten bewahren will.

Eine auf den ersten Blick ganz andere Sache, die dann aber doch wieder mit der Erweiterung der Europäischen Union zusammenhängt, sind die Maßnahmen, die Tschechien jetzt gegenüber der bereits bestehenden illegalen Migration treffen will. So sollen künftig etwa Firmen, die im Eigentum ausländischer Unternehmer stehen oder solche Betriebe, in denen vorwiegend Ausländer beschäftigt werden, verstärkten Kontrollen unterzogen werden. Auch ein neuer Straftatbestand soll in die tschechische Rechtsordnung aufgenommen werden. Innenminister Stanislav Gross meint: "Die Vorlage irgendwelcher gefälschter, geänderter oder auf betrügerische Art erhaltener Dokumente, die mit der Einreise oder dem Aufenthalt von Ausländern zusammenhängen, soll in Zukunft als eigene Straftat definiert sein. Und wenn die Tschechische Republik jemanden rechtmäßig

ausweisen muss, dann sollen die damit verbundenen Kosten auch rückwirkend von denen eingemahnt werden, die dafür die Verantwortung tragen."

In erster Linie beziehen sich die Maßnahmen auf Bevölkerungsgruppen, die aus Nicht-EU-Ländern stammen, und sich bereits jetzt illegal in Tschechien aufhalten. Regierungssprecherin Anna Veverkova sagt: "Wir müssen die Anzahl jener Ausländer, die sich illegal auf dem Gebiet der Tschechischen Republik aufhalten, so gut es geht minimalisieren. Und zwar deshalb, damit es zu keiner Migrationswelle dieser Personen weiter in Richtung Westen kommt."

Beraterin

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DIE UNTERBRECHUNG DER ILLEGALEN MIGRATION IN DEN EU-LÄNDERN

Eines der Hauptprobleme des diensthabenden Gipfels der Staatsoberhäupter der Europäischen Union (die EU) in der spanischen Stadt Sevilla, wurde das Problem der Unterbrechung der ungesetzlichen Migration in Europa. Italien und Großbritannien sind gegangen in Zusammenhang mit den wachsenden Antimigrationsstimmungen auf die wesentliche Härte der Gesetze über der Annahme der Immigranten. Und immer hat duldsam zu den Emigranten Dänemark verhältnismäßig eines der strengen Immigrationsgesetze in Europa vor kurzem übernommen. Insbesondere ist die verringerten Ermäßigungen den Flüchtlingen ihr Recht eben beschränkt, mit den Bürger Dänemarks die Ehe einzugehen. Werden grösser ins Land und die Flüchtlinge nicht lassen, wem 60 Jahre älterer ist. Die EU-Länder beabsichtigen, den Schutz der äußerlichen Grenzen des Bündnisses zu verstärken. Wofür es geplant wird, die Zweckmäßigkeit der Einleitung des neuen europäischen Visums zu machen, die der einzige konsulare Dienst ausgeben soll, der bei der EU und die Einleitung der neuen Bedingungen beim Erhalten des Rechtes auf den politischen Asyl geschaffen ist, sowie, den gesamteuropäischen Grenzdienst zu schaffen. Einführung des einzigen europäischen Visums und der Bildung der einzigen konsularen Dienste der EU gehört Spanien in vieler Hinsicht, das die Unterdrückung der illegalen Migration aus benachbartem Afrika erprobt. Offizielles Madrid bietet auch die Annahme der gerichtlichen Maße gegen die Unternehmer an, die die Arbeit den illegalen Immigranten geben. Es wird die Einleitung der vereinfachten Prozedur der Deportation solcher Immigranten vorgesehen. Spanien meint, dass wenn früher der illegale Immigrant nach 5 Jahren des Aufenthaltes im Land das Erhalten der Staatsangehörigkeit und der Arbeit automatisch beanspruchen konnte, jetzt muss man die Bitte nur in der individuellen Ordnung betrachten.

Beraterin

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FRAUENHANDEL ALS BESTANDTEIL DES MENSCHENHANDELS

Illegale Einwanderung und Menschenhandel sind heute die Aufmerksamkeit der europäischen und internationalen Gemeinschaften. Menschenhandel als illegale Übersetzung von Migranten ist sehr ernstes humanitäres, wirtschaftliches Problem sowie das Problem der transnationalen Kriminalität.

Wenden wir uns nun an den Begriff "Menschenhandel", in erster Linie besteht das Problem der Synthese der Bestandteile des Phänomens «Frauenhandel». Historisch wurde es als Handel von Frauen für ihre spätere Zwangsprostitution, die die Überschreitung internationaler Grenzen bestimmt. Allerdings ist diese Interpretation keine Rechnung für andere gemeinsame Motive in der modernen Welt des Handels von Frauen: Menschenhandel zum Zweck der Anordnung der Innen-Diener, Sklaven, sexuelle Ausbeutung, Zwangsarbeit und so weiter.

Der Zweck des gesamten Prozesses des Handels von Frauen ist Ausbeutung zu kriminellen Zwecken. Deswegen sind Verführung zum kriminellen Bereich, Ausbeutung zu kriminellen Zwecken ein unabdingbarer Bestandteil des Menschenhandels.

Die Prüfung der charakteristischen Merkmale des Menschenhandels führt zum Schluss, dass die Anwesenheit ihrer Ausbeutung und Nutzung für kriminelle Zwecke dieses Phänomen von der illegalen Übersetzung von Migranten unterscheidet.

Nach Angaben der Internationalen Organisation für Migration, könnte die Zahl der illegal transportierten Migranten bald bis zu 30 Millionen steigen. Jedes Jahr sind die Objekte des Handels mehr als 1 Million Menschen in der Welt.

Die Ursachen des Frauenhandels sind: Armut, Arbeitslosigkeit, schlechte oder nicht vorhandene Schulbildung und geschlechtsspezifische Diskriminierung der Opfer des Menschenhandels in ihren Herkunftsländern, eine hohe Nachfrage nach billigen "Sexarbeiterinnen" und "exotischen" Frauen, sowie nach ungelerten Arbeitskräften.

Ein signifikanter Rückgang der Arbeitslosigkeit unter den Frauen, die Veranstaltung der Erhaltung der auf dem Markt gefragten Berufe für Arbeitslose, die Einführung von speziellen Versicherungen für Frauen, die im Ausland arbeiten, die Entwicklung von Methoden der Verbrechensvermittlung, Lösung von Problemen des Rückkehrs der Menschen in die Ukraine, die Opfer des Menschenhandels geworden sind, soll Menschenhandel verhindern.

BEKÄMPFUNGSMABNAHMEN GEGEN SCHLEUSUNG

Illegale Migration wird trotz technisch verbesserter Kontrollmöglichkeiten immer schwerer kontrollierbar. In der heutigen Welt fördern und erlauben Staaten bestimmte grenzübergreifende Wanderungsbewegungen, was es eben auch anderen ermöglicht, diese erlaubten Wanderungsmöglichkeiten "zweckzufremden". Der unerlaubte Übertritt über die Grenze verliert an Attraktivität wegen der immer höheren Kosten und des immer höheren Risikos, von der Grenzpolizei verhaftet und zurückgeschoben zu werden.

Um die Migrationsbarrieren zu durchbrechen, begeben sich die Einreisenden in die Hände sogenannter Schleuser. Diese Schleuserbanden organisieren gegen entsprechende Bezahlung die unrechtmäßige Einreise ins Zielland. Einschleusungen wandelten sich im Laufe der Jahre zu einträglichen Geldquellen. Wegen der hohen Gewinnspannen agiert sich auch die organisierte Kriminalität zunehmend für diesen Bereich.

Sind Migranten finanziell nicht dazu in der Lage, die Schleusungsgebühr zu entrichten, verschulden sie sich bei den Schleusern und geraten damit unmittelbar in deren Abhängigkeit. Das gewonnene Abhängigkeitsverhältnis und die Erpressbarkeit machen es den Schleusern leicht, die Einschleusten im Rahmen der Zwangsarbeit zu „illegalen Arbeiten oder kriminellen Aktivitäten“ zu zwingen. So sind Fälle bekannt, in denen Schleuserbanden ganze Netze von Scheinfirmen gegründet haben, um die Migranten an Subunternehmen im Bau-, Hotel- und Gaststättengewerbe weiterzuvermitteln. Die gewinnträchtigste Sparte bei der Verbindung zwischen Schleusung und organisiertem Verbrechen ist der Menschenhandel von Frauen im Zuge der sexuellen Ausbeutung zum Zwecke der Prostitution.

Aufgrund der Globalisierung wird die Schleusung zu einem großen Problem für die meisten Staaten der Welt. Neben den Maßnahmen auf nationaler Ebene wird die Wichtigkeit internationaler Kooperationen besonders hervorgehoben. Die Staaten haben eine gemeinsame Strategie zur besseren Bekämpfung der Schleusung erarbeitet. Es geht dabei um die drei Ebenen, auf denen die Staaten in der Bekämpfung der Schleuserkriminalität zu kooperieren haben: Zuerst ist hier die grenzsichernde Zusammenarbeit mit Nachbarländern zu nennen, zum Zweiten die Kooperationen entlang von Schleuser Routen und drittens die Beteiligung an multinationalen Projekten wie z.B. Europol oder Interpol. Dazu gehören auch der regelmäßige Informationsaustausch, die intensivere Zusammenarbeit mit verschiedenen Behörden sowie Richtlinien über die Belohnung von Zeugen.

RUSSLAND ALS EINWANDERUNGSSTAAT

Von 2003 bis 2006 war Russland das zweitgrößte Einwanderungsland der Welt. Dieser Prozess hat sowohl positive als auch negative Seiten. In den zehn Jahren von 1996 bis 2006 kristallisierte sich die irreguläre Arbeitsmigration als zentrales Problem heraus. Die Mehrheit der irregulären Immigranten in Russland sind Arbeitsmigranten aus den GUS-Staaten, die auf legalem Weg ohne Visumpflicht nach Russland einreisten, jedoch blieben und ohne legalen Status arbeiteten.

Russland nimmt Zuwanderer aus über 100 Ländern auf. Allerdings ist ein starker und wachsender Zustrom aus dem „nahen Ausland“ zu verzeichnen. Befristete Arbeitsmigration gehört seit etwa 2000 zum russischen Alltag. Offiziellen Statistiken zufolge sind 40% der im Baubereich Beschäftigten Immigranten, 19 % der im Handelssektor Beschäftigten und jeweils 7 % der in Landwirtschaft und Produktion Tätigen. Außerdem sind Migranten aus bestimmten Herkunftsländern überwiegend in bestimmten Branchen zu finden. So kommt beispielsweise die Mehrheit der Migranten im Baugewerbe aus der Ukraine und der Türkei. Unter den Migranten aus Moldawien überwiegen Fahrer und Bauarbeiter. Die Hälfte der Arbeitsmigranten in Russland verfügt über keine Fachausbildung und kann nur geringqualifizierte Arbeit ausführen.

Ein besonderes Merkmal der russischen Wirtschaft ist der hohe Anteil an informeller und Schattenwirtschaft, der zu einer Nachfrage nach billiger Arbeitskraft und rechtlich ungeschützten Arbeitsverhältnissen führt. Nach offiziellen Angaben gingen 2007 53 % der Arbeitsmigranten mit Aufenthaltsrecht einer Beschäftigung in der Schattenwirtschaft nach. Auf illegale Praktiken seitens der Arbeitgeber wie beispielsweise Zurückhalten von Pässen zur besseren Kontrolle der Arbeitnehmer, unvollständige Lohnauszahlung, Einschränkung der Bewegungsfreiheit, Fehlen von Sozialleistungen und Zwangsarbeit trifft man gleichermaßen unter Migranten mit und ohne legalen Aufenthaltsstatus.

Die russische Einwanderungspolitik erlebte konzeptuelle Veränderungen. Am 1. Juli 2010 trat das Änderungsgesetz „Über den rechtlichen Status ausländischer Staatsangehörigen in der Russischen Föderation“ in Kraft. Damit sollen bestimmte Erleichterungen bei der Visumserteilung für einzelne Kategorien ausländischer Arbeitnehmer eingeführt, Barrieren aufgehoben, einzelne Formalitäten abgeschafft und dadurch der russische Markt für hochqualifizierte Kräfte attraktiver gemacht werden. Das Gesetz hat auch eine große Rolle für die Verhütung der illegalen Migration.

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Тези французькою мовою

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DE LA NECESSITE DE LA CREATION D'UNE POLITIQUE MIGRATOIRE COLLECTIVE ENTRE LES PAYS DE L'EUROPE, DE L'ASIE ET DE L'AFRIQUE

Aujourd'hui, la création de l'espace de la liberté, de la sécurité et de l'ordre légal en Europe devient une des problèmes les plus importants du nouveau millénaire. L'aggravation du caractère criminogène de l'immigration illégale conditionne la nécessité de l'élaboration de la politique générale, surtout aux limites de l'EU ainsi que de l'adoption des mesures collectives entre les pays de l'Europe, de l'Asie et de l'Afrique. Le danger du délai dans la résolution des problèmes de l'immigration illégale est devenue surtout évident après les actes de terreur dans plusieurs de pays, dont les victimes étaient milles de personnes en Europe. L'immigration illégale est plus souvent considérée comme une des voies possibles de l'extension du terrorisme international. Les événements tragiques des années dernières sont amenés à la nécessité du choix entre la liberté d'une personne et la sécurité. La conscience ordinaire dans les pays européens s'est profondément assimilée la tradition de la liberté et de la sécurité, développée par la conscience politique, que la sécurité est devenue une des plus grandes valeurs de l'Europe. L'immigration illégale effleure sérieusement la sphère de la sécurité nationale et personnelle. Les immigrants illégaux se présentent une menace à la sécurité internationale des pays acceptants et transitifs, parce que ils résistent au contrôle étatique, sont exclus du système du règlement de travail officiel, du système de taxation et de la protection sociale étatique. Justement l'immigration illégale nourrit le secteur de l'économie de l'ombre, provoque l'aggravation des conflits dans la société sur la base ethnique, porte un danger de l'aggravation de la situation criminogène et épidémiologique et est un milieu nutritif pour la xénophobie et pour le nationalisme radical. L'immigration illégale transitive est aussi devenue une des occupations les plus lucratives du business criminel.

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LES PROBLEMES DE L'IMMIGRATION CLANDESTINE

Le mot l'immigration désigne ici l'entrée dans un pays des personnes étrangères pour y séjourner et y travailler. Il existe de différentes raisons de

l'immigration: celles professionnelles, politiques, sécuritaires, personnelles, familiales, fiscales etc.

L'immigration clandestine se fait illégalement. Les clandestins utilisent de nombreuses méthodes pour améliorer leurs chances et essayer de légaliser leur situation. Ils détruisent tous les papiers officiels les concernant, exercent la fraude documentaire, cherchent les maternités sur le territoire français, font les mariages de complaisance et les fausses reconnaissances de paternité.

Le problème des clandestins est devenu un problème européen général. Bien sûr que le concept d'immigration zéro est irréaliste dans un monde ouvert. Cependant, la maîtrise de l'immigration et le contrôle des frontières restent des enjeux fondamentaux pour l'avenir des États. Les mesures de contrôles mises en oeuvre sont nombreuses, mais souvent elles n'ont pas l'effet attendu.

A notre avis, les mesures concrètes doivent être prises au niveau des gouvernements des pays de départ et de destination.

Pour les pays de départ, nous sommes tous conscients que la misère des clandestins reste le problème principal et qu'améliorer le développement économique le pays de départ serait la meilleure solution. Mais les méthodes utilisées jusqu'ici, en particulier, l'aide financière d'État à État, n'étaient pas toujours efficaces parce que trop de fonds ont disparu dans la corruption. De cette façon, les mesures concrètes doivent être prises au niveau de la législation des pays de départ visant à empêcher la corruption des gouvernements et prévenir l'instabilité de la situation économique, politique et sociale.

Au niveau des gouvernements des pays de destination il incombe de calculer le nombre de migrants qu'un pays est prêt à accueillir et déterminer les conditions. La règle fondamentale de toute politique migratoire consiste à limiter le nombre des entrées de migrants en fonction de la capacité du pays d'accueil à les recevoir dignement et leur accorder le travail, le logement, l'accès aux services publics de l'éducation et de la santé.

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LA LUTTE CONTRE L'IMMIGRATION CLANDESTINE

Les derniers temps des flux migratoires en direction des pays développés deviennent de plus en plus nombreux. Si ces mouvements sont mal maîtrisés ils pourront poser le problème de l'immigration clandestine. De plus, ils réduisent les chances du développement des pays d'origine, fragilisent la cohésion sociale des pays de destination et rendent difficile l'intégration des immigrés légaux.

Dans la politique française il existe le principe d'équilibre. Selon ce principe la maîtrise des flux migratoires doit s'appuyer sur un équilibre entre l'accueil réservé à ceux qui ont choisi la voie légale, proposée par la France pour entrer sur son territoire, et la fermeté, applicable aux immigrés qui ne veulent pas respecter les lois de la République.

La lutte contre les filières d'immigration clandestine constitue aujourd'hui un volet majeur de la politique de maîtrise des flux migratoires.

On a créé l'Office Central pour la Répression de l'Immigration irrégulière et de l'Emploi d'étrangers Sans Titre (OCRIEST). Ces missions sont: d'animer la lutte contre les filières d'immigration irrégulière opérant sur le territoire national; de s'opposer aux réseaux structurés d'emploi d'étrangers sans autorisation de travail ou de séjour et de supprimer les réseaux de fraude documentaire. Ainsi ce service a pour mission de coordonner au niveau national l'action répressive de tous les acteurs participant au démantèlement des filières d'immigration clandestine, d'emploi d'étrangers sans titre ou de fraude documentaire facilitant ces infractions. Il faut citer aussi l'action internationale de l'Office dans les domaines de compétence susmentionnés et l'activité d'analyser la pression migratoire clandestine.

En tenant compte de l'expérience de la France, nous estimons que le problème de la maîtrise des flux migratoires doit devenir un objectif partagé des deux pays qui sont au départ et à l'arrivée du parcours du migrant. Tout Etat a son droit légitime de choisir les personnes qu'elle souhaite accueillir sur son territoire. Ce choix doit être effectué dans le cadre d'un dialogue avec des pays et la lutte contre les flux d'immigration clandestine doit prendre aujourd'hui une valeur européenne et internationale.

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LES CAUSES DE LA MIGRATION ILLEGALE

Un haut niveau du processus migratoire est une partie imprescriptible de la civilisation humaine contemporaine. L'apparition de la migration illégale est liée à l'influence des facteurs poussants dans les pays des émigrants (la pauvreté, le chômage, la crise) et les facteurs attractifs des pays de la destination (plus haut niveau du paiement, la possibilité du placement, la sécurité). Le service frontière fédéral (SFF) de la Russie a souligné les causes principales de l'augmentation de la migration illégale à travers de la Fédération de la Russie. Premièrement, ce sont les particularités de la situation géographique et géopolitique de la Fédération de la Russie.

Deuxièmement, c'est l'inaccomplissement de l'élaboration au niveau étatique de l'ensemble des mesures de droit et des mesures sociales et économiques orientées pour la normalisation des processus migratoires dans le pays. Il faut aussi prendre en considération la libéralisation superflue des conventions internationales selon la simplification de l'ordre de la traversée La Frontière d'Etat par les gens et par le transport des pays-participants de UEI, la cadence lent d'introduction du système des passeports et l'approvisionnement des citoyens en nouveaux exemples des passeports, l'absence de système effectif d'escompte et du contrôle du séjour des citoyens étrangers dans la Fédération de la Russie. Par ailleurs, on ne peut s'empêcher de prendre en considération l'activité des groupement criminels, qui s'occupent d'importation des émigrants illégaux et qui reçoivent des revenus colossals.

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