

Project Funded by the
European Union



National Endowment
for Democracy
Supporting freedom around the world



EASTERN PARTNERSHIP
Civil Society Forum

WITHOUT BARRIERS 

COUNTRY REPORT

Migration Management Issues and Armenian Prospects for Visa liberalization with the EU

Stepan Grigoryan, Analytical Centre on Globalization and Regional Cooperation, Armenia

Number of asylum seekers and refugees (Armenian citizenship)

According to the United Nations High Commissioner for Refugees (UNHCR) as of June 2015:

In Armenia:

Population	Total number
Asylum-seekers	112
Refugees	3.238
Stateless persons	238
Persons in a refugee-like situation	An estimated 12.450 Syrians

Number of irregular migrants by country of origin, country of destination and country where they arrived from to Armenia

Readmission agreements are in place with Benelux countries, Bulgaria, Czech Republic, Denmark, Germany, Latvia, Lithuania, the Russian Federation, Norway, Sweden and Switzerland since 2003. In order to fulfil obligations of agreements, the government has adopted a decision No. 1360-N in 2011 which defines relevant duties of Armenian state authorities as well as procedural issues. Agreement on cooperation between CIS Member States in combating illegal migration of 6 March 1998 regulates cooperation between Armenia and other countries in the CIS area. On this basis, Armenia must develop instruments curbing irregular migration of its own nationals, in accordance with international law. Migration-related offenses are included in the Criminal Code of Armenia (Article 329. Illegal state border crossing) according to which crossing the state border without relevant documents or permits, is punished by a fine of 100-200

of minimum salaries or imprisonment for up to 3 years. The same action committed by an organized group is punished with imprisonment for 3-7 years. This Article does not apply to cases when a foreign citizen or stateless person enters the Republic of Armenia without relevant documents or permits to seek political asylum stipulated by the Constitution and legislation of the Republic of Armenia. However, practically, there are cases when the foreigners who had applied for asylum were subjected to criminal liability because they did not have relevant document or permit.

Analysis of institutional support and legislative changes in the framework of the process of visa liberalization covering issues of refugees, asylum seekers and internally displaced persons

Implementation of the EU-Armenia visa facilitation and readmission agreements began in September. Activities under the EU-Armenia Mobility Partnership and the 2012–16 national action plan continued. In March, a referral centre for reintegrating returning migrants was set up with EU support and an online information site for returning migrants was launched. In July, Armenia approved the 2014–16 action plan on approximating migration legislation to international standards (including ‘approaches and principles adopted in the European Union and the Common Economic Space’). A new department responsible for integration was set up at the State Migration Service set up to establish a policy for long-term migrants. Amendments to the law on asylum and refugees are pending at the national assembly. Amendments to the Criminal Code came into force in August, bringing Armenian law more closely into line with Article 31 of the 1951 Refugee Convention, protecting refugees and asylum-seekers from penalization for illegal border crossing. Amendments to the citizenship law, introducing provisions to prevent and reduce statelessness, were submitted to the national assembly for discussion in autumn.

Armenia ranks 94 out of 175 countries on Transparency International’s Global Corruption Barometer 2014.

A new draft law on data protection was submitted to the national assembly in September. The law aims to make Armenia fulfil the requirements of the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data of the Council of Europe (Convention 108) and its protocol. The law envisages the creation of an independent Data Protection Authority.

The Border Security and Integrated State Border Management Strategy of the Republic of Armenia 2011 - 2015 was approved by the President in November 2010.

The Action Plan for implementation of the Border Security and Integrated State Border Management Strategy of the Republic of Armenia 2011- 2015 was adopted in April 2011.

Ways and tools for implementation of the visa facilitation and readmission agreements, legal acts on asylum seekers and IDPs which are in force in Armenia

A good progress has been achieved in the local integration of the refugees from Azerbaijan, with over 80,000 of them having acquired Armenian citizenship through a simplified naturalisation scheme (only about 2,300 still waiting to be naturalized). Hundreds of ethnic Armenian refugees from Iraq have also been naturalized. It should of course be recognized that integration is a two-way process, implying responsibilities as well as rights on those to whom it is offered. Local integration is ultimately an organic process by which diverse communities and cultures intermingle, adapt and change for their common enrichment. Certainly, the social and economic problems hampering the local integration of refugees in Armenia are generally the same problems faced by the local population and are of a long-term development nature.

Legal framework: the Law on Refugees (1999), on the legal and socioeconomic guarantees for persons that had forcibly migrated from the Republic of Azerbaijan in 1988-1992 and acquired citizenship of the Republic of Armenia (2000), on Political Asylum (2001), on the State Border, on the Border-Guard Troops, on the State Register of the Population (2002). Migration was also placed on the agenda of international relations of Armenia. Bilateral interstate agreements for regulating relations in the area of migration were concluded with over 10 states. Armenia acceded to the conventions related to the Status of Stateless Persons (1954), for the Protection of Human Rights and Fundamental Freedoms (1950), on the Nationality of Married Women (1957), Concerning Discrimination in Respect of Employment and Occupation, the Strasbourg Framework Convention for the Protection of National Minorities (1995), the ILO Migration for Employment Convention C97, etc.

Having started with only three refugee temporary shelters in Yerevan, shortly after the successful implementation of the first project the number of targets and beneficiaries has been abruptly increased having reached up to 10,000 refugees without permanent shelter that were settled in 290 refugee facilities in 8 Marzes: *Yerevan; Ararat; Aragatsotn; Armavir; Kotayk; Lori; Gegharkunik and Syunik*. For the implementation of refugee assistance, Mission Armenia has set up infrastructures that within the refugee temporary shelters, including: Health posts (42), Social/Resource Centers (3), Social Focal Points (5), and Libraries (14).

In the realities of affected Government's capacity to provide adequate care and protection, with suspended Sustainable Development Program on poverty reduction, as well as abruptly increasing number of refugees and asylum seekers, the UNHCR-funded assistance to the target beneficiaries has evidenced its vital importance for them to address their concerns and needs, access basic services and exercise/redress their social - health rights and privileges.

In difference to the refugees from Azerbaijan, refugees from Syria have not been provided with free shelter, so they live at private addresses that they have to rent, mainly in Yerevan, and Ararat, also some in Armavir and Kotayk.

Currently, along with other refugee assistance, we are engaged in emergency assistance for refugees/asylum seekers from Syria to mitigate the humanitarian critical situation of those who have settled in 4 provinces in Armenia and have found themselves in a much unprotected situation with no basic assistance available. They need food and basic household items, as they could not bring in belongings. Different climate conditions of Armenia versus Syria, have resulted in increase of morbidity rates among them and there are many that drastically need medication and medical support.

Labour migration flows in Armenia have not been static and there have been several key changes in the characteristics of labour migrants. The ongoing tendency of transforming short-term migration flows into either permanent emigration or into a new phenomenon for Armenia, namely, long-term labour migration (migration for a year or more for employment reasons) can be traced during last years. The main destination countries are Spain, Poland, Czech Republic, France and Germany.

Conclusions

Reforms in migration sphere are implementing in the country according to the EU-Armenia visa facilitation and readmission agreements. Armenia must develop instruments curbing irregular migration of its own nationals, in accordance with international law. The more attention should be paid to issues of refugees. Armenia is engaged in emergency assistance for refugees/asylum seekers from Syria. More security and integration activities should be taken to prevent transit of refugees and asylum seekers to European countries.

Migration policy is one of those policy areas where the potential for policy reception by partner countries is relatively high. The need for collective, harmonized, coordinated action at the regional level is here rationally justified and understandable. All involved countries, including Eastern Partnership countries, favorably perceive movement towards deeper regional cooperation.