



**STRENGTHENING MIGRATION MANAGEMENT AND COOPERATION
ON READMISSION IN EASTERN EUROPE (MIGRECO)**

**AN ASSESSMENT OF THE COLLECTION,
DISTRIBUTION, STORAGE
AND ANALYSIS OF MIGRATION
INFORMATION IN UKRAINE**



Funded by the
EUROPEAN UNION



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Implemented by
INTERNATIONAL ORGANIZATION
FOR MIGRATION



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The Immigration and
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*Developing Capacities
in Migration Management*

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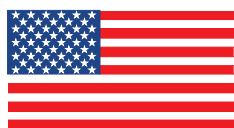
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Kyiv – 2015

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EXECUTIVE SUMMARY

Accurate and relevant information is necessary in order to ensure adequate decision-making in migration regulation. For this reason an assessment of the collection, distribution, storage and analysis of migration information in Ukraine has been carried out within the framework of the MIGRECO project, which is implemented by the International Organization for Migration and funded by the European Union. This report is based on the analysis of documents, literature and interviews with representatives of executive authorities and other institutions whose competences include registration of migrants and indirect collection of information on international migratory movements of the Ukrainian population. It discusses the system of state migration statistics, the sources of administrative data and other sources that are not directly related to the collection of migration data, but that may, under certain circumstances, be used to supplement, amplify and verify them. This report pays attention to public dissemination of information on migration, interdepartmental information exchange and the compliance of migration information with international recommendations and European practices.

A study of the migration data collection situation leads to the conclusion that an extensive migration statistics system has in fact been created in Ukraine. Its main sources are day-to-day registration of migration, the national census, household surveys and administrative data. A number of state and departmental registers, which have been developed over the past years, cover certain groups of the population. They contain data that potentially could be used to supplement our general knowledge on the migration situation in Ukraine. New technologies have been actively implemented in order to facilitate the registration, transfer and analysis of information. Key migration data are published in printed publications and on the websites of the respective agencies. They are also available upon request.

However, migration statistics are tied to a person's registered place of residence. Given the fact that citizens of Ukraine not always notify the authorities when they change their place of residence, a significant under-declaration of migration is inevitable. Although each agency has achieved significant progress in improving its own registration system, interdepartmental cooperation in migration data collection and exchange needs to be improved. Migration statistics indicators and the definitions used do not always ensure comparability of Ukrainian data and data from other countries.

Taking this into consideration, we propose ways of improving Ukrainian migration statistics based on the results of the conducted analysis. In the short-term perspective, and within the existing system, this may include specifying certain parameters related to the collection of information, generating data that are important for understanding migration processes (such data are collected but not subjected to statistical analysis) and wider public dissemination of administrative data on migration, particularly via the websites of relevant agencies.

At the same time, more substantial reforms are needed in a long-term perspective. There is a need to improve the system of registration and deregistration at the place of residence, which serves as the basis for migration statistics; to overcome the drawbacks of the system by introducing systematic and random population surveys in order to obtain more accurate data on migratory movements; to strengthen interdepartmental cooperation and coordination, which is particularly important in the context of the recently launched efforts to create the State Demographic Register; to refine parameters for the collection and analysis of information in accordance with international recommendations and European practices.

In order to carry out activities along these lines and determine the specific content and priority of the necessary measures, it is proposed that a Program for the Improvement of Migration Statistics in Ukraine be developed, and an interdepartmental working group of specialists be formed for this purpose.

ABBREVIATIONS

CIS – Commonwealth of Independent States

EU – European Union

Eurostat – Statistical Office of the European Communities

ILO – International Labor Organization

IOM – International Organization for Migration

SIS – State Information System for Registration of Natural Persons and Their Documentation

UN – United Nations

USA – United States of America

USAPS – Unified State Automated Passport System

USDR – Unified State Demographic Register

USSR – Union of Soviet Socialist Republics

INTRODUCTION

Studying migration statistics in Ukraine is necessary. Notwithstanding the fact that Ukraine's policies and legislation on migration regulation have been dynamically developing, the direction of these policies still remain quite unclear. The legislation suffers from serious gaps and its enforcement is insufficient. One factor that hinders the improvement of migration management is a lack of accurate and timely information on the volume and intensity of the population's movements and the structure of migration flows. Without such information it is impossible to assess the impact migration has on the country's development, as well as to predict prospects and determine the amount of funding needed for management activities. Under the current conditions, unrealistic figures and unconvincing interpretations are frequently used to characterize the migration situation in Ukraine, which is misleading both the authorities and the society at large. It is also hampering the adoption of balanced decisions and it forms a negative attitude towards migrants and migration. Consequently this leads to skepticism about the effectiveness of the state's efforts to regulate migration.

Therefore, the State Migration Policy of Ukraine,¹ which was approved in 2011 and designed to equip the authorities and society with a comprehensive vision of ways to regulate migration processes, includes the strategic task of "improving the processing and collection of information about the migration processes of Ukrainian citizens living or temporarily staying abroad, as well as of foreigners and stateless persons lawfully living or temporarily staying in Ukraine". Improving migration statistics is also necessary in order to expand international cooperation and create more favorable conditions for the movement of Ukrainian citizens in foreign countries. It is for a good reason that the implementation of a mechanism for monitoring migration flows is one of the requirements stipulated in the EU-Ukraine Action Plan on Visa Liberalization². This mechanism provides reliable data on both illegal and legal migration, and establishes bodies responsible for the collection and analysis of data on migration stocks and flows.

The previous analysis of migration statistics in Ukraine was carried out seven years ago.³ Since then, changes have taken place in the following areas: The migration situation in the country; the administrative structures responsible for migration management; the data collected; as well as the methods of data processing, dissemination and use. These factors highlight the need to study this topic further.

This paper analyzes the state systems of migration data collection in Ukraine, as well as administrative migration data. This includes sources of information that are not directly related to migration statistics, but that can be used to expand the knowledge base of analytical studies on migration, and the legal framework within which these sources operate. It also assesses the completeness, accuracy and accessibility of migration statistics. The analysis relies on the study of documents and publications, as well as on interviews with specialists in various government agencies responsible for generating statistics, creating databases and, in turn, analyzing them.⁴

This report was prepared by Olena Malynovska, Doctor of Public Administration, and Oleksii Pozniak, PhD in Economics. The authors sincerely thank IOM Ukraine and specialists in the central executive authorities for their assistance in conducting this study.

1 Decree of the President of Ukraine "On the Concept of State Migration Policy of Ukraine". – <http://zakon2.rada.gov.ua/laws/show/622/2011>

2 Visa-free dialogue between Ukraine and the EU. Visa Liberalization Action Plan. – http://www.kmu.gov.ua/document/244813925/План%20д_й%20щодо%20л_берал_зац_%20_С%20в_зового%20режиму%20для%20Укра_ни.pdf

3 Pozniak O. Opys derzhavnykh system zboru, analizu ta poshyrennia statystychnoi informatsii pro mihratsiiu, yaki isnuut v Ukraini. Predstavnytstvo MOM v Ukraini, 2007. (Pozniak, Oleksii. A Description of the State Systems for the Collection, Analysis and Sharing of Statistical Information on Migration in Ukraine. IOM Ukraine, 2007.)

4 See Annex 2.

1. METHODOLOGY OF THE STUDY

This study was carried out within the framework of the MIGRECO project, which is implemented by the International Organization for Migration and funded by the European Union. The aim of this project is to strengthen migration management and support cooperation on readmission in Ukraine, Moldova and Belarus in accordance with EU standards.

The purpose of the study “An Assessment of the collection, distribution, storage and analysis of migration information” is to carry out a detailed and comprehensive analysis of the system of migration data collection, processing, storage and distribution, as well as to assess its compliance with international standards and develop recommendations for improvement. The objectives of the study are to i. analyze the available sources of information on migration processes, as well as the methods of collecting statistical and administrative data, ii. assess the advantages and disadvantages in accordance with international standards, and iii. provide recommendations for improving the information collection system and its accessibility to its main users.

The theoretical and methodological foundation of the study includes the general scientific methods of induction and deduction, as well as the systems approach. We used the methods of comparative analysis, logical generalization and interviewing.

The assessment of each information source involved identifying relevant objects of reports (surveys), describing the type of data collected, analyzing original tables and report forms, and assessing data accessibility and the data distribution system.

Interviews were conducted with specialists (at the level of deputy heads of central executive authorities and chief specialists in relevant departments and divisions) in the following institutions: the State Statistics Service, the State Migration Service, the State Employment Service, the Ministry of Education and Science, the State Border Guard Service, the Ministry of Foreign Affairs, the Ministry of Social Policy, the State Registration Service, the National Bank, the State Court Administration and others. The interviews were unstructured and did not follow an established list of questions.

The results of this study, as well as recommendations on how to improve the migration information base in accordance with EU standards, will be submitted to the Government of Ukraine.

2. STATE STATISTICS ON MIGRATION

2.1. DAY-TO-DAY REGISTRATION OF MIGRATION

Day-to-day records are based on registration and deregistration of persons at their place of residence. Regional statistics offices receive deregistration certificates from the territorial divisions of Ukraine's State Migration Service and information on new registrations of the place of residence. This information is then processed.

Thus, day-to-day records are a result of interaction between two agencies. The original forms are filled out in the units of the State Migration Service (in the passport offices run by the Ministry of Internal Affairs before 1 August 2012), which are responsible for the accuracy of data entry, while the statistics on day-to-day registration are generated by the State Statistics Service.

Day-to-day registration of migration continues to be the most important element in the compilation of migration statistics. It is used to generate current estimations of the population size in the country and its regions, produce demographic forecasts, allocate budget funds, etc.

The strengths of day-to-day registration include consistency, which makes it possible to trace entries and exits over a long period, and coverage of the country's entire territory through the usage of a unified methodology. This is the only complete source of information concerning people changing their place of residence within the country, and on international migration.

However, the current procedure does not cover all movements of the population as a significant number of citizens do not officially register changes concerning their place of residence. Even under the strict conditions of *propiska* (registration) in the USSR, day-to-day registration did not cover all migrants. This was particularly evident through discrepancies in the number of persons moving from one area to another, as well as in persons registered both in the regions of arrival and departure, and by census data. These census data provided various information on the population, as well as on relevant data calculated on the basis of information about natural population changes and migration in inter-census periods. Since the registration of births and deaths tends to be largely complete, the discrepancies between census data and predicted data are mainly caused by an underestimation of migration stocks.

The current crisis in the migration registration system is related to the breakdown of the Soviet system of *propiska*. Back in 1992, Ukraine abolished criminal penalties for violating the passport regime, and in 1997 outlawed denials to employ a person lacking local *propiska*. In 2001, *propiska* was declared unconstitutional,⁵ and in 2003, with the adoption of the Law of Ukraine "On Freedom of Movement and Free Choice of the Place of Residence in Ukraine",⁶ *propiska* was replaced with registration, which had the nature of notification rather than permission. The Law emphasizes that registration of the place of residence or a lack thereof cannot be a condition for the exercise of human and individual rights and freedoms, nor can it serve as grounds

5 Decision No. 15-rp/2001 of Ukraine's Constitutional Court of 14 November 2001.

6 Law of Ukraine No. 1382-IV "On Freedom of Movement and Free Choice of the Place of Residence in Ukraine" of 11 December 2003. – <http://zakon4.rada.gov.ua/laws/show/1382-15>

for their curtailment (Article 2). The Law requires that citizens of Ukraine and foreigners legally residing on the territory of Ukraine register with the relevant authorities within ten days upon their arrival at a new place of residence (Article 6).

According to the Administrative Code of Ukraine (Article 197)⁷, residence without registration entails a warning or a minimal fine (one to three times the nontaxable minimum income, i.e., UAH 17-51),⁸ which in practice is a very weak incentive for citizens to fulfill their duty to register/deregister their place of residence. The inefficiency of the registration system is illustrated by the fact that certain forms, such as bank billing address information forms, ask clients to provide both the registered address and the actual address of residence.

Penalties for violating the rules regarding registration of foreigners and stateless persons are less lenient. According to Article 203 of the Administrative Code of Ukraine, a violation by a foreigner or stateless person of the rules of stay in Ukraine, including noncompliance with registration rules, entails a fine of 30-50 non-taxable minimum incomes (UAH 510-850). The level of registration among foreigners is generally high. However, it is rather common that a foreigner actually reside at an address other than their registered place of residence. More often than not, foreign nationals do not have their own homes. In many cases they live in rented apartments whose owners do not wish to officially sign tenancy contracts in order to avoid paying taxes, escape higher utility bills and so on. For example, a survey conducted among immigrants from Asia and Africa in Kyiv showed that although most of the respondents were registered, only half of them actually lived at the registered address.⁹

In 2012, the legislation regulating the registration system was amended in order to make the procedures as easy as possible, and thereby encourage citizens to adhere to it. In particular, registration and deregistration is now carried out in one location and on the same day that an application to a registering authority is submitted. Registration of the place of residence is no longer tied to the registration for military service and draft. Moreover, the range of grounds for deregistration on the request of a landlord was significantly expanded. The refusal of landlords to register tenants is related to a concern that the tenant will obtain certain rights to reside in their homes as a result of the registration. Despite the authorities' efforts to simplify the registration procedures, the situation has not yet changed.

Up to the present, many social and healthcare services are tied to the registration of the place of residence, and users of these services tend to register their arrival at a new place of residence. However, when they leave, especially abroad, and plan to be absent only temporarily, they often fail to deregister in Ukraine.

In general, the number of migrants is underestimated in virtually all countries. This is evident through the discrepancies in the number of migrants between two countries as recorded by the statistical authorities of the country of origin and the destination country. In particular, a comparison of Ukrainian data on Ukrainian emigrants and foreign data on Ukrainians entering foreign states vividly shows the discrepancies in the statistical information of the respective countries. Moreover, if the discrepancy between the statistics of the EU countries is caused by differences in the methodology used to register migrants, the Ukrainian-Russian differences are a direct consequence of an incomplete coverage of actual migratory movements.

7 Administrative Code of Ukraine. – <http://zakon4.rada.gov.ua/laws/show/80731-10/page12>

8 Administrative Code of Ukraine. – <http://zakon4.rada.gov.ua/laws/show/80731-10/page12>

9 "Netradytsiini" immihranty u Kyievi: sim rokiv potomu. Kyiv, Stylos, 2009, s. 114. ("Nontraditional" Immigrants in Kyiv: Seven Years Later. Kyiv, Stylos Publishers, 2009, p. 114.)

**Table 1. Ukrainian immigration (destination country data, first row)
and emigration (Ukrainian data, second row).**

Country	2004	2005	2006	2007	2008	2009	2010	2011
Germany	15,000	11,800	7,700	7,800	6,900	N/A	N/A	N/A
	7,000	4,000	1,700	2,000	1,400	1,600	1,900	1,800
Italy	11,200	15,900	15,000	15,800	24,400	23,0	30,400	17,900
	100	100	100	200	200	200	200	200
Spain	10,300	8,800	8,800	9,500	6,500	4,400	6,600	5,100
	100	200	200	300	200	300	400	400
Czech Republic	15,000	23,900	30,200	39,700	28,000	13,400	3,600	2,300
	400	300	400	500	400	500	700	400
Russia	17,700	30,800	32,700	51,500	49,000	45,900	27,500	44,000
	25,900	19,000	18,200	17,500	12,400	9,900	5,900	5,100

Sources: State Statistics Service of Ukraine, Federal State Statistics Service of the Russian Federation and Eurostat

Considering the fact that immigration normally is better documented than emigration, cross-checks suggest that official information on the size and composition of Ukraine's population does not reflect the reality. This notion is further underpinned by the fact that the last census was conducted several years ago. In addition to data on fertility and mortality, demographic forecasts rely on statistics on registered migration. As a result, we may receive a distorted view of the future development of the population.

The procedure of registering arrivals and departures is outlined in the Procedure for the Registration of the Place of Residence and the Place of Stay of Natural Persons in Ukraine and by the necessary standard documents, as approved by the Ministry of Internal Affairs Order No. 1077 of 22 November 2012.¹⁰ This procedure includes (in annexes) registration forms – the Certificate of Deregistration of the Place of Residence in Ukraine and Information on Registration of a Place of Residence.

According to the Law of Ukraine "On Freedom of Movement and Free Choice of the Place of Residence in Ukraine",¹¹ the place of residence is an administrative-territorial unit where a person lives for more than six months during one year. Hence, the abovementioned registration forms are filled out by persons arriving to reside on a certain territory (or leaving it) for a period of six months or more. Thus, the time criterion for defining migrants in the context of day-to-day registration of migration in Ukraine is not in compliance with the UN-recommended criteria and the relevant norms developed in the EU, where an international migrant is defined as a person who moves from one country to another with the intention of staying longer than than 12 months.

In accordance with an agreement between the State Migration Service and the State Statistics Service, individual registration forms are handed over to the state statistics agencies on paper without personal informa-

10 Ministry of Internal Affairs Order No. 1077 "On Approval of the Procedure for the Registration of the Place of Residence and the Place of Stay of Natural Persons in Ukraine and the Necessary Standard Documents" of 22 November 2012. – <http://zakon2.rada.gov.ua/laws/show/z2109-12>

11 Law of Ukraine "On Freedom of Movement and Free Choice of the Place of Residence in Ukraine" – <http://zakon2.rada.gov.ua/laws/show/1382-15>

tion and together with a sheet indicating the number of documents transferred. The Certificate of Deregistration from the Place of Residence in Ukraine and Information on the Registration of a Place of Residence require the applicant to fill in certain non-statistical information (surname, first name and patronymic; type, series and number of the identification document, etc.). The applicant is also required to enter his/her date and place of birth, sex, citizenship, place of origin and destination of migration, information about children migrating together with the person (relevant forms are filled out for persons under 14 only if these individuals travel unaccompanied) and the date of the document's registration.

From 1995-2004, the information requested when registering changes in the place of residence was much more comprehensive. During this period, day-to-day registration was based on detachable slips on arrival/departure address sheets which also recorded marital status, citizenship, purpose of arrival/departure, period of absence/stay, occupation before departure, education and scholarly degree. Those who were leaving also had to indicate the place from which they had previously arrived, as well as the date of arrival. Arriving persons provided information on how long they had resided at their previous place of residence. Since mid-2004, all the requests for information absent in the passport have been removed from the registration forms. Migration statistics were significantly weakened following the removal of questions about migrants' citizenship and education from the forms. Rather than refining and diversifying proposed answers related to family reasons, which were not very informative, the question about reasons for relocating was removed altogether. Before 2004, researchers set out to further develop the arrival/departure registration forms for the purposes of scientific analysis, but this activity no longer made any sense after these forms were simplified.

The problem with generating statistics from these forms is partially caused by the fact that the data they contain are still manually entered into the electronic database. When the software for processing day-to-day registration data on the place of residence was developed in 1995, it was not possible to develop a program for data entry with the use of a scanner due to the inconsistency of the arrival/departure forms. Different territorial units of the Ministry of Internal Affairs submitted forms of varying sizes to the state statistics agencies, which were printed using different fonts and so on. Another problem is that information about persons registered at the place of residence is still kept in paper form by the State Migration Service bodies, while electronic databases are only beginning to be implemented.

When assessing registration documents we receive data on the number of persons who changed their place of residence, left or arrived in the country, as well as data on the distribution of migrants by socio-demographic characteristics. The results of such statistical processing of administrative data are shared with the State Migration Service and international organizations.

The processing of day-to-day records of persons changing their place of residence includes generating statistics on the distribution of external migrants by country of arrival/departure, sex, age (in one-year age groups), as well as by citizenship and place of birth. Information about internal migrants includes distribution by sex, age and region of arrival/departure. Data are disaggregated separately for external migrants from countries of the "near" and "far" abroad. These data are categorized by sex and age for the, while the same data for internal migrants are disaggregated for interregional and intraregional migration within Ukraine. All forms of statistical records are generated at the regional level in Ukraine (with differentiation made between urban and rural areas). Overall data on the number of emigrants and immigrants for all directions are also generated at the level of administrative districts and urban settlements.

Statistics from day-to-day registration of migration are systematically published in books dedicated to that end along with other data on Ukraine's population. All details are available upon request from the State Statistics Service of Ukraine, which also publishes the overall number of incoming and outgoing migrants by region of Ukraine on a monthly basis (separately for internal and external migration) on its website. It also makes its publications and bulletins publicly available.

At present, state statistics experts are developing ways to improve the forms and the software.

To summarize, the processing of day-to-day registration of migration yields information on the distribution of migrants by key socio-demographic characteristics, such as sex, age, citizenship and migration flow. Although the introduction of new forms to register arrivals and departures somewhat impoverished migration statistics, this problem can be solved by conducting (subject to additional funding) sample surveys of persons registering/deregistering their place of residence.

Day-to-day registration covers only those who change their official place of residence, which, in the absence of effective incentives for the population to register and the reluctance of landlords to register their tenants, leads to under-declaration of the actual changes of the place of residence. Moreover, the adopted criteria for defining migrants are not in compliance with international recommendations.

2.2. POPULATION CENSUS

Day-to-day registration of migration reflects migration flows, albeit with certain limitations, as mentioned above. The main source of information concerning contingents of migrants is the population census.

According to the Law of Ukraine "On the All-Ukrainian Population Census",¹² the census is defined as a periodical continuous statistical survey that includes the collection of demographic and socioeconomic data, which, at the time of the census, characterizes the size and composition of the population. It also includes processing, summarizing, disseminating and using the findings from this observation. This Law defines the legal, economic and organizational framework for preparing and conducting a nationwide population census, as well as how to process, summarize, disseminate and use its results. It regulates the relationship between the various subjects of a population census; defines their rights, duties and responsibilities; establishes state guarantees that safeguard the confidentiality of information obtained in the census.

This law also states that its purpose is to obtain reliable, objective and coherent data on various characteristics of the population as a whole, as well as for each administrative-territorial unit, for administration purposes, such as forecasting the socioeconomic development and the development and implementation of balanced state policy on the population (Article 3). The law defines the methods for conducting the census, lays down its main methodological and organizational principles and specifies the organizational, material-technical and financial provisions for it.

12 The Law of Ukraine "On the All-Ukrainian Population Census". – <http://zakon2.rada.gov.ua/laws/show/2058-14>

The subjects of the census are the respondents – citizens of Ukraine, including those who, on the date of the population census, are abroad, and foreigners and stateless persons who, on the date of the population census, are legally residing on the territory of Ukraine (Article 4). According to the Law, the primary (personal) types of data collected within the framework of the population census include, among other things, place of birth and the migratory activity of the population (Article 5).

The strength of the census as a source of migration data lies in the completeness and generality of the information collected. Moreover, the designs of successive censuses tend to be identical to a large extent, ensuring the continuity of monitoring and the comparability of results. While completeness is ensured in terms of persons who changed their place of residence at different times in their lives, the registration of migrant workers (judging from the data yielded by the 2001 census) is far from complete. The likelihood that a census will cover groups of irregular migrants is low. Another significant shortcoming is the limited number of questions, in particular about migration, that are included in the census program (such a large-scale activity with a wide program would require enormous costs and would be unjustified economically). Furthermore, the fact that the registration of migrants' characteristics is carried out at the time of the census rather than at the moment of migration, and the long intervals between successive censuses, which in turn makes the data of the previous census obsolete long before the next one takes place, is problematic. At present, some respondents are also counted twice as a growing number of households have secondary apartments or houses.

In the hierarchy of sources, the census would have to be ranked first, but the irregularity with which it is conducted in Ukraine aggravates the obsolescence of data. The first All-Ukrainian Population Census was scheduled to take place in early 1999, i.e. 10 years after the previous Soviet census, but was conducted only in late 2001 due to financial problems. The next All-Ukrainian Population Census was originally planned for 2011, but was first postponed until 2012, then later until 2013 and, most recently, until 2016.

The program of the 2001 All-Ukrainian Population Census included 19 questions of which the following were related to registration of migration:

- Question 3 about the respondent's type of residence in the territory where he or she participated in the census – temporary residence or temporary absence;
- Question 5 "Your place of birth"
- Question 8 "Your citizenship"
- Question 16 "Location of your place of work" (on the territory of residence or on another territory)
- Question 18 "Have you lived in this area continuously since birth?"

The last question included four sub-questions for those who replied negatively to the main question:

- a) "indicate the year since which you have lived here continuously"; if the last change of the place of residence occurred between 5 December 2000 and 5 December 2001, a notification of this was indicated in the form;
- b) "previous place of residence";
- c) "type of area from which you arrived", i.e. the status of the area at the time of moving;
- d) "Are you a refugee or a deported person?"

The continuous nature of residence did not depend on the presence of *propiska* (registration) or on its character (permanent or temporary). Absence of less than 12 months was not considered a violation of the continuous nature of residence. Moving from one rural settlement to another within the same administrative district was not considered a change of the place of residence.

In answers to questions 5, 16 and 18b, only the region of Ukraine (Autonomous Republic of Crimea, oblast, Kyiv or Sevastopol) or a foreign state was recorded. Thus, migratory movements (due to a change of the place of residence or work) within one region were not recorded.

The program for processing census data included eight chapters. Chapter 6 was devoted specifically to migration processes. This chapter included, among other things, tables showing the distribution of the population by place of birth, duration of continuous residence and the distribution of migrants by place of previous and current residence, education level and type of economic activity. All characteristics were disaggregated by sex and type of residence area (urban or rural), while a number of characteristics were also broken down by age group and citizenship. Moreover, almost half of the primary tables in Chapter 4 “Socioeconomic profile of the population” were devoted to labor migration (interregional and external). Certain individual tables on migrants were contained also in other chapters of the program for processing the data of the All-Ukrainian Population Census.

Following the 2001 All-Ukrainian Population Census, a number of statistical books were published, including *Naselennia Ukrainy za mistsem narodzhennia ta hromadianstvom* (The Population of Ukraine by Place of Birth and Citizenship) and *Mihratsiia naselennia* (Migration of the Population).

Data obtained in the 2001 All-Ukrainian Population Census helped refine information about the size of the country’s population and data on the migration balance in the inter-census period (see Table 2). The difference between the size of the population according to the census and the calculations by the State Statistics Committee was more than 460,000 persons.

Within the framework of preparations for the next All-Ukrainian Population Census, a trial population census was carried out in the Derhachi raion, Kharkiv Oblast, in December 2010. Its purpose was to test the census’ program, tools, methodological and organizational principles and data processing technique.

Table 2. Migration balance according to day-to-day records and calculations based on the 2001 All-Ukrainian Population Census

	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001
Day-to-day records	148,400	288,100	49,600	-143,200	-94,500	-131,100	-82,100	-93,600	-44,800	-46,600	-43,000
Calculation based on census data	151,300	287,800	54,500	-142,900	-131,600	-169,200	-136,000	-152,000	-138,300	-133,600	-152,200

Source: State Statistics Committee of Ukraine

The program of the future All-Ukrainian Population Census was approved by State Statistics Service Order No. 306 of 19 July 2012. The program contains 14 questions, some of which contain sub-questions. In comparison with the program of the 2001 All-Ukrainian Population Census, more information will be collected about both external and internal migration. All previously included migration-related fields are preserved: type of residence on the territory where the person participates in the census, place of birth, citizenship, location of the place of work and continuous residence in a given area. If a person's place of work is located in Ukraine, but outside the area where the person lives, the administrative district and area where the place of work is located will be recorded, as opposed to only the region. This will make it possible to study shuttle migration across the territory of Ukraine. (The data of the 2001 census permitted doing so only for the Kyiv urban agglomeration and the suburban area around Sevastopol.) The question about continuous residence now has a sub-question: "Have you lived for more than a year in another country?" Answers to this question will make it possible to single out the contingents of external migrants using criteria that comply with international recommendations. Persons who respond positively to this question will also be asked from which country they arrived and in what year, as well as about reasons for their staying in another country. Thus, for the first time since the new forms for the day-to-day registration of migration were introduced, information about causes of migration will be obtained in a new census.

The Ptukha Institute of Demography and Social Studies, National Academy of Sciences of Ukraine, has drafted the List of Ethnic Groups (nationalities) for the purposes of processing data about the ethnic composition of Ukraine's population during the All-Ukrainian Population Census. Compared to the *Glossary of Nationalities and Languages*, which was used when processing the 2001 census data, the list has been greatly expanded. Even though the collection of data on ethnic origin is not directly related to migration statistics, the expansion of the list of ethnic groups (nationalities), primarily by inclusion of ethnoses from developing countries, will make it possible to obtain additional information about the sociodemographic characteristics of foreign nationals and naturalized persons.

To summarize, the census provides the most complete information about the population of the country, including its migration characteristics, at the level of the country, regions, administrative districts and cities. The 2001 census data have been published and disseminated sufficiently widely. New technical capabilities allow for any tables of population (migrant) distribution based on various characteristics to be generated upon requests from consumers.

The future All-Ukrainian Population Census will make it possible to obtain additional information on migration in accordance with international criteria, particularly about the contingents of external migrants. It will also highlight the causes of migration and the development of shuttle migration in all urban agglomerations of the country.

On the other hand, using data on the distribution of the population by country of birth for the purpose of analyzing international migration is complicated in Ukraine, as is the case in other former Soviet republics. Citing the 2001 census data concerning the number of people born outside Ukraine, as well as the World Bank estimates for future years, which are based on these data, representatives of political circles and the mass media periodically claim that Ukraine has several million immigrants. In fact, a lion's share of these "immigrants" are persons who moved to Ukraine during Soviet times (from one Soviet republic to another) and were essentially internal, rather than international, migrants at the time of migration.

Moreover, the fact that the date for the next population census in Ukraine has been postponed several times does not help improve the information basis concerning migration analysis. The 2001 census data do not reflect the current situation even though they may be used for general estimations.

2.3. SAMPLE POPULATION (HOUSEHOLD) SURVEYS

Sample population surveys are carried out when conducting a complete survey is not possible or economically inadvisable. The purpose of such surveys is to obtain in-depth, detailed characteristics of the population. Applying the sample methods makes it possible to greatly expand the volume of information obtained, ensure relevance of the data and enhance the quality of their collection. The main shortcoming of sample surveys is their margin of error, which renders small data sets statistically insignificant.

Sample population (household) surveys on economic activity have been carried out by state statistics bodies since 1995.

The purpose of these surveys is to obtain information on the composition and structure of the labor force, as well as to measure employment, the population's economic activity and the real unemployment level, which takes into account the total supply of labor and is used as an important indicator in the analysis of the current state of the economy. The survey makes it possible to assess the real volume and changes of labor supply on Ukraine's labor market and to analyze the trends of its development. The criteria based on which the employed and unemployed population is defined comply with ILO recommendations and EU statistics standards.

The survey was conducted annually from 1995-1998 and quarterly (in the last month of the quarter) from 1999-2003. Starting from January 2004, it has been a monthly routine.

The basis for these surveys is a number of households selected in a scientifically sound way in all regions of the country. The monthly household sample size is formed using a rotation pattern in which each selected household is surveyed six times – in three consecutive months and then, after a nine-month break, again three months in a row. The size of a monthly household sample in 2014-18 is 16,900.

The survey is carried out at the place of permanent residence by trained staff (specialist interviewers) through direct interviews and on a voluntary basis. The participants are persons aged 15-70 who live in the selected households.

Information is collected using forms approved by State Statistics Service Order No. 263 of 30 August 2013: Form 1-EAN "Questionnaire for a sample population (household) survey on issues of economic activity" and Form 2-EAN "Household questionnaire".

From 2010-13, a separate chapter in Form 2-EAN "Household questionnaire" included a question about the labor migration of the population. It asked whether the household surveyed had persons working in a different region or abroad, as well as the period of their stay, reasons of employment there, information on any future

plans to migrate for the purpose of employment to another region or country, etc. However, as the survey set out to collect data from the week during which the survey was conducted, and the fact that the bulk of labor migration in Ukraine is of short-term or seasonal nature, the information obtained on labor migration proved incomplete. In view of this, and in order to reduce the burden put on the respondents, the section on labor migration was removed from Form 2-EAN starting from 2014. At the same time, in order to obtain characteristics of the employed population, valid Form 1-EAN still includes questions about the location of the respondent's place of work during the survey week, allowing the state to obtain, along with other characteristics, information about the number of persons working outside the region of residence or in a foreign country.

Additionally, three sample population (household) surveys were conducted on labor migration issues (in what follows, labor migration surveys): the survey "Life paths of Ukraine's population" (2001, eight regions) and two national surveys in 2008 and 2012.

These surveys were modules within current sample household surveys. In particular, the 2001 and 2012 labor migration surveys were carried out together with surveys of the population's economic activity, and the 2008 survey together with an economic activity survey and a survey on the living conditions of households. The 2001 survey "Life paths of Ukraine's population" was conducted by the staff of the State Statistics Committee and Ukraine's National Academy of Sciences. It surveyed residents in eight oblasts in western Ukraine and the Donbas. Some 18,000 residents aged 15-70 (8,000 households) representing all Ukrainian citizens in this age group were surveyed. The survey yielded information about the destinations, frequency and duration of external labor migration trips by residents in the regions surveyed, the ways of travel, the conditions of work and stay outside Ukraine and the respondents' level of satisfaction with these trips. The survey "Life paths of Ukraine's population" was the first attempt to calculate the true scale of the population's labor migration.

The first national survey on labor migration was carried out within the project "Labor migration survey in Ukraine", which was coordinated by the State Statistics Committee and the Ukrainian Center of Social Reforms in June 2008. The project received financial and technical support from IOM, Arsenii Yatseniuk's Open Ukraine Foundation jointly with the Viktor Pinchuk Foundation and the World Bank Office in Ukraine. It was the first full-fledged survey aimed at establishing the scale of labor migration and the socio-demographic profile of labor migrations. The survey's methodology was in line with widely accepted international practice. The goal of the survey was to estimate the scale and commonness of external labor migration, the geographical directions of its flows, the socio-demographic composition of migrant workers, the types of their activity and income levels, the effect of foreign earnings on the welfare of households in Ukraine, the frequency and duration of trips, etc. The sample size ensured the collection of representative data across Ukraine and five of its territorial zones (East, West, Center, South and North). The survey period covered 3.5 years, from 1 January 2005 until 1 June 2008. More than 48,000 working-age persons (women aged 15-54 and men aged 15-59) were surveyed. They represented 22,000 households in all regions of the country.¹³ According to the survey, 1.5 million residents of Ukraine, or 5.1% of Ukraine's working-age population, worked abroad in the abovementioned period. Considering the methodology adopted for the survey, it should be noted that this figure did not include the following categories of migrants: Persons who left abroad before 2005 and did not return to Ukraine prior to the survey, migrant workers older than the working age limit, persons in households where all members left abroad (such households could not be covered by the survey) and shuttle migrant workers in border regions.

13 External Labor Migration of the Population. Report. Ukrainian Center of Social Reforms, the State Statistics Committee of Ukraine, Kyiv, 2009.

Within the framework of the EU project “Effective management of labor migration and its qualification aspects”, which is implemented in Ukraine and Moldova by the ILO, the State Statistics Service of Ukraine and the Mykhailo Ptukha Institute of Demography and Social Studies jointly conducted the second national survey on labor migration. The 2012 survey program was conducted based on the experiences gained from the 2008 survey, and was further improved through the recommendations from ILO experts. On the basis of this survey, a scientifically sound estimation of the volume of external labor migration of Ukraine’s population was generated. The main destinations of labor migration flows were identified, and data were obtained concerning the socioeconomic and demographic profile of Ukrainian migrant workers, their education level, destinations of outgoing external migration, work conditions, income level, the effects of foreign earnings on the welfare of households, etc. The survey covered 45,500 persons aged 15-70 representing 23,500 households.¹⁴ For the first time in Ukraine, the survey made it possible to estimate the dynamics of external labor migration. The results of the project ensured the creation of a reliable analytical base suitable for effective decision-making in the field of state regulation of external labor migration, facilitating a stable return rate of migrant workers and preventing the loss of qualified personnel. According to the survey, from 1 January 2010 until 17 June 2012, 1.2 million of Ukraine’s residents, or 3.4% of its population in the working-age group, worked or sought employment abroad. The number of external migrant workers does not take into account shuttle migrants in border regions and persons who work and receive salaries in Ukraine but make business trips abroad. Nor did the survey cover persons who left to work abroad before 2010 and have not returned to Ukraine since then, and persons in households where all members emigrated abroad.

The labor migration survey program, formed in accordance with statistical methodology, requires a clear definition of survey periods for which the number of migrant workers is estimated and their characteristics are established. Information about persons who were abroad at the beginning of the survey period is not collected. Moreover, in a survey it is impossible to obtain information about closed households because all of their members have left abroad. This is why surveys provide higher-quality information on trends in labor migration and its structure within a given period of time, rather than on its actual volume.

To summarize, sample surveys have proven to be an efficient source of data concerning the external labor migration of the population. These surveys fully cover short-term migrant workers and partly long-term migrants. However, it should be admitted that it is impossible to obtain reliable information about long-term migrant workers from Ukrainian information sources. Full-fledged data on this contingent can only be obtained from the information sources of receiving countries.

2.4. OTHER SOURCES OF DATA

Since 1990, state statistics bodies have carried out continuous socioeconomic surveys of rural areas. The most recent such survey, which was based on Form No.1-village of state statistics surveys, provided data valid as of 1 November 2005. The resumption of these surveys is now being considered, but this initiative is hampered by a lack of financing. Data based on this form were processed once in five years. These statistics reports were

14 53. Report on the Methodology, Organization and Results of a Modular Sample Survey on Labour Migration in Ukraine. International Labour Organization, Decent Work Technical Support Team and Country Office for Central and Eastern Europe (DWT/CO-Budapest). – Budapest: ILO, 2013.

filled out for each populated rural area. They recorded various demographic and socioeconomic characteristics of villages, including the number of persons who arrived in or left a given village since the previous survey, as well as the number of residents in a given populated rural area who work elsewhere and their distribution by aggregated geographical directions (cities and urban-type settlements, outside of oblast and abroad). Unfortunately, using data on the number of persons working abroad is complicated, because, among other things, this most recent survey does not provide data about the exact location of the place of work for nearly one-fourth of all persons who travel to their place of work.

Questions about the number of persons living in rural areas in Ukraine, but working temporarily, seasonally or permanently in other countries are included in Form 6-village council, based on which annual surveys are carried out. This form, just like Form 1-village, is filled out by village, settlement or city councils where populated rural areas are located.

However, migrant workers are not fully accounted for as the collection of migration data is not among the primary tasks of these surveys.

The State Statistics Service of Ukraine also collects data on holders of *kandydat nauk* (Candidate of Sciences) and *doktor nauk* (Doctor of Sciences) degree holders who have left abroad and their distribution by sex, age and destination country. These data are contained in Form No.3-science “Fulfilment of scientific, research and technical work”, which is based on data drawn from institutions engaged in research activity, and in Forms No. DN “Registration of Doctor of Sciences degree holders”, Forms No. KN “Registration of Candidate of Sciences degree holders” and Annexes 1 and 2 to them. The numerical values recorded in these statistical forms refer only to scholars who worked in Ukraine’s economy immediately prior to their departure, while scientific degree holders who were unemployed before emigrating are not covered.

Data on Doctor of Sciences and Candidate of Sciences degree holders who have left abroad are regularly published in *Statystychnyi shchorichnyk Ukrainy* (Statistical Yearbook of Ukraine) and in statistical digests.

To summarize, the State Statistics Service of Ukraine collects, processes and disseminates various data on migration, including on the contingents of migrants and emigrants, migration flows, labor migration and the migration of scholars. The main state statistics data are published in the editions of the State Statistics Service, while more detailed information is provided to consumers upon request. Moreover, the website of the State Statistics Service publishes aggregated current data.

3. ADMINISTRATIVE DATA ON MIGRATION

A number of executive authorities implement Ukraine's policy on migration by providing administrative services and performing controlling functions regarding movements of the population. They also compile various types of departmental statistics that reflect the activities of these bodies and can be used to assess migration trends.

Administrative data are generated based on personal applications as well as decisions made in response to them. They can also be based on administrative actions taken with regard to certain categories of persons. Thus, these data characterize certain groups of migrants, i.e. they can increase the accuracy or supplement our understanding of the numerical characteristics of migration that are based on state statistics. At the same time, departmental statistics refer not to people, but to events where one and the same person can be involved several times (for example, multiple border crossings within a given statistical period). Counting a person twice (or more) is also possible when he/she moves from one specific category of migrants to another, which is registered by a different agency (for example, a foreigner first receives a work permit and then applies for refugee status). Moreover, administrative data pertain only to those migrants who complete certain procedures, some of which require the submission of an unjustifiably high number of documents and pose other difficulties. The complexity of procedures is an additional incentive to avoid them.

3.1. DATA COLLECTED BY THE STATE MIGRATION SERVICE OF UKRAINE

The State Migration Service of Ukraine was formed pursuant to President of Ukraine Decree No. 1085/2010 "On Optimization of the System of the Central Executive Authorities" of 9 December 2010.¹⁵

The service took over the Ministry of Internal Affairs' functions with regard to citizenship, migration and registration of natural persons, as well as functions in the field of refugee protection, which were previously performed by the State Committee for Nationalities and Religions. This body was dissolved following the administrative reform.

The Regulation on the State Migration Service,¹⁶ adopted in April 2011, gave the Service the following authority: 1) to provide services regarding citizenship, registration of the place of residence and documentation of natural persons; 2) to work with foreign nationals and stateless persons, in particular to process and issue immigration permits, permanent and temporary residence permits, invitations to obtain Ukrainian

15 President of Ukraine Decree No. 1085/2010 "On Optimization of the System of the Central Executive Authorities" of 9 December 2010. – <http://zakon2.rada.gov.ua/laws/show/2058-14>

16 Issues of the State Migration Service. President of Ukraine Decree No. 405/2011 of 6 April 2011. – <http://zakon2.rada.gov.ua/laws/show/405/2011>

visas, as well as to adopt decisions on expulsion, institute proceedings in administrative cases over violations of the rules of stay in the country, etc.; 3) to adopt decisions on declaration, loss, withdrawal and cancellation of refugee status and other forms of protection in Ukraine and take measures to promote the rights of refugees and other categories of migrants; 4) to oversee law enforcement in the field of migration, monitor the migration situation and take measures to prevent and counteract illegal migration. The State Migration Service also registers irregular migrants, while the apprehension and expulsion of such migrants are the responsibility of not only the State Migration Service but also the Ministry of Internal Affairs and the Security Service of Ukraine.

In order to fulfill of these functions, the Government of Ukraine adopted a decision to set up 27 territorial bodies of the State Migration Service in June 2011 (chief directorates and directorates). Temporary refugee accommodation centers, which used to be run by the State Committee for Nationalities and Religions, were transferred to the jurisdiction of the State Migration Service. This was also the case with temporary accommodation centers for foreign nationals and stateless persons illegally staying in Ukraine and who are subject to expulsion (previously run by the Ministry of Internal Affairs).¹⁷

Thus, the State Migration Service performs a wide range of functions in the field of migration serving both Ukrainian citizens and foreign nationals. It also provides various administrative services and processes and registers various documents. According to the Regulation on its operation, and much due to the fact that this is the agency that arguably possesses the most information on the place of residence and movements of persons, the State Migration Service performs the following tasks: Ensures the creation of central, regional and local databases of personal data on natural persons in cases envisaged by law; shares legislatively defined data with the State Voter Register and the bodies of the State Tax Service; facilitates the establishment of the State Information System for Registration of Natural Persons and Their Documentation (SIS). Finally, according to the 2012 Law of Ukraine “On the Unified State Demographic Register and Documents Confirming Ukrainian Citizenship, Identity or Special Status”, the State Migration Service will operate this register.

The newly created service immediately faced numerous challenges in order to set up registration and processing of statistical information. It should be noted that these activities built on the already existing foundation. The predecessors of the State Migration Service, i.e. the respective department of the Ministry of Internal Affairs and the State Committee for Nationalities and Religions, compiled departmental statistics. At the same time, two important laws were passed in 2011 – “On the Legal Status of Foreigners and Stateless Persons” and “On Refugees and Persons in Need of Complementary or Temporary Protection”. These two laws introduced significant changes in the foundations for the legal status of foreign nationals in Ukraine and for granting asylum. These changes were reflected in modified forms of statistical reports.

The legislative reform, along with other difficulties related to the establishment of the new agency, aggravated problems of registration and processing various documents, which had never been a simple task. The problems included, above all, the need to calculate a large amount of administrative data regarding numerous users (both Ukrainian citizens and foreigners) without an electronic system. In other words, records were made by hand and on paper as cards were filled out manually and entered into the registers.

17 Kovalchuk M. M. Derzhavna mihratsiina sluzhba. Etapy stvorennia ta perspektyvy rozvytku // Mihratsiia. Informatsiino-analitychna shchomisiachna hazeta. – Lystopad 2012. – No. 129 (Kovalchuk, M. The State Migration Service: stages of its creation and prospects for its development, in: Migration. An informational-analytical monthly, November 2012, Is. 129).

Even though the Government of Ukraine in 2009 instructed the Ministry of Internal Affairs to take measures to create an electronic system for registration of natural persons,¹⁸ only information on foreign passports of Ukrainian citizens from 2007 onwards was stored in an electronic database. It should be noted that citizens may have two foreign passports at the same time, i.e. the number of issued passports does not reflect the number of Ukrainians travelling abroad or those who intend to travel abroad. Moreover, trips to the Russian Federation and Belarus can be conducted using internal passports. Thus, foreign passports statistics are not very informative in terms of the international mobility of Ukrainian citizens.

Thus, the State Migration Service needed to bring the old registration forms in line with the new legislation, organize the filling out of these forms in its newly created units and, at the same time, introduce an electronic registration system. Because the functions of registering natural persons and processing documents were transferred to the State Migration Service from the Ministry of Internal Affairs gradually, this activity was initiated as late as in the second half of 2012. The State Statistics Service decided to develop new forms for collecting data rather than continue using the old forms inherited from the Ministry of Internal Affairs. An order of the Head of the State Statistics Service called for 29 different forms to be developed. However, in the absence of an automated system for registration of natural persons, the task of filling out these forms proved to be extremely challenging. This forced the State Migration Service to refine the forms and opt for their pilot implementation in certain units to begin with. All of this had consequences for the quality of data collection and led to a situation where aggregated data for 2012 on the number of foreigners registered in Ukraine are missing.

The State Migration Service continued its efforts to finalize a list of report forms in 2013. By now, a total of 38 forms have been approved. Most of these forms deal with various aspects of migration registration.

In particular, data on the following are generated on the basis of the State Migration Service's statistical reports:

- foreigners and stateless persons recognized as refugees;
- foreigners and stateless persons recognized as persons in need of complementary protection in Ukraine;
- unaccompanied children who have applied for recognition as refugees or persons in need of complementary protection in Ukraine;
- immigrants registered in Ukraine;
- foreigners and stateless persons temporarily residing in Ukraine;
- persons who have acquired Ukrainian citizenship;
- persons punished for administrative offences under part 1 of article 203 of Ukraine's Administrative Code, illegal migrants and offenders of migration legislation;
- apprehended illegal migrants;
- declaration, loss, withdrawal and cancellation of refugee status or the status of a person in need of complementary protection;
- immigration and permanent residence permits issued;
- temporary residence permits issued and extended;
- Ukraine's fulfillment of international treaties on readmission;
- permits issued to Ukrainian citizens allowing for permanent residence abroad and permits to return to Ukraine.

18 On Measures to Secure the Execution of Some Provisions of the Law of Ukraine "On the State Register of Voters". Cabinet of Ministers Ordinance No.895-r of 17 July 2009. – <http://zakon4.rada.gov.ua/laws/show/895-2009-%D1%80>

Data on refugees and persons in need of complementary protection in Ukraine include their distribution by sex and large age group (0-14, 15-64 and 65 or older). Registration data on unaccompanied children who have applied for refugee status or the status of a person in need of complementary protection in Ukraine include their sex, method of age determination, the agency that detected them, their location and whether a legal representative has been appointed. Records kept by the State Migration Service also include information on persons who have applied to a state migration body to be recognized as a refugee or a person in need of complementary protection. Furthermore, it includes the data on the outcome of processed application and information on persons who have been granted refugee status or the status of a person in need of complementary protection in the report period.

Information on immigrants and immigration, as well as permanent residence permits issued, is disaggregated by individual category (within and beyond the established quota). Information on foreigners temporarily residing in Ukraine and temporary residence permits issued or extended for them is disaggregated by purpose of stay. Information on apprehended illegal migrants is disaggregated by sex, circumstances/grounds of apprehension and decision made in their case. Information on persons against whom proceedings were instituted is disaggregated by type of offence. In contrast, disaggregation of data on the above contingents by sex (with the exception of apprehended illegal migrants) and age is not performed, which is a significant flaw of the administrative statistics generated by the State Migration Service. This practice does not comply with international recommendations.

All data on officially registered foreigners, as well as refugees and persons in need of complementary protection in Ukraine, are distributed by citizenship.

Data on persons who have acquired Ukrainian citizenship include their distribution by previous citizenship and grounds for citizenship acquisition. In contrast, with regard to age, only the contingents of adults and children are singled out. These data are not broken down by sex, which is not in line with international recommendations.

Data on permits for Ukrainian citizens that allow for permanent residence abroad and permits to return to Ukraine are disaggregated by large age groups and country, while disaggregation by sex is not performed.

All forms of State Migration Service reports are filled out on a monthly basis. This is likely needed to account for the activities of the service and its units, but it may also prove problematic if the statistics do not take into account the fact that procedures performed by the State Statistics Service sometimes take several months.

The establishment of a statistical information system in the newly created agency is also hampered by problems related to human resources, technical equipment and, evidently, by the fact that statistics were not a top priority amid countless organizational challenges.

This conjecture can be corroborated, among other things, by the content of the State Migration Service orders on the public information it generates and possesses. The list that determines what information is subject to mandatory public disclosure includes data on the legislative framework, contact information for the service's local offices and other issues, but there is no mentioning of statistics.¹⁹ This list of data is

19 The List of Public Information Generated in the Course of the State Migration Service's Activity, Kept in Its Possession and Subject to Mandatory Public Disclosure. State Migration Service Order No. 222 of 26 September 2013. – <http://dmsu.gov.ua/normatyvna-baza/nakazy-dms-ukrainy/1738-nakaz-dms-ukrajini-vid-26-09-2013-222-perelik-publichnoji-informatsiji-shcho-utvoryuetsya-v-protsesi-diyalnosti-i-perebuvae-uvolodinni-derzhavnoji-migratsijnoji-sluzhbi-ukrajini-ta-pidlygae-obov-yazkovomu-oprilyudnennyyu>

for internal use only,²⁰ and is therefore not subject to disclosure. It includes long-term forecasts and analysis of the migration situation in Ukraine. It also depicts problems faced by refugees and other categories of migrants. Disclosure of this information may, it is claimed, seriously damage national security interests and the state's territorial integrity.

The State Migration Service developed the current forms of reports without consulting with the State Statistics Service. Even though the documentation of the State Statistics Service views them as statistical forms, these forms are not, as of now, agreed upon by the State Statistics Service or registered in the Ministry of Justice. Nor do they include indicators contained in UN recommendations on migration statistics or in Eurostat forms (which were developed in light of these recommendations), including disaggregation of migrants by sex and age. At present, statistics generated by the State Migration Service are not published on its website. (Such publications are currently being considered.) The State Migration Service traditionally shares with the State Statistics Service only the form reflecting the number of refugees, i.e. persons who have obtained refugee status and reside in Ukraine, broken down by country of origin, sex and age. In contrast, information on the number of foreigners permanently or temporarily residing in the country, the number of immigration permits issued, and the number of residence and naturalization permits issued (which are mandatory indicators in migration statistics) is not shared with statistics bodies and are consequently not published in their digests on Ukraine's population.

It is too early to analyze the registration system as it is currently at a nascent stage. At the same time, an analysis of the data collection forms, again revised by the State Statistics Service, provides sufficient grounds for criticism. This pertains also to the data collection systems run by the service's predecessors, i.e. the Ministry of Internal Affairs, and remains relevant today. First, the statistics generated by the State Migration Service, just like departmental statistics in general, are aimed at registering events rather than people (with the exception of refugees, persons in need of complementary protection in Ukraine and unaccompanied children who have applied for refugee status or the status of person in need of complementary protection in Ukraine), which is the reason why some of these statistics are bound to be marred by double counts. Second, these statistics, just like data previously collected by the Ministry of Internal Affairs, are not broken down by important indicators that would help expand our understanding of migration flows. In particular, there is no disaggregation of migrants, naturalized citizens and detected illegal migrants by sex, age and other socio-demographic characteristics, even though this information is extremely important when defining groups to be targeted by the state's migration policy. Third, despite the social significance of the information collected upon registration of natural persons at the place of residence, it is not published on a systematic basis and is available only upon request.

To summarize, the State Migration Service collects a wide range of data on migration flows and contingents of migrants. Data on refugees are sufficiently detailed, while data on foreigners permanently or temporarily residing in Ukraine are not disaggregated by sex and age, which complicates well-founded decision-making with regard to these contingents. The report forms used by the State Migration Service need to be approved by the State Statistics Service. The issue of publishing relevant information on the website of the State Migration Service also needs to be resolved. At present, the Migration Profile of Ukraine is essentially the only way for public disclosure of detailed administrative data gathered by the State Statistics Service. It should also be noted that when the State Committee for Nationalities and Religions was responsible for the registration of refugees, relevant information was published on its website.

20 The List of Data for Internal Use Only in the State Migration Service of Ukraine. State Migration Service Order No. 221 of 26 September 2013. – <http://dmsu.gov.ua/images/files/nakazy/Slugbova.pdf>

3.2. INFORMATION COLLECTED BY THE STATE BORDER GUARD SERVICE OF UKRAINE

The main tasks of the State Border Guard Service of Ukraine, as established by law, are fairly varied.²¹ Border control, allowing passage of persons across the state border of Ukraine and counteracting illegal migration are all directly connected to migration processes. Moreover, the State Border Guard Service performs registration at border checkpoints of foreign nationals and stateless persons arriving in Ukraine in accordance with established procedures (point 6 of article 19) and accepts applications for refugee status or the status of a person in need of complementary protection (point 12 of article 19).

In order to perform its functions, and according to law, the State Border Guard Service is authorized to create and use databases containing information on the following: Persons who have crossed the state border of Ukraine; persons who have committed offences that are under the jurisdiction of the State Border Guard Service; persons who, according to law, are not allowed entry to Ukraine or are temporarily prohibited from leaving Ukraine; invalid, stolen or lost documents for travelling abroad; and in other cases envisaged by the laws of Ukraine (point 10 of article 20).

Pursuant to this norm, the State Border Guard Service created the Hart Information-Telecommunication System. Information on persons who have crossed the state border of Ukraine is entered into a database, which is an integral part of the system, on the basis of IDs presented at border checkpoints and are scanned by automatic ID scanners. According to a State Border Guard Service order on this database, this scanned information is a collection of open-access administrative data. However, these can only be used for official purposes and according to legislation. Data on persons who have crossed the state border of Ukraine are kept in the database for five years.²²

Data are entered into the database immediately during border control and are submitted to the central level. They are generalized and analyzed by the Directorate for Analysis, Risk Assessment and Statistics in the Administration of the State Border Guard Service.

Special units of the State Border Guard Service can collect also other data within the field of their activity. These data are used to help fulfilling their assigned functions, and are not to be submitted to the centralized database.

General data on the number of border crossings (without disaggregation by citizenship, part of the border, etc.) are published on the website of the State Border Guard Service in the section that describes its main activities. In the same section, data on the number of detected illegal migrants and illegal migrants denied entry to Ukraine are published.

Pursuant to a joint order of the State Statistics Service and the State Border Guard Service, the latter shares more detailed information with the former, hereunder a summary report on Ukrainian citizens who have left abroad and a summary report on foreign nationals and stateless persons who have entered Ukraine.

21 On the State Border Guard Service of Ukraine. Law of Ukraine No. 661-IV of 3 April 2003. – <http://zakon4.rada.gov.ua/laws/show/661-15/page>

22 On Approval of the Regulation on the Database “Data on Persons Who have Crossed the State Border of Ukraine”. Order No. 472 of the State Border Guard Service Administration of 25 June 2007. – <http://zakon3.rada.gov.ua/laws/show/z0765-07>

Statistics on border crossings are generated with regard to Ukrainian citizens and foreign nationals separately. They cover both entries and exits of the territory of Ukraine along different stretches of the border (border with Poland, Slovakia, Hungary, Romania, Moldova, Russia, Belarus, as well as the sea and air border). Data on the destination countries of Ukrainian citizens and countries of origin of foreign nationals are also developed.

Exits of Ukrainian citizens and entries of foreign nationals are grouped by purpose of travel, such as business, tourism, private trips and border crossings by professional truckers. As far as foreign nationals are concerned, the new Law “On the Legal Status of Foreigners and Stateless Persons”, which was passed in 2011, spells out the grounds for foreigners’ stay in Ukraine, greatly expanding the list of purposes of entry: Diplomatic, official, business, tourist, private, educational, religious, cultural and sports purposes, as well as immigration, employment and transit.

Information on persons apprehended for illegally crossing the state border and persons denied entry to Ukraine is available upon request. This information is broken down by citizenship and part of the border where the respective administrative action was taken. Information on the grounds for apprehension (illegal border crossing, violation of the rules of stay in the country, etc.), and denials of entry is also available.

To summarize, the State Border Guard Service processes and disseminates fairly varied statistical information. At the same time, the statistical capabilities of the detailed database it has created could be used more broadly, and data that is made public could be more varied.

There are certain limitations to the information collected by the State Border Guard Service. Although the data on the number of border crossings undoubtedly are highly accurate, the data collection on the destination countries of Ukrainian citizens, available documents, i.e. a visa, ticket or tourist voucher, is taken as proof. If no such document is available, for example, when a person is crossing the border, the first country on the person’s itinerary, rather than the destination country, is registered.

The purpose of travel for Ukrainian citizens leaving abroad is determined on the basis of visas, if required. Organized tourist groups or charter flights are considered tourist trips. All other exits are considered as travel for private purposes. Moreover, the forms used for collecting data include a fairly limited list of purposes for crossing the border. It does not mention employment, study, emigration for permanent residence, etc. Therefore, the information value of this indicator is extremely low.

Breakdown by purpose of travel is more detailed in the case of foreigners crossing the state border, but it relies on the type of visa obtained (for citizens requiring one). This is problematic as most foreigners enter Ukraine visa-free. As is the case with Ukrainian citizens, the only source of information about the purpose of travel in the absence of a visa is interviews, which are conducted only with a limited number of travellers.

Statistics on illegal migrants lack some important characteristics, such as sex and age. It is quite possible that illegal migrants and potential illegal migrants who have been denied entry to Ukraine are counted multiple times as one person may commit administrative offences several times. At the same time, it should be noted that, when illegal migrants are apprehended, authorities check whether they have been previously detained. According to State Border Guard Service specialists, the repeat offence rate is currently very low, not exceeding 2-4%. In other words, it does not affect the overall indicators at the border, even though it was much higher in the past years. The situation changed due to legislative amendments adopted in 2011. New laws on

the legal status of foreigners and refugees were passed, increasing the term of detention of illegal migrants to one year, and introducing subsidiary forms of protection for asylum seekers. Moreover, the State Migration Service was created, which was a significant improvement in terms of regulating migration processes.

A serious obstacle to an adequate understanding of the cross-border mobility of the population is the fact that border crossings that are carried out by residents of border regions as visa-free “small border movement” between Ukraine and Poland, Hungary and Slovakia, are not singled out, even though they comprise a significant share of the total number.

When using border statistics to study migration processes, it is also necessary to take into account that what is recorded at the border is the very fact of crossing. However, one and the same person may cross the border several times within one statistical report period.

Despite these limitations, and considering the availability of a detailed automated database, information gathered at the border has significant potential for migration analysis in Ukraine. It is possible to determine, if needed, who left abroad, returned or failed to return to Ukraine and when. For example, when the early parliamentary election was held in 2007, border guards were registering voters' entries and exists. At present, according to the Law “On the State Border Guard Service of Ukraine” (article 23-1), the State Border Guard Service provides data from its databases on persons who, while on unemployment pay, crossed the state border of Ukraine. It also provides data on persons who went abroad in response to requests from either the Fund of Mandatory State Social Security Against Unemployment or a central executive authority implementing state policy on labor relations and the social security of the population. At the same time, data in the information system are personalized and not intended to be used for statistical purposes. Nevertheless, having the necessary information at hand, it would theoretically be possible to quite accurately determine how many citizens are absent from the country at a given moment in time, how long they have been absent and how many foreign nationals are located inside the country. In other words, much more precise information about the number of migrants and duration of migration could be obtained. However, such functions can only be performed if the requisite legislation, software and personnel, along with adequate financing, are available.

3.3. DATA COLLECTED BY THE STATE EMPLOYMENT SERVICE OF UKRAINE

Pursuant to the Law of Ukraine “On the Employment of the Population”,²³ which entered into force on 1 January 2013, an institution responsible for implementing state policy on the employment of the population and labor migration was created within the system of Ukraine's central executive authorities. Despite the fact that Ukraine's legislation for the first time stipulated the creation of a specialized body in the field of labor migration, the list of its functions outlined in the Law mentions labor migration only in connection with international cooperation. At the same time, the Law grants this institution the authority to issue permits to employers to employ foreign nationals and stateless persons, and keeps records of these permits (point 17, part 2 of article 22). This agency also keeps records of business entities that provide employment services,

23 Law of Ukraine “On the Employment of the Population”. – <http://zakon4.rada.gov.ua/laws/show/5067-17>

including foreign employment services. It should be noted that, according to paragraph 2 of point 1 of the Regulation on the Ministry of Social Policy approved by President of Ukraine Edict No.389 of 6 April 2011, the Ministry of Social Policy is the main body in the system of the central executive authorities responsible for forming and securing the implementation of state policy on labor migration. According to point 32 of article 9 of the Law “On Licensing Certain Types of Business Activity”, intermediary services in foreign employment are subject to licensing as a type of business activity. Businesses providing employment services must submit data on the number of persons they have employed to the territorial bodies of the central executive authority implementing state policy on the employment of the population and labor migration (point 4, part 4 of article 36). In accordance with the law, the procedure for submitting Form No.1-PA “Information about the Number of Persons Employed Via Businesses Providing Intermediary Employment Services” was approved by an order of the Ministry of Social Policy, which was agreed upon by the State Statistics Service and social partners. It was also registered in the Ministry of Justice of Ukraine.

According to a presidential decree,²⁴ the reorganized State Employment Service of Ukraine is the central executive authority ensuring the implementation of state policy on employment and labor migration. The regulation on the service, which was approved by this edict, outlines its functions. In particular, the State Employment Service carries out the following tasks: Creates and maintains records of businesses providing intermediary employment services; secures the collection of data on the number of persons employed via such businesses; issues permits to employers to use the labor of foreign nationals and stateless persons; keeps records of such permits.

Thus, statistical data collected by the State Employment Service in the field of migration are related to businesses providing intermediary foreign employment services, persons employed abroad via these businesses and permits issued to employers to use the labor of foreigners. (Moreover, the State Employment Service licenses this type of business activity and conducts checks on conformity with license requirements.) This information is collected biannually using Form 1-TM “Report on the number of Ukrainian citizens temporarily working abroad” and Form 3-TM “Report on the number of foreigners temporarily working in Ukraine”.

Form 1-TM contains the following fields: Country of employment, sex, age, type of economic activity, category of workers (hired worker, contract worker, seasonal worker, etc.), education, duration of work and the region of residence in Ukraine.

The data collected by the State Employment Service pertain only to Ukrainian citizens employed abroad who have used the services of licensed intermediaries. Their estimated number does not exceed 2% of the migration flow, because the majority of migrant workers seek employment abroad on their own or using informal personal contacts (migration networks). Thus, these data describe not so much outgoing labor migration as the economic activity of licensed intermediaries. Unfortunately, they fail to reflect not only quantitative, but also structural characteristics of migrants. The reason is that most Ukrainians employed abroad via employment agencies are sailors, a distinct group of migrant workers. That is why the integrated indicators of sex, age, education, region of origin and destination country are skewed here and in no way reflect the characteristics of labor migration in general.

Annual data generated by the State Employment Service show the number of services provided rather than the real absence of workers in Ukraine. Firstly, not everyone may have used these services. Secondly, end-

24 On the State Employment Service of Ukraine. President of Ukraine Decree No.19/2013 of 16 January 2013. – <http://zakon4.rada.gov.ua/laws/show/19/2013>

of-year data include those who have already returned (most contracts are for up to six months) and those who continue working.

Statistics on foreign workers employed in Ukraine are generated based on reports submitted by employers that have permits to employ foreigners. Data on foreigners in Form 3-TM reports are broken down by country of citizenship, sex, age, duration of employment and category of workers (hired, contract or seasonal workers), type of economic activity, ownership type and type of workplace (blue-collar, office and unskilled workers). Statistical reports contain data on the number of foreign workers at the beginning and end of the report period, as well as on the number of foreign workers who have left/arrived (what is recorded is not the entering or exiting Ukraine, but the beginning or end of registered labor activity in Ukraine). The form also contains information on the number of foreigners who have received work permits. In reality, this is the number of issued permits rather than their recipients, but because permits are issued for one year, the likelihood of double counts is minimal. It should be noted that Ukraine's legislation that specifies the circumstances under which employers may use the labor of foreigners is fairly simple in terms of practical application. It is also transparent in comparison with analogous legal acts in other countries. Furthermore, it complies with the main international norms and is essentially in line with the EU legislation.

Data collected via all these forms are shared with the State Statistics Service and can be provided to users upon request by both agencies. It should also be noted that these kinds of data have been collected for a long time now (since 1996). According to State Employment Service specialists, Forms 1-TM and 3-TM are now outdated, so action is taken to revise them, but the existing forms will remain in use until new ones are developed and approved.

To summarize, data generated by the State Employment Service are at present the only source of information about the labor migration of foreigners to Ukraine, particularly concerning the number of work permits issued. However, these data do not cover all foreigners employed in Ukraine as refugees and foreigners who have permanent residence permits enjoy the right to work on an equal footing with Ukrainian citizens and do not require work permits. Moreover, foreigners employed in the informal sector of the economy fall outside the scope of statistical reports.

Data generated by the State Employment Service on Ukrainian citizens temporarily working abroad cover only those who have been employed via official intermediaries. Most of them are Ukrainian sailors working on foreign vessels. While the statistical coverage of sailors is high, it is very low with regard to other categories of Ukrainian migrant workers. However, it is currently impossible to obtain data separately about sailors and other categories of migrant workers.

3.4. DATA COLLECTED BY THE MINISTRY OF EDUCATION AND SCIENCE OF UKRAINE

Ukraine is a fairly popular destination on the international education services market, and foreign immigration for the purpose of study is becoming increasingly important for the migration situation in the country. It helps developing the education sector, establishing international connections and to improve Ukraine's image

on the international arena. At the same time, the education channel of immigration is sometimes exploited to enter the country for a different purpose, which is why it is closely monitored in the context of counteracting illegal migration. In order to perform such monitoring and plan further expansion of education services offered to foreigners, it is extremely important to keep records of foreign students and compile statistics, including aggregated data on their composition, location and university majors.

State statistics on foreigners studying in Ukraine are currently based on Form No. 2-3 nk “Report of a higher education institution as of the beginning of an academic year” which is submitted by all higher education institutions regardless of the agency they are subordinated to. PhD and doctoral students are reported using Form No. 1-nk “Report on the work of *aspirantura* and *doktorantura* departments” (i.e. the departments for PhD and doctoral students). Reports are submitted by universities in paper form to the respective local state statistical agencies. At the state level, accumulated information on foreigners studying in Ukraine is disaggregated by accreditation level of higher education institutions, region of the country and the authority to which an education institution is subordinated. These data are published by the State Statistics Services in its bulletins “The main indicators of the operation of higher education institutions in Ukraine” and “Training scientific personnel”. However, the State Statistics Service does not publish data on the citizenship of foreign students, their fields of study, etc.

The Ministry of Education and Science of Ukraine possesses more detailed data on foreign students, as it is responsible for establishing the procedure for recruiting foreigners and stateless persons for studies in Ukraine. It is also responsible for monitoring the compliance of Ukrainian education institutions regardless of their ownership and governing agency and for maintaining records of such persons.²⁵

The Ministry of Education and Science’s records are based on lists submitted by education institutions. They contain personal data, such as the name, country of citizenship, date of birth and sex, as well as data on enrollment, month and year of planned graduation, form of studies, field of study or major and the form of financing. These lists are based on student cards. Lists are submitted to the Ministry twice a year – at the beginning of an academic year when new students are enrolled (in November), and at the end of an academic year when graduates are discharged (in June).

Since January 2014, the submission, accumulation and processing of data on foreign students in Ukraine have been carried out electronically. According to an order issued by the Ministry of Education and Science²⁶, the Ukrainian State Center for International Education, a state company subordinated to the Ministry, is responsible for registering invitations for studies/internships issued by education institutions to foreigners and stateless persons. It also keeps records of persons who have come to Ukraine for the purpose of study. The Center commissions and administers an electronic register, i.e. an electronic database on foreign students in Ukraine, which is now functioning and is being gradually filled with information. Its purpose is to secure accurate and transparent information on the activities of education institutions providing education services to foreigners and businesses providing intermediary student recruitment services, in particular with regard to foreign students in Ukraine.

25 Issues of the Ministry of Education and Science of Ukraine. President of Ukraine Decree No. 240/2013 of 25 April 2013. – <http://zakon2.rada.gov.ua/laws/show/240/2013/paran100#n100>

26 Certain Issues of the Organization of Recruitment and Study (Internship) of Foreigners and Stateless Persons. Ministry of Education and Science Order No. 1541 of 1 November 2013 registered in the Ministry of Justice of Ukraine on 25 November 2013 under No. 2004/24536. – <http://zakon2.rada.gov.ua/laws/show/z2004-13>

Even though the recruitment procedure varies, data on all foreigners studying in Ukraine are entered into the database. Those who reside permanently in the country or have refugee status enjoy the same rights to education as Ukrainian citizens.

The recently launched database is designed to reflect the main stages of studying migrants' stay in Ukraine. Firstly, an invitation to study in Ukraine is issued. It is prepared by an education institution based on an evaluation of the documents submitted by the applicant and the results of an interview (if one is conducted). The applicant's personal data (name, surname and patronymic in Ukrainian and in Latin characters), country of citizenship, country permanent residence, date of birth, sex, passport data, country of entry visa application and education level) and electronic copies of the respective documents are submitted to the electronic register by education institutions. The register also contains information on the education institution where the applicant plans to enroll, field of study, year of study and the intermediary that helped recruit the student. Submitted data and documents (scanned copies) are checked by the Ministry of Education and Science's Center for International Education and then, if found to comply with legal requirements, a registration number is assigned to the letter of invitation. Upon receiving this number, the education institution prints out the letter of invitation and sends it to the applicant.

This registration number is used to identify a particular student throughout his or her studies in Ukraine. It serves as the basis of records for this student. Firstly, this rules out double counts. For example, if a person applies to several higher education institutions asking for an invitation to come to Ukraine, the system will automatically refuse to issue a registration number and a repeated invitation to the same person. Secondly, and more importantly, a centralized electronic registration system limits room for abuse and exploitation of invitations to study in Ukraine in order to enter its territory for purposes other than study. It is no secret that the number of invitations for study used to be much higher than the actual number of arriving foreign students. However, visa support currently provided by the Ministry of Education and Science to foreign students (the data on issued invitations are sent to the relevant diplomatic institutions of Ukraine abroad) is only possible for invitations with an assigned registration number.

The next stage for a foreign student is to enter Ukraine and arrive at his or her education institution. An order on the enrollment is then issued. According to the procedure of organizing the recruitment and training of foreigners, the education institution informs border guards on the details of the invited foreign students' arrival and on authorized persons who will meet and accompany them to the education institution. As a foreign student enters Ukraine, he or she must carry the original of the issued invitation, and the number must be the same as indicated in the information received by the border guards. This serves to confirm the foreigner's intention to study in Ukraine. Detachable slips from the invitations are kept at the border checkpoint and are sent to the Center for International Education once every two weeks. Information on a foreign applicant crossing the border is manually entered into the electronic register. So far, direct connection to the database on border crossings, which is maintained by the State Border Guard Service, has not been possible. A mechanism of interaction needs to be jointly developed and fixed in a normative act in order to make it possible.

The key stage of a foreigner's stay in Ukraine is the period of studies. The electronic register reflects enrollment, studies in a preparatory department (if necessary), transfers (if any) to other education institutions and, finally, the completion of studies or end of studies for other reasons. Scanned copies of the relevant orders are attached. However, the register does not record the registration of a student by the State Migration Service and his or her receipt of a temporary residence permit. Even if this is in line with the legislation, a higher educa-

tion institution must register its foreign students, and temporary residence permits are issued for one year. A foreign student must have his/her residence permit extended several times during the study period.

The last stage reflected in the database is exiting the country. Upon completing studies, a foreigner has 45 days to leave the country. After it issues an order removing a foreigner from its student list, a higher education institution must inform the State Migration Service, which then annuls his/her residence permit. However, information exchange with the State Migration Service and border guards on deregistration and the actual exit of foreigners is not envisaged, and the Ukrainian Center for International Education does not have legislative grounds for obtaining such data.

Data are entered into the centralized database locally, and higher education institutions have free access to the information they have entered. After a student is disenrolled, information about him/her will be kept in the database archive. This is important in order to prevent abuse in the field of education migration, such as if a student who has successfully graduated from a higher education institution again applies to a preparatory language department, or if a student “studies” at various preparatory faculties for years, i.e. exploiting the student status in order to stay in the country without the genuine intention of studying in Ukraine.

Due to the fact that the database on foreign students became operative only in January 2014, the first data that were entered concerned invitations sent to foreign students, and those students who had already arrived. Nevertheless, higher education institutions are gradually filling the register with information on all the foreign students they have. As of the end of March 2014, the database already contained some 40,000 entries, and data entry is scheduled to be completed in the near future.

To summarize, when data entry and information verification are completed, the database will make it possible to generate statistics on foreign students in Ukraine broken down by any characteristic entered into the electronic register, and to obtain accurate and detailed data on this category of migrants. However, this information will be limited to the time during which a foreigner stayed in Ukraine with the student status. At present, the electronic register does not provide information on how many foreign students have left the country upon disenrollment, and how many that stayed behind in Ukraine by changing their legal status or even lacking legitimate grounds for staying. Closer cooperation between the Center for International Education, the State Migration Service and the State Border Guard Service needs to be urgently established. The mechanism of their interaction needs to be formalized through legislation in order to supplement the database on foreign students with data on residence permits, exits from the country or changes of residence status.

The successful operation of the electronic register as the most accurate, complete and detailed source of information on foreign students in Ukraine can be used for further improving state statistics in the field of education, particularly with regard to foreign nationals studying in Ukraine.

4. INDIRECT MIGRATION DATA

In order to better understand migration, one can also turn to other administrative sources that are not directly linked to migration processes. If they contain data about a person's place of birth and citizenship, they can theoretically be used for migration evaluation. Such data can significantly supplement traditional migration statistics.

4.1. CONSULAR REGISTRATION AND VISA PROCEDURES

The Ministry of Foreign Affairs is responsible for registering Ukrainian citizens living or staying abroad, and for issuing visas to foreigners that wish to enter Ukraine.

According to the Law of Ukraine "On Freedom of Movement and Free Choice of the Place of Residence in Ukraine",²⁷ records on citizens abroad are kept by Ukraine's foreign diplomatic missions (article 6). The registration procedure is established by the Ministry of Foreign Affairs,²⁸ and takes the form of consular registration in accordance with regulations developed by the Ministry of Foreign Affairs.²⁹ These regulations stipulate that a Ukrainian citizen permanently residing or temporarily staying abroad is registered by Ukraine's foreign diplomatic missions. This is done through data entry into a registration card (on paper) and electronic registration maintained by the respective foreign service mission, as well as affixing a stamp in the person's passport. There is no centralized register of Ukrainian citizens residing or temporarily staying abroad.

Consular registration may be performed on a permanent basis and cover citizens permanently and legally residing abroad, or it may be of a temporary nature and cover citizens legally staying in foreign countries for over three months. Children adopted by foreign nationals are registered separately as the Ministry of Foreign Affairs and its consular service perform registration and rights monitoring with regard to Ukrainian children adopted by foreign nationals until they reach the age of 18, under the Family Code of Ukraine (article 287).³⁰

When a registration card is issued by a consular mission to a Ukrainian citizen, the following personal data are entered: Name, surname, patronymic, date and place of birth, passport document details, place of residence abroad, last place of residence in Ukraine, purpose of stay abroad, document confirming the legality of stay in a foreign country (including its validity period) and since what date the citizen has permanently resided abroad. A card used for temporary consular registration has approximately the same

27 Law of Ukraine No. 1382-IV "On Freedom of Movement and Free Choice of the Place of Residence in Ukraine" of 11 December 2003. – <http://zakon4.rada.gov.ua/laws/show/1382-15>

28 On the Regulation about the Ministry of Foreign Affairs of Ukraine. President of Ukraine Decree No. 381/2011 of 6 April 2011. – <http://zakon4.rada.gov.ua/laws/show/381/2011>

29 On Approval of Regulations on Consular Registration by the Diplomatic Institutions of Ukraine with Regard to Ukrainian Citizens Permanently Residing or Temporarily Staying Abroad and Child Citizens of Ukraine Adopted by Foreigners or Ukrainian Citizens Permanently Residing Abroad. Ministry of Foreign Affairs Order No. 337 of 17 November 2011. – <http://zakon4.rada.gov.ua/laws/show/z1458-11>

30 Family Code of Ukraine. Law of Ukraine No. 2947-III of 10 January 2002. – <http://zakon1.rada.gov.ua/laws/show/2947-14>

structure, but it also contains data on the term according to which a person has been registered in a foreign diplomatic mission. Thus, data drawn from consular registration could greatly enrich information about Ukrainian migrants abroad.

However, consular registration is not mandatory. Moreover, foreign diplomatic missions may be located far from where Ukrainians reside abroad, making it hard, expensive and time-consuming for them to travel to these institutions. Ukrainian citizens are still reluctant to use the mail services for submitting documents for consular registration in the foreign country they reside. While temporary consular registration is free of charge, a fee is charged for permanent consular registration, which is another disincentive for Ukrainian citizens to register at consulates. Temporary consular registration is opened for the duration of a visa/permit of stay, i.e. a student or worker who has a temporary visa/permit must renew his/her consular registration when they have their permit extended. This creates additional problems. Persons illegally staying in a foreign country cannot be registered by consulates. As a result of all of these circumstances, only a fraction of Ukrainian citizens staying abroad are on record in Ukrainian consulates. Consular service specialists estimated the number to a mere 508,000 in late 2013, which is no more than 15% of Ukrainian citizens residing or staying abroad. Considering that 431,000 persons had permanent registration and a mere 77,000 (students and workers)³¹ had temporary registration, it is clear that temporary migrant workers, who comprise the majority of Ukrainians abroad, remain unregistered.

The exception here is the registration of children adopted by foreigners. According to law, an adoptive parent must have the Ukrainian child registered in a consulate, periodically provide Ukraine's diplomatic institution with information on the living and education conditions of the child and provide the consular staff with an opportunity to speak with the child. Consular service specialists believe that 95-98% of children adopted abroad are registered in consulates. (The remaining 3-5% are those whose adoptive parents have changed their address of residence but have yet to notify a Ukrainian consulate.) The total number of such children exceeds 20,000.

Ukrainian citizens are even less interested in consular deregistration than they are in registration, so entries about those who have already returned to Ukraine frequently remain in the registers of Ukraine's diplomatic missions. Therefore, foreign diplomatic missions normally deregister Ukrainian citizens based on the expiration date of the stamp in their documents. It is possible to deregister Ukrainian citizens who have permanent consular registration but have returned to permanent residence in Ukraine based on their applications (to register at the place of residence or obtain a passport) to State Migration Service units at the place of residence in Ukraine. These units then inform the Ministry of Foreign Affairs' Department of Consular Service about the need to deregister a given person. The department, in its turn, informs the relevant foreign diplomatic mission.

Data on the activities of consulates, including consular registration, are processed statistically and provided to the Ministry of Foreign Affairs' Department of Consular Service in a special form on a quarterly basis. The form specifies the number of persons (adults and children) who, at the moment of the report's making, were

31 Robota diplomatychnykh ta konsul'skykh ustanov za kordonom u sferi zabezpechennia prav ta interesiv trudovykh mihrantiv // Materialy do komitetskykh slukhan "Normatyvne rehuliuвання zovnishnioii trudovoi mihratsii v konteksti yevrointehratsii" 20 lystopada 2013r., Kyiv, VRU. (The activities of diplomatic and consular institutions abroad to secure the rights and interests of migrant workers, in: Proceedings of Committee Hearings "Normative regulation of external labor migration in the context of European integration" on 20 November 2013. Kyiv, Verkhovna Rada of Ukraine.

on permanent and temporary consular registration (adjusted for the number of deregistered persons), and the number of newly registered citizens (adults and children) in the report period.

Moreover, starting from 2013 the form contains information on the number of Ukrainian citizens staying in a particular country. This number is generated based on data collected by the authorities of this country, as well as estimations of the real (inclusive of illegal migrants) number of Ukrainians, which are generated using a variety of data from the diplomatic missions (the number of applications and consular actions, police data on detentions, information from NGOs, various meetings, contacts with experts, etc.)

Data received from diplomatic missions abroad are processed and analyzed by the Department of Consular Service of the Ministry of Foreign Affairs. Among other things, a summary table on all diplomatic missions is created, and data on periods are accumulated, showing the dynamics of citizen registration.

These data are not shared with the State Statistics Service and are not published systematically. They are made public primarily in presentations and interviews given by officials and are available only upon request. At the same time, monthly data on consular registration/deregistration, as well as changes of personal data or the place of residence abroad, are submitted to the State Voter Register. This register, in turn, facilitates constant updating of consular registration data.

Visa statistics reflect primarily the arrival of visitors (trips up to three months in duration) rather than migrants. Moreover, foreigners cross Ukraine's borders without visas in most cases. This is of the case for citizens of the CIS countries, the EU states, the USA, Canada, Japan, Switzerland, Brazil, Argentina, Turkey, Israel and a number of other countries. The list of countries whose citizens are not required to obtain a visa in order to enter Ukraine has been expanding, causing a progressive decline in the number of entry visas issued by Ukrainian consulates: 157,500 visas in 2001, 116,000 in 2012 and 100,000 in 2013. However, visa statistics can be important in connection with the study of migration from the "high migration risk" countries.

Databases on visas are only kept locally by the respective consular missions. A unified database is planned to be created in 2014. To this end, outdated software needs to be replaced as it currently hampers a seamless information exchange with other agencies, primarily with the State Border Guard Service.

Accumulation and comparison of data on visas is complicated due to the fact that the visa categories have changed. There used to be more than 20 different types of visas, but the Ukrainian government replaced these with just three – short-term, long-term and transit – in 2011.³² At the same time, the Ukrainian visa stickers contain codes showing the purpose of travel. For example, a short-term visa may be issued for a private, business or tourist trip, or for other purposes subsumed under the "other" category. Long-term visas are divided into 12 subtypes (in accordance with the grounds for staying in Ukraine as defined by the Law "On the Legal Status of Foreigners and Stateless Persons"), each of which has its own code. New software should be able to sort visa information by these codes. This is not possible at present.

Even though both year of birth and sex are indicated in visa applications, data on issued visas is not broken down by these indicators. Nor are there plans to introduce this kind of disaggregation as the consular service does not deem this information important.

32 On Approval of the Procedure of Issuing Visas for Entry to Ukraine and Transit Via Its Territory. Cabinet of Ministers Regulation No. 567 of 1 June 2011. – <http://zakon2.rada.gov.ua/laws/show/567-2011-%D0%BF>

Visa statistics are available upon request, but are not published or shared with the State Statistics Service.

To summarize, consular registration, as well as data received from Ukraine's diplomatic and consular missions abroad, on the actual number of Ukrainian citizens in respective countries (based on registers for these countries and expert estimations) can help evaluate the volume of Ukrainian emigration. Data on visas issued to foreigners only partially provide an overview over entries to the country as the majority of arriving foreigners are exempt from the visa regime. Nevertheless, these data could be useful for analyzing arrivals from the "high immigration risk" countries. To this end, better access to these data should be secured. In particular, they should be published on the website of the Ministry of Foreign Affairs.

4.2. SPECIALIZED REGISTERS

In order to fully fulfill their functions, a number of ministries and agencies in Ukraine have created several automated registers concerning population data, including citizenship and the place of residence. This can theoretically, and under certain conditions, be used as a source of information on migratory movements.

4.2.1. STATE REGISTER OF INDIVIDUAL TAXPAYERS

The State Register of Individual Taxpayers (previously the State Register of Natural Persons Paying Taxes and Other Mandatory Payments) is the oldest specialized register in Ukraine. It was created in 1996 pursuant to the Law of Ukraine "On the State Register of Natural Persons Paying Taxes and Other Mandatory Payments", which became invalid with the passage of the Tax Code in 2011, which provides the legal framework for the daily operation of the Register (chapter 6, article 70).³³ The Register's purpose is to ensure a unified state system of records on natural persons who must pay taxes and duties, and make other mandatory payments or contributions to specialized state funds. Information entered into the Register covers persons who are citizens of Ukraine, foreign nationals or stateless persons permanently residing in Ukraine, as well as foreign nationals or stateless persons who do not have a permanent place of residence in Ukraine but, according to the legislation, are obliged to pay taxes in Ukraine or are founders of legal entities on the territory of Ukraine. Natural persons are registered at their officially registered place of residence/stay (in the case of non-resident foreign nationals) on the territory of Ukraine.

Registration is based on the individual taxpayer card (Form No. 1 DR), which must be signed by the taxpayer and submitted to a state tax service body³⁴.

The individual taxpayer number remains attached to a person for life.

³³ Tax Code of Ukraine. Law of Ukraine No. 2755-IV of 2 December 2010. – <http://zakon4.rada.gov.ua/laws/show/2755-17/page9>

³⁴ This procedure is outlined in the Regulation on the Registration of Natural Persons in the State Register of Individual Taxpayers approved by Ministry of Revenues and Duties Order No. 779 of 10 December 2013 and registered in the Ministry of Justice under No. 2211/24732 on 26 December 2013 (On Approval of the Regulation on the Registration of Natural Persons in the State Register of Individual Taxpayers. Ministry of Revenues and Duties Order No. 779 of 10 December 2013. – <http://zakon2.rada.gov.ua/laws/show/z2211-13>)

Records on natural persons who, due to their religious beliefs, refuse to be assigned a registration number are kept in a separate register, which forms a part of the State Register. This information includes such data as surname, name, patronymic and passport series and number. These persons comprise less than 3% of the population. They do not significantly affect the overall data on the number and composition of taxpayers.

The individual taxpayer card includes the following data: Surname, name, patronymic, date of birth, identification document data, place of birth (country, oblast, raion and populated area), place of residence and citizenship (for foreigners). The information basis of the register also contains data on the source of income.

An individual taxpayer must inform state tax service bodies of changes in the data entered into their card. According to point 1 of article 119 of the Tax Code, failing to submit data to the State Register of Individual Taxpayers, or violating the submission procedure, entails an 85-hryvnia fine. In cases where the same violation is taking place twice within a year after the first violation, a 170-hryvnia fine is issued.

The access to information collected in the register is limited, and is used by controlling bodies in order to keep records on taxpayers. At the same time, information on natural persons who register as entrepreneurs is entered into the register and published at a state registration web portal. It is thereby made accessible free of charge.

The register accumulates information on all businesses and how they pay taxes. It also obtains information from the territorial bodies of the State Migration Service (previously from the bodies of the Ministry of Internal Affairs) regarding citizens who have arrived in / left from a raion or city, as well as from register offices about deceased citizens.

The State Register on Individual Taxpayers contains information on virtually the entire adult population of Ukraine. Data on minors who are obliged to pay taxes are also entered into the Register.

Theoretically, the Register could be a useful source of information on the internal movements of the population as workers pay taxes at the place of work rather than at the registered place of residence. The Register could also provide information on Ukrainian citizens who have left abroad and foreigners that have arrived in Ukraine. It contains data on the activities and sources of income of foreigners residing in Ukraine, which could prove helpful in studying the effects of migration on the economic development of the country. However, these data are not processed or published in this context.

4.2.2. STATE REGISTER OF THE CIVIL STATUS ACTS OF CITIZENS

The register that contains the largest amount of demographic data is the State Register of Civil Status Acts of Citizens. It is run by the State Registration Service of Ukraine, and was created pursuant to President of Ukraine Decree of 9 December 2010. According to a regulation concerning the State Registration Service,³⁵

35 On Approval of the Regulation on the State Registration Service of Ukraine. President of Ukraine Decree No. 401/2011 of 6 April 2011 – <http://zakon4.rada.gov.ua/laws/show/401/2011>

this service is the main body in the system of the central executive authorities on the implementation of state policy in the following areas: State registration of civil status acts, real property rights, legal entities, individual entrepreneurs, etc.

The activity of the State Registration Service is supervised by the Government through the Minister of Justice of Ukraine. The Minister of Justice exerts his authority directly and through the special structural units in the local directorates of the Ministry of Justice that are responsible for the registration. The Information and Resource Center, a government-owned company run by the State Registration Service, is responsible for the technical administration of registers.

In accordance with the legislation, the State Register of Civil Status Acts of Citizens is a unified computer database that contains information on civil status acts, changes and additions made in them, issued certificates of state registration of civil status acts and extracts from the Register.³⁶

In accordance with the Law of Ukraine “On the State Registration of Civil Status Acts”³⁷, it is mandatory to enter into the Register data on the birth of a person and his/her origin, adoption, deprivation and restoration of parental rights, marriage, divorce, change of name and death. This information is entered into the system by units of the Ministry of Justice, executive bodies of village and settlement councils, and Ukraine’s diplomatic missions abroad. Information from previous years, which is kept in civil status acts registration books and birth registers kept in archives (according to the law, these data are kept for 75 years), is entered into the register gradually.

Since 1993, data entered into the register contain citizenship information. Considering the availability of such data, the State Register of Civil Status Acts could be used to analyze demographic processes among foreigners. In particular, data on the citizenship of parents, coupled with data showing how many more children the mother has, can provide useful information in studying the demographic behavior of immigrants. However, this only concerns those who have not yet acquired Ukrainian citizenship. Marriage registration records not only citizenship, but also the place of birth. This makes it possible to identify naturalized citizens. However, it should be borne in mind that those born abroad may include not only foreigners who later acquired Ukrainian citizenship, but also Ukrainian citizens by birth. Death registration records specify citizenship, the place of birth, sex, age and the cause of death. However, death can be registered even if the deceased does not have a passport document. In such cases citizenship is not indicated.

Entries in registers of acts contain data on the citizenship, but not the status, of foreigners. This makes it impossible to break down demographic information by legal status. Moreover, receiving such information from the State Register of Civil Status Acts is only a potential possibility as its records are not used for migration research. It should also be noted that although this is theoretically possible, personal information recorded in the register is confidential. Access to this information is therefore restricted.

36 On Approval of the Procedure of the Maintenance of the State Register of Civil Status Acts of Citizens. Cabinet of Ministers Regulation No. 1064 of 22 August 2007. – <http://zakon2.rada.gov.ua/laws/show/1064-2007-%D0%BF>

37 On the State Registration of Civil Status Acts. Law of Ukraine No. 2398-VI of 1 July 2010. – <http://zakon2.rada.gov.ua/laws/show/2398-17>

4.2.3. UNIFIED STATE REGISTER OF LEGAL ENTITIES AND INDIVIDUAL ENTREPRENEURS

Another register run by the State Registration Service that contains potentially helpful data when studying migration processes, is the Unified State Register of Legal Entities and Individual Entrepreneurs. This is an automated system designed to collect, accumulate, protect and provide information obtained in accordance with the Law of Ukraine “On the State Registration of Legal Entities and Individual Entrepreneurs”.³⁸ This register has been operative since 2004. It consists of a central system and automated workplaces of state registrars that are set up in state registration bodies. The state registration of Legal Entities and Individual Entrepreneurs is performed in 581 registration offices.

The registration card forms were approved through an order of the Ministry of Justice.³⁹ Information on a private entrepreneur entered into the register includes the following: Citizenship, place of residence and the individual taxpayer number. The card also contains information on the type of business activity.

Information entered into the register is published in a special bulletin. It is also published on the official website of the State Registration Service. This information is kept for 75 years since.

Information from this register is provided upon request in the form of an abstract, extract, statement, or even a database if requested by executive authorities for the purpose of fulfilling their functions as established by law. In particular, data are shared with the State Statistics Service.

Statistical processing of data concerning the citizenship of entrepreneurs is not performed as it is not one of the goals of the State Registration Service. Hypothetically, however, the register’s entries would permit identifying foreign entrepreneurs and obtaining a distribution by citizenship and type of activity. This would facilitate the analysis of foreigners’ business activity in Ukraine, as well as the assessment of the effects of migration on the national economy. However, this information would not cover immigrants who have already acquired Ukrainian citizenship.

4.2.4. UNIFIED STATE REGISTER OF COURT DECISIONS

Certain data on the migration of the population can also be found in the Unified State Register of Court Decisions. This database, which was created pursuant to the Law of Ukraine “On Access to Court Decisions”,⁴⁰ is designed to include all the decisions of the courts of general jurisdiction. The register has been operative since 2010 when courts gradually started adapting an electronic document work flow.

The State Court Administration decides what data should be entered into the register. A Cabinet of Ministers order outlined the form of an electronic information card, which is attached to an electronic copy of a court

38 On the State Registration of Legal Entities and Individual Entrepreneurs. Law of Ukraine No. 755-IV of 15 May 2003. – <http://zakon4.rada.gov.ua/laws/show/755-15>

39 On Approval of the Forms of Registration Cards. Ministry of Justice Order No. 3178/5 of 14 October 2011. – <http://zakon4.rada.gov.ua/laws/show/z1207-11>

40 On Access to Court Decisions. Law of Ukraine No. 3262-IV of 22 December 2005. – <http://zakon4.rada.gov.ua/laws/show/3262-15>

decision.⁴¹ The card includes data on the court and judge who made the decision, the date when the decision was delivered, the date of entry into force and the names of the parties in the litigation.

Information from the register is shared with the State Statistics Service and is accessible via the internet. Data identifying a person are in these documents replaced with alphanumerical designations. In addition to the public section, the register also has a closed section accessible only to judges.

Court decisions do mention the citizenship of defendants, but statistics contain distributions only of Ukrainian citizens and nationals of other countries. Stateless persons are included in the latter category. The citizenship of victims is not specified. Moreover, data on victims are not always added to the case, so information on victims contained in the register is incomplete.

Data in the State Register of Court Decisions do not directly pertain to migration, but as they do provide information on citizenship, they can in fact be used to evaluate the crime component of migration processes and their effect on public order in the country.

4.2.5. STATE REGISTER OF VOTERS

The State Register of Voters is one of Ukraine's biggest state registers and has been recognized as one of the most successful. This is an automated information-telecommunication system (database) created to secure records on citizens with the right to vote.⁴² The Register has been operative since March 2009, and is administered by the Central Election Commission.

The Register contains information on citizens aged 18 or older, i.e. over 80% of the country's population. It records a voter's surname and name, date and place of birth, place of residence/stay (election address), all changes of the voter's name and place of residence and the date of acquisition of Ukrainian citizenship. Records about deceased persons and those who have lost Ukrainian citizenship are kept in the Register for five years.

The Register was established based on existing local lists of voters. Data from these lists were refined when deemed necessary. This was done through various means, such as sending out notices to all citizens recorded in the Register with a request to correct their personal data.

Every election involves a total refinement of the Register. This is due to the fact that citizens prior to elections have an opportunity to request being included in the lists of voters, as well as to correct their personal data if their election address has changed. This, however, is not reflected in the Register.

Data in the Register are updated on a monthly basis between elections. Special attention is paid to ensuring completeness and correctness of entries. The system automatically searches for duplicates and incorrect entries, which are then checked manually by the staff.

41 On Approval of the Procedure of Maintenance of the Unified State Register of Court Decisions. Cabinet of Ministers Regulation No. 740 of 25 May 2006. – <http://zakon4.rada.gov.ua/laws/show/740-2006-%D0%BF>

42 On the State Register of Voters. Law of Ukraine No. 698-V of 22 February 2007. – <http://zakon1.rada.gov.ua/laws/show/698-16>

The entry of a place of residence in the Register does not necessarily depend on a person being registered at a certain address. Although a voter's election address normally coincides with his/her registered place of residence, it may also be established based on the place of actual residence. Documents confirming this can be certificates issued by a housing and maintenance office, a title deed, a marriage or birth certificate that proves familial connection to a voter already registered at the given address, a written consent of the landlord, a tenancy contract or some other document.

In the opinion of specialists in the Central Election Commission, this allows the Register to more accurately reflect the actual distribution of adult population across the territory of Ukraine. For example, according to the Register, there are more voters in Kyiv Oblast, which is one of the biggest gravitation centers for internal migrants in Ukraine, than there are adults as calculated by the State Statistics Service. Over the course of the Register's existence, some 1.2 million multiple entries (i.e. two or more entries concerning the same person) were deleted, nearly 3.2%⁴³ of the total number of registered voters (36.5 million). Because the Register was originally formed from lists of voters, which were based on data on citizens' places of registration, this means that some of the multiple entries probably were the result of a flawed transfer of place of registration data from the Ministry of Internal Affairs (which carried out registration at the time when the Register was formed). Another contributing factor was the fact that some citizens were registered at several different addresses at the same time.

8,000 deceased persons were identified during the process of refining voter lists. They were listed because agencies registering civil status acts failed to submit information on their deaths. This happened because these bodies do not register the death itself, but rather issue respective acts in this regard. In some cases this act was not requested and consequently not issued.

Despite its general completeness and accuracy, the Register suffers from undercounting. For example, more than 600,000 citizens are listed in the Register as persons who have left their previous place of residence (deregistered), but have not arrived at their new place of residence. Thus, they are not included in the list of voters, and the number of such persons is gradually increasing.

It can be surmised that (homeless persons, persons trying to avoid paying alimony or other duties) some of the persons in this group, in addition to social causes of missing registration, have left abroad. It is, however, impossible to verify this conjecture.

The Register of Voters records citizens living or temporarily staying abroad, but many are left out. As of the end of 2013, 460,000 such persons were registered, and their distribution by country is available on the Register's website. However, only those Ukrainian citizens who have a consular registration are included in the Register. The Register does not include data neither on the nature of citizens' stay abroad (permanent residence or temporary stay) nor its purpose (study, work, etc.)

If the lists of voters in the foreign election precinct did include migrants regardless of their legal status and presence of consular registration, as demanded by migrant worker activists, the State Register of Voters could accumulate much more accurate information on external labor migration. The hypothetical possibility of

43 Usenko-Chorna Zh. Derzhavnyi reiestr vybortsiv – krok do novoi yakosti suspilnoho buttia v Ukraini // Visnyk Tsentralnoi vyborchoi komisii. – 2011. – №2 (21). – S. 32 (Usenko-Chorna, Zhanna. The State Register of Voters as a step towards a new quality of social life in Ukraine, in: Bulletin of the Central Election Commission, Is. 2 (21), 2011, p. 32.)

tracking migrants who have returned to Ukraine is another important component of its potential as a source for migration studies. The Register accumulates information on all changes of the place of residence, which is not available from any other source.

Data on voters whose Ukrainian citizenship has been discontinued could also help evaluate the volume of emigration. Over the four years that have passed since the Register was established, some 40,000 persons have had their Ukrainian citizenship discontinued. Information drawn from the Register on these individuals could enable an analysis of this group by sex, age (year of birth) and country of residence.

As the Register covers only Ukrainian citizens, its capabilities as far as the study of immigration is concerned, is limited. However, information about the place of birth, which the Register contains, and data on Ukrainian citizenship acquisition can be used to identify immigrants and analyze their distribution across the territory of Ukraine.

The Register also accumulates information about populated areas, streets, street names and buildings where voters reside.

The recognition of the State Register of Voters as the currently most complete source of information on Ukraine's population was confirmed when the law on this register was amended with a provision allowing one-time use of personal data. Thus, an atypical situation has developed in Ukraine as the register of voters serves as the basis for a population register, rather than the other way around.

However, as long as data from the Register of Voters are not shared with the register of natural persons (the latter is yet to be created), it is, unfortunately, impossible to use them in migration studies. The Law of Ukraine "On the State Register of Voters" clearly specifies the scope of use of the register's data (article 26). Statistical observations and scientific research are not mentioned there. The data from the Register of Voters are not shared with the State Statistics Service, and their dissemination is limited to publication on the website of the Central Election Commission concerning the total number of voters across the country and in individual administrative units.

4.2.6. REGISTER OF HUMAN TRAFFICKING VICTIMS

In the context of migration analysis, some other departmental databases should be mentioned along with the state registers. In particular, this concerns the register of human trafficking victims, which is administered by a division of the Ministry of Social Policy. Its functions include processing applications for the status of a human trafficking victim, in accordance with the Law of Ukraine "On Combatting Trafficking in Human Beings" (article 15).⁴⁴ The procedure of registration in this area is outlined in a Cabinet of Ministers regulation.⁴⁵ Information entered into the database includes the name of the victim, his/her citizenship, address of residence, date of birth, sex, age at which the person became a trafficking victim,

44 On Combatting Trafficking in Human Beings. Law of Ukraine No. 3739-VI of 20 September 2011. – <http://zakon2.rada.gov.ua/laws/show/3739-17>

45 On Approval of the Procedure for the Declaration of the Status of a Victim of Trafficking in Human Beings. Cabinet of Ministers Regulation No. 417 of 23 May 2012. – <http://zakon0.rada.gov.ua/laws/show/417-2012-%D0%BF>

type of exploitation he/she suffered from and the country in which the victim was exploited. Statistics on trafficking victims is not shared with the State Statistics Service, but is available upon request. It is used in various kinds of reports on the activity of the Ministry of Social Policy, which are published on its website. The database, which is maintained by the Ministry of Social Policy, contains information on just several dozen victims of trafficking in human beings (56 victims as of January 2013, of whom 50 are Ukrainian citizens and six foreigners) as it was set up only recently. Moreover, many victims do not apply for trafficking victim status. Nevertheless, this register may prove useful in obtaining important details on trafficking in human beings, which is often linked to international mobility (the majority of victims listed in the Register were exploited abroad, 23 victims in Ukraine).

To summarize, several specialized registers have been created and are now functioning in Ukraine. They contain data on Ukraine's population that potentially may prove useful in estimating the volume and composition of migration flows. Among other things, they can significantly supplement, refine and specify information drawn from other sources. However, legislation that governs the use of these registers does not envisage this function, which is why their data are not used in the context of migration analysis. Leveraging the potential of these registers for analytical studies will only be possible if the relevant legislative amendments are made.

4.3. NATIONAL BANK OF UKRAINE DATA ON TRANSBORDER TRANSFERS

Certain ideas about the volume and geographical distribution of migration processes, primarily labor migration of Ukrainian citizens abroad, can be drawn from data accumulated by the National Bank of Ukraine on private money transfers to Ukraine. These figures are obtained in order to calculate the country's balance of payments.

According to the methodology of the International Monetary Fund, migrants' remittances are divided into two subcategories of payments. One is "income", which includes "remuneration", i.e. wages and other compensations received by Ukrainian workers who work abroad for less than a year and are not residents of a foreign state. The other one is "current transfers and workers' remittances", which includes remittances from Ukrainians whose stay abroad exceeds one year, and who are viewed as residents of respective foreign countries. Remittances from private entrepreneurs who are residents of foreign countries are classified as other current money transfers.

In 2012, the National Bank of Ukraine took into account the recommendations of the new, sixth leadership of the IMF regarding the balance of payments and introduced the term "private transfers". It is broader than "workers' remittances" as it covers all current transfers in monetary or in-kind form received by resident households from non-resident households or vice versa.

The main source of information on private transfers to Ukraine from abroad is monthly bank reports based on Form 1-PB "Report on financial operations with nonresidents".

In order to determine which transfers are linked to labor migration of Ukrainians abroad, bank figures are adjusted based on expert estimations and the results of various studies carried out in both Ukraine and other countries.

Firstly, the amount of money estimated transferred to nonresidents in Ukraine (foreign students and other foreigners temporarily staying in the country) is detracted from the total. An estimated 30% of transfers via bank channels and 20% of those via international payment systems are received by nonresidents. Hence, residents receive 70% of bank transfers and 80% of transfers via international payment systems.

The distribution between sums classified as “remuneration”, i.e. money sent from short-term migrants, and “money transfers” made by long-term migrants, is also made with reference to expert estimations. It is difficult for banks to distinguish between persons working abroad for less than a year and those residing abroad for more than a year. Moreover, banks do not have to request this information from their clients. This is especially difficult to achieve with regard to transfers via international payment systems which involve no use of bank accounts. Therefore, the total sum of transfers made by migrant workers to Ukraine (after detracting sums received by nonresidents) is divided in the following way at the first stage: The share of remuneration in total transfers from the CIS countries is 60%, and from other countries 25%; the share of remittances from workers in the CIS countries is 40%, from other countries 75%.

Due to difficulties inherent in the estimation of the duration of a remitter’s stay abroad and his/her residency, part of the money remitted by workers is classified in bank reports as “other transfers (private transfers)”, rather than “remuneration” or “workers’ remittances”. This practice is in line with recommendations of the IMF Statistics Department Mission. Some private transfers made by workers abroad, which are reflected in the item “other transfers”, is redistributed between “remuneration” and “remittances of workers”.

It is also taken into account that migrant workers working abroad for less than a year incur certain expenses in their countries of employment. This sum should be estimated and included in the total sum of remuneration under “income”. Such expenses are estimated at 20% of the remuneration that comes to the country. A bigger portion of this money is spent to cover personal needs and is included as a debit item under “travel”, whereas 5% is taxes paid by migrants in the country of stay. This expense is included under “current transfers”. The disaggregation of such expenses by country is carried out based on the distribution of Ukrainian migrants by country of employment. This is done accordance with the results of a labor migration survey of the population, which is carried out by Ukraine’s State Statistics Service.

Until 2008, the National Bank of Ukraine determined the volume of transfers under “income” (specifically, “remuneration”) and “current transfers” (specifically, money transfers) based only on bank reports (Form 1-PB). However, such reports do not account for informal transfers that bypass the banking system and international payment systems. This is why the National Bank, according to recommendations of the IMF Mission, has been carrying out an overall assessment of money transfers since 2008 based on bank reports data and an additional estimation of informal money transfers. Based on the results of studies on how migrants go about remittances (carried out in foreign countries) and the opinions of Ukrainian experts, the volume of money transferred to Ukraine informally is estimated at 15-16% of the total transfers. It is assumed that up to 18% of migrants’ remittances from the CIS countries to Ukraine are informal. Proportional sums are redistributed between “remuneration” and “money transfers”.

An overview of private money transfers is published annually on the website of the National Bank of Ukraine. Information on the volume of money transfers broken down by channel and key countries is published on a quarterly basis. Analytical and statistical research on the issue is published in the quarterly *Platizhnyi balans i zovnishnii borh Ukrainy* (The Balance of Payments and External Debt of Ukraine).

To summarize, the statistics of the National Bank of Ukraine regarding migrants' remittances reflect primarily the activity of banks and other financial institutions in terms of money transfers from abroad. The disaggregation of incoming transfers by the remitter's country of residence is quite speculative and thus cannot be used to estimate the number of Ukrainian migrant workers in individual foreign countries and the duration of their stay there (less/more than a year). Nevertheless, National Bank data are important for the study of the effects of labor migration on national accounts, the economic situation in the country and the welfare of households. In order to achieve a higher accuracy of expert estimations concerning the amount of money transferred to Ukraine informally, and of the distribution of transfers between the different categories of payments, targeted studies need to be carried out in a systematic way. The migration situation and the behavior of migrants concerning remittances are quite variable and tend to rapidly change under the influence of numerous factors of both economic and political nature.

5. PROSPECTS OF CREATING A DEMOGRAPHIC REGISTER

In developed European countries, population registers are considered to be the most common and reliable tool for keeping records on the population and its mobility. Even though the systems of registration and accumulation of information differ, such systems comprise constantly updated electronic databases or databases in the form of individual cards (registers were computerized in the 1990s). These contain data on the demographic changes, including movements from one place of residence to another. Population registers may include data on foreigners, but such data may also be handled separately.

In an automated register where personal data is available, it is easy to identify statistical indicators regarding changes of the place of residence, exits from the country and returns. The register makes it possible to determine the number of foreigners residing in the country, as well as to see how many of them reside there long-term and short-term respectively. It also allows tracing changes in their legal status, etc. This kind of register can also provide information on the socio-demographic characteristics of migrants, both a country's own citizens and foreigners, as well as on second-generation migrants. This is possible as such a register accumulates, among other things, information about the parents of the country's citizens.

Data from population registers are used in decision-making regarding the development of territories, the justification of socioeconomic programs, the distribution of budget funds, the creation of specialized registers (such as a register of voters) and the formation of voter lists.

However, such registers also have shortcomings. They do not sufficiently cover foreigners, namely those who stay in the country short-term, and they underestimate emigration as citizens leaving abroad not always notify the register's administrator about their departure. Nonetheless, the reliability of population registers in comparison with other systems keeping records of the population is so high that some user countries have refused to carry out periodic population censuses.

The issue of creating a population register in Ukraine was initially raised a long time ago. In the 1990s a proposal aimed to form a unified register of residents based on the register of individual taxpayers was made. The idea was to use the taxpayers' already prescribed individual numbers as a basis for a general population register.

In 1996, the Cabinet of Ministers adopted a decision to create the Unified State Automated Passport System (USAPS)⁴⁶. This system was to be owned by the state, administered by the Ministry of Internal Affairs, and built by KP OTI, a private company. In January 1997, the Concept of the database was approved.⁴⁷ This system was expected to become the most important part of the State Population Register. It set out to i. trigger a transition from paper-based to electronic record keeping in the field and issuance of machine-readable documents; ii. to provide data for the analysis of the demographic and migration situation, as well as the structure and

46 On the Creation of the Unified State Automated Passport System. Cabinet of Ministers Regulation No. 898 of 2 August 1996. – <http://zakon2.rada.gov.ua/laws/show/898-96-%D0%BF>

47 On Approval of the Concept of the Creation of the Unified State Automated Passport System. Cabinet of Ministers Regulation No. 40 of 20 January 1997. – <http://zakon2.rada.gov.ua/laws/show/40-97-%D0%BF>

composition of the population; iii. to facilitate the drafting of programs of socioeconomic development and for the conduction of elections and referendums. The USAPS would contain biometric data and rely on personal identification numbers, which were to be present in all documents ranging from birth certificates and passports to military registration/service cards, pensioner ID cards, driver's licenses, etc.

The USAPS was to be created during a national passport campaign, which set out topassports in the form of cards for Ukrainian citizens. Even though the campaign was to be completed by 2002, a decision to introduce passports in the form of cards was never adopted. Accordingly, the USAPS served only to issue foreign passports. No records were made of natural persons using the system's software and hardware.

In 2006, the Ukrainian Government adopted a decision to create the State Information System for Registration of Natural Persons and Their Documentation (SIS) on the basis of the USAPS.⁴⁸

According to the Concept of its development (2009),⁴⁹ the SIS should become the basis for the operation of the infrastructure of the State Demographic Register. It should also ensure secure processing of information on natural persons in accordance with the legislation. It also set out to serve as a basis for processing, issuance, exchange, renewal, extension, transfer and withdrawal of documents, readmission, invalidation and destruction of documents confirming identity, Ukrainian citizenship or special status. The tools made available via the SIS are aimed to be used in monitoring and analyzing the dynamics of migration and demographic processes, as well as for information-analytical provision of public administration in the legal and social spheres.

The following information about natural persons is be entered into the SIS: Surname, name and patronymic, date and place of birth, individual identification number, sex, data on registration at the place of residence and place of stay, citizenship or lack thereof, grounds for the acquisition of Ukrainian citizenship, any changes of surname, name and patronymic, issuance of documents, marital status, data on parents and children, biometrical identification data in digital format (digitized image of the face and digitized signature).

These tasks and the format of entries were established for the SIS via amendments to the Concept of its development, which was approved by the Ukrainian Government in 2013. This was done after the Law of Ukraine "On the State Demographic Register and Documents Confirming Identity, Ukrainian Citizenship or Special Status" was passed in 2012. In other words, while the database on the population was developed, there was no adequate legislative framework for its creation for years, which, in addition to insufficient funding, hampered the realization of plans.

The drafting of a law that would put into place a legal framework for accumulating information on natural persons proceeded with great difficulty. There were also problems with ensuring necessary funding to create a register. In the course of the 2000s, several abortive attempts were made to pass the aforementioned law, which came as a response to the need to implement a certain mechanism for monitoring the number and composition of the population after the institute of *propiska* was ruled unconstitutional and abolished. that the law was not passed as MPs failed to make up their minds concerning the scope of information that would be entered into the register.

48 On the Creation of the State Information System for Registration of Natural Persons and Their Documentation. Cabinet of Ministers Regulation No. 327 of 15 March 2006. – <http://zakon2.rada.gov.ua/laws/show/327-2006-%D0%BF>

49 On Approval of the Concept of the Development of the State Information System for Registration of Natural Persons and Their Documentation. Cabinet of Ministers Ordinance No. 711-r of 17 June 2009. – <http://zakon2.rada.gov.ua/laws/show/711-2009-%D1%80>

After the EU and Ukraine agreed on an Action Plan on Visa Liberalization in November 2010, which stipulated, among other things, the introduction of foreign passports with biometric information for Ukrainian citizens, the Ukrainian parliament had to regulate this issue legislatively. On 20 November 2012, the Verkhovna Rada of Ukraine passed, after several failed attempts, a draft law which was then signed by the President and entered into force.⁵⁰

Under the Law “On the State Demographic Register, Documents Confirming Identity, Ukrainian Citizenship or Special Status”, identification documents (passports, driver’s licenses, etc.) must contain biometric data. All data about a person collected in the process of issuing these documents will be stored in the Unified State Demographic Register (USDR). Under article 4 of the Law, this register is an electronic information-telecommunication system for storing, protecting, processing, using and disseminating information about a person and about documents produced with the use of the Register’s tools. Consequently, obtaining statistical data on the population is not one of the goals set for the demographic register.

The Unified State Demographic Register is administered by the State Migration Service of Ukraine. As already mentioned, it should be based on the State Information System for Registration of Natural Persons and Their Documentation (SIS).

The implementation of these plans will require, as estimated by the Ukrainian Government, UAH 800,000 and will take three years. The register will be created in several stages. At the first stage, the USDR infrastructure for processing and issuing travel documents with biometric information carriers, primarily foreign passports for Ukrainian citizens, will be created on the basis of the SIS, which is used for processing foreign passports. The estimated completion date for all stages is the end of 2016.⁵¹

However, there are reasons to doubt that the demographic register will indeed start functioning by the set deadline. Firstly, several serious reservations are present concerning the very law on the USDR. Primarily this concerns its provisions, which in the opinion of human rights advocates and the public would lead to an excessive concentration of personal information. Due to the absence of reliable guarantees of its protection and proper use, this includes information not necessary for the purposes of the register.. Another alarming factor is the excessive number of documents (14) that would contain biometric information, the unjustifiably short terms of their validity (for example, a Ukrainian passport would have to be replaced every decade and a permanent residence permit, issued to foreigners, annually). The imperfection of many of the law’s provisions will likely require a series of amendments to be made soon, which would hamper its enforcement.

Secondly, the practical steps taken to create the Register are quite controversial. For example, in March 2013 the Cabinet of Ministers issued a regulation approving model documents envisaged by the law on the USDR.⁵² The tender to fulfill the government’s order to produce them was won by the YeDAPS consortium, a private company. However, in June 2013, the Ukrainian Government transferred a series of government orders from YeDAPS to the Ukraina Printing and Publishing, a state-owned enterprise. Regulation No. 185 was suspended.

50 On the State Demographic Register and Documents Confirming Identity, Ukrainian Citizenship or Special Status. Law of Ukraine No. 5402-VI of 20 November 2012. – <http://zakon4.rada.gov.ua/laws/show/5492-17>

51 The official website of the State Migration Service of Ukraine. – <http://dmsu.gov.ua/novyny/novyny-dms-ukrainy/1928-rozporядzhennyam-uryadu-vidileno-295-mln-grn-na-stvorennya-edinogo-derzhavnogo-demografichnogo-reestru>

52 Some Issues of the Enforcement of the Law of Ukraine “On the Unified State Demographic Register, Identification Documents and Documents Confirming a Person’s Ukrainian Citizenship or Special Status”. Cabinet of Ministers Regulation No. 185 of 13 March 2013. – <http://zakon3.rada.gov.ua/laws/show/185-2013-%D0%BF>

Only one year later, in March 2014, Prime Minister Arsenii Yatseniuk announced that the Government had drafted a regulation to approve a model biometric passport and declared that such passports can be issued only by the end of 2014.⁵³ However, he did not mention the State Demographic Register in his statement as its creation demands, among other things, significant funds, which are impossible to disburse in conditions of a budget deficit. Moreover, public activists have on multiple occasions called on the Government to abandon the plan to create the USDR, given the current economic situation.

To summarize, steps needed in order to create the State Demographic Register has, in essence, not yet been taken. Part of the funding dedicated to this purpose was allocated in late 2013, but were not spent and were later returned to the budget.⁵⁴ Most importantly, however, the ideology behind the register remains unclear. The register would need a broader mandate than simply being a departmental database for document processing. Therefore, the issue of biometric passports, which must be introduced to ensure progress towards a visa-free regime with the EU, must be separated, as a matter of top priority, from the issue of creating the USDR. At the same time, the USDR concept must be developed with the involvement of specialists, above all statisticians. Building on experiences from other countries, the key tasks and principles of its creation and operation need to be formulated.

One of the conceptual tasks to be solved is the establishment of an agency that will administer the register. The fact that ESDR is administered by the State Migration Service, i.e. an agency subordinated to the Ministry of Internal Affairs, largely explains the suspicions of the public that the data contained in the register will be illegitimately used by the state to increase its control over citizens. In our opinion, the register should be administered by a civilian structure, perhaps, the Ministry of Justice. Moreover, it is exceedingly important to find ways to form the Unified Demographic Register by building on the work already done in Ukraine, i.e. the existing and successfully functioning databases with information on the population. This may greatly reduce the time and money needed to create the new register. Most importantly, however, this work will make it possible to verify the already accumulated data and refine information about the country's population.

In this connection, it is worth noting that the law on the State Register of Voters stipulates a one-time transfer of information to the USDR. However, this would not be enough. Information about the mobility of the population in the USDR will continue to be drawn from data on registration/deregistration and will be similarly incomplete. Therefore, a permanent cooperation is needed with the State Register of Voters, as information on a person in this register is not necessarily tied to the registration at the place of residence. Moreover, the register of voters contains data only on persons aged 18 or more. In other words, it is also necessary to cooperate with the State Register of Civil Status Acts, which contains information about the birth of children. Finally, in addition to the introduction of utilitarian tasks necessary for the operation of the State Migration Service, the USDR has to become the most complete and reliable source of information about Ukraine's population. The State Statistics Service of Ukraine needs to be the most actively involved party in its creation. It is necessary to develop an algorithm for periodic transfers of non-personalized data from the register to the State Statistics Service for their professional processings and analysis. All of this can be realized only through close interdepartmental cooperation and joint drafting of the necessary legislative amendments.

53 Yatseniuk prohnozuie vvedennia biometrychnykh pasportiv tsioho roku // Ukrainska pravda (Biometric passports to be introduced this year, Yatseniuk says, in: Ukrainska Pravda). – <http://www.pravda.com.ua/news/2014/03/26/7020399/>

54 On the Transfer of Certain Budget Allocations Envisaged for the Ministry of Economic Development and Trade in 2013. Cabinet of Ministers Ordinance No. 867-r of 30 October 2013. – [http://zakon2.rada.gov.ua/laws/show/867-2013-%D1%80;YeDAPSuperedumalydavaty290milioniiv\(Governmentchangesitsmind:YeDAPSuwillnotgetUAH290mn\).](http://zakon2.rada.gov.ua/laws/show/867-2013-%D1%80;YeDAPSuperedumalydavaty290milioniiv(Governmentchangesitsmind:YeDAPSuwillnotgetUAH290mn).) – http://www.epravda.com.ua/news/2013/12/30/412826/view_print/

6. INFORMATION EXCHANGE AND ACCESS TO INFORMATION

Most of the statistical information on migration processes collected in Ukraine is published on the websites of the respective ministries and agencies, or is available upon request.

This pertains also to the current migration data obtained by the State Statistics Service of Ukraine. These data are regularly published in the *Demographic Yearbook* of Ukraine. The State Statistics Service also publishes data on refugees, foreign students, etc. Information exchange between the State Statistics Service on the one hand, and ministries and other central executive authorities on the other, is regulated by means of signing and constantly updating agreements. However, most administrative statistics data are not published. This greatly hampers analytical work and restricts the range of users of these statistics.

The State Statistics Service of Ukraine provides migration statistics data for publication in respective editions on a systematic basis within the framework of cooperation among the CIS countries, as well as on the request of the UN Economic Commission for Europe. This is a standard set of data, and reservations about them follow from the entire system of collecting migration statistics in Ukraine. Firstly, official migration statistics (on flows) suffer from gross undercounts as they cover only persons registering changes in the place of residence. Secondly, only a census can be a source of data on immigrants (i.e. persons born outside of Ukraine's territory), but the last one was conducted in 2001 and its data are by now clearly outdated. Moreover, it should be noted that for a long time Ukraine was part of the Soviet Union, in which active movements of the population for economic, political and repressive purposes were common, and the majority of Ukraine's immigrants came to the Ukrainian Soviet Republic before it proclaimed independence. In other words, they were internal migrants within the USSR at the time. Thus, the cohorts of immigrants recorded in the census only partly characterize the interstate migration that developed in Ukraine after it received its independence.

Data generated by individual countries on the number of migrants from Ukraine, including migrant workers, are shared with Ukraine by foreign partners upon official request. The capabilities of Ukrainian diplomatic and consular missions abroad are not sufficiently utilized for this purpose. While Ukraine's Ministry of Foreign Affairs regularly requests these data from its missions abroad, it shares them with other agencies, such as the Ministry of Social Policy, upon request rather than on a systematic basis.

Law enforcement agencies engage in more systematic information exchange as they depend on this in order to fulfill their main functions. In particular, the Arkan integrated interdepartmental information-telecommunication system was created to monitor persons, vehicles and cargo crossing the state border. Information exchange within the framework of this system serves to prevent and disallow entry to Ukraine or exit from Ukraine with regard to persons who are, according to the law, banned from entering Ukraine or whose right to leave Ukraine is temporarily restricted. It also contributes to the search for persons hiding from investigating bodies or attempting to avoid criminal punishment, as well as to prevent trafficking in human beings, etc. The system is used by the Administration of the Border Guard Service, which is its administrator, the Security Service, the Foreign Intelligence Service, the Ministry of Internal Affairs, the

Ministry of Foreign Affairs, the Ministry of Labor and Social Policy and the tax and customs authorities,⁵⁵ which have pooled their information resources.

In order to combat illegal migration within the framework of the Concept of Integrated Border Management, the involved institutions establish the exchange of open-access statistical information on relevant issues. This is done in a virtual analytical contact center set up pursuant to the joint order of the Administration of the Border Guard Service, the Ministry of Internal Affairs, the Ministry of Foreign Affairs, the Ministry of Infrastructure, the Ministry of Finance, the Security Service and the National Agency of Ukraine on Civil Service.⁵⁶

Another initiative supported by the Ukrainian Government was proposed by the State Migration Service. This initiative set out to create a unified information-analytical system for managing migration processes.⁵⁷ The concept behind it defines approaches to the formation and creation of an information-analytical system that permits automating the activities of the State Migration Service and carrying out information exchange with other government authorities in order to secure their implementation of state policy on migration. It will also help to align the state migration management system with international human rights standards. The concept is planned to be implemented in 2013-2015. In other words, the document suggests that the goal is to automate the work of the State Migration Service, rather than to create a universal system that would bring together the information resources of all agencies involved in migration management.

To summarize, the interdepartmental coordination in the field of collecting, analyzing, using and publishing statistical data on migration appears to be insufficient. Even though various agencies that directly or indirectly collect data on the mobility of the population have greatly advanced registration of administrative procedures and introduced cutting-edge technology for collecting and storing data, these efforts lack coordination. In order to ensure a comprehensive approach to improving migration statistics, joint efforts are needed. The discussion and harmonization of specific initiatives could take place within an interdepartmental working group formed for this purpose.

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- 55 On Approval of the Regulation on an Integrated Interdepartmental Information-Telecommunication System for Monitoring Persons, Vehicles and Cargoes Crossing the State Border. Order 284/287/214/150/64/175/266/75 of the Administration of the Border Guard Service, the State Customs Service, the State Tax Administration, the Ministry of Internal Affairs, the Ministry of Foreign Affairs, the Ministry of Labor and Social Policy, the Security Service and the Foreign Intelligence Service of 3 April 2008. – <http://zakon2.rada.gov.ua/laws/show/z0396-08>
- 56 On Approval of the Procedure of Information Exchange among the Subjects of Integrated Border Management. Order No. 453/423/737/288/1283/392/30 of 12 October 2011. – <http://zakon2.rada.gov.ua/laws/show/z1209-11>
- 57 On Approval of the Concept of Creating a Unified Information-Analytical System for Managing Migration Processes. Cabinet of Ministers Ordinance No. 870-r of 7 November 2012. – <http://zakon2.rada.gov.ua/laws/show/870-2012-%D1%80>

7. COMPLIANCE OF MIGRATION STATISTICS WITH INTERNATIONAL RECOMMENDATIONS

When assessing Ukraine's migration, it is important to see how well it corresponds with international practices and recommendations developed by the UN, its specialized divisions and other international organizations, such as Eurostat.

Back in 1993, soon after Ukraine became independent, the Cabinet of Ministers of Ukraine approved the State Program of Transition to the International System of Records and Statistics. This program was an integral part of the Concept of Developing the National Statistics of Ukraine,⁵⁸ and came as a response to sovereign Ukraine's need to acquire full membership in the international community. The program included specific measures aimed to fundamentally overhaul the methodological and organizational principles of the operation of statistical agencies. These measures were meant to be realized in stages, which would ensure the improvement of all aspects of statistical activities, as well as to increase the credibility of their results. To this end, Ukraine's statistical agencies were to maintain direct and constant contacts with UN structures, UN specialized agencies and other international and national organizations.

The realization of the program measures involved a transition to new forms of state statistical surveying, primarily various kinds of sample surveys. Moreover, the program called for improving the methods of recording and processing data on natural population changes and migration (including international migration), studying the experience of countries that maintain population registers, etc. The Coordination Council for Transition to the International System of Records and Statistics was set up to coordinate efforts towards the goals set by the Cabinet of Ministers regulation.

The Program of Reforming State Statistics for the Period until 2002⁵⁹ and its implementation facilitated better compliance of Ukrainian statistics with international standards. International cooperation in this field was recognized as an important tool in this undertaking. Cooperation involved participation in the activities of specialized international organizations, exchanging experience in statistical methodology and practice with the statistical services of developed countries. Furthermore, it involved studying the experience of countries in which similar reforms of the statistics system were underway, as well as obtaining and making good use of technical assistance from international organizations, including training professional statisticians abroad. Moreover, international statistical organizations were expected to conduct an expert analysis of the calculations of key macroeconomic indicators.

58 On the Concept of Developing the National Statistics of Ukraine and the State Program of Transition to the International System of Records and Statistics. Cabinet of Ministers Regulation No. 326 of 4 May 1993. – <http://zakon4.rada.gov.ua/laws/show/326-93-%D0%BF>

59 On the Program of Reforming State Statistics for the Period until 2002. Cabinet of Ministers Regulation No. 971 of 27 June 1998. – <http://zakon2.rada.gov.ua/laws/show/971-98-%D0%BF>

Ukraine consistently followed the course on reforming national statistics, declared in the early independence years, in line with the best international practices. This is confirmed by the Strategies of Developing State Statistics for the Period until 2008, later until 2012 and now until 2017.⁶⁰

During the course of reforms, a fundamentally new organizational-institutional system was formed with the State Statistics Service serving as its central link. New fields, methods, approaches and forms of statistical research have been developed.

According to the Adapted Global Assessment of the National Statistical System of Ukraine,⁶¹ which was carried out by representatives of the European Commission, the European Free Trade Association and the UN Economic Commission for Europe, Ukraine's statistics are largely in compliance with European standards. Information generated by state statistics bodies is recognized as a high-quality product in the majority of statistical fields. At the same time, the analysis points to areas in which statistics need to be improved in the future. For example, the expert group recommends harmonizing legislation on statistics and adjacent fields with the EU legislation, as well as to continue efforts to form a coherent national system of official statistics with the State Statistics Service being the coordinating agency. Evidently, this recommendation fully applies to migration statistics where legislative improvements, interdepartmental coordination and an increased role of professional statisticians are all high-priority issues.

Furthermore, pursuant to the Strategy for Developing State Statistics for the Period until 2017, statistical methodology and procedures used in state statistical research must be brought in line with the Eurostat Statistical Requirements Compendium. Data obtained from state statistical research must be subjected to assessment by the quality criteria of the European Statistical System.

Let us compare Ukraine's migration statistics data with data collected by international statistical agencies, primarily the UN Population Division. UN data are collected for the *Demographic Yearbook* by means of questionnaires sent out to UN member states. The tool for collecting data on migration flows is the Questionnaire on International Travel and Migration,⁶² while data on cohorts of migrants in the population are drawn from censuses.⁶³

60 On Approval of the Strategy of Developing State Statistics for the Period until 2017. Cabinet of Ministers Regulation No. 145-r of 20 March 2013. – <http://zakon0.rada.gov.ua/laws/show/145-2013-%D1%80/page>

61 http://ukrstat.org/uk/glob_o/AGO_u.zip

62 <http://unstats.un.org/unsd/demographic/sconcerns/migration/migr2.htm>

63 Statistika mezhdunarodnoi migratsii. Prakticheskoe rukovodstvo dlia stran Vostochnoi Yevropy i Tsentralnoi Azii. – OON, 2011. – S. 70. (Statistics on International Migration. A Practical Guide for Countries of Eastern European and Central Asia. UN, 2011, p. 70.)

**Table 3. Comparison of the types of data collected
by the UN Population Division and Ukrainian migration statistics**

Questionnaires of the UN Population Division	Data of Ukrainian migration statistics
Flows	
Inflows of citizens and non-citizens by purpose of stay, reason for admission and sex Outflows of citizens and non-citizens by purpose of going abroad, status at time of departure and sex	Border statistics contain data on the purpose of arrival/departure for both citizens and non-citizens, even though they are not as detailed as in the UN questionnaire; they do not specify the reasons for admission and are not broken down by sex
Immigrants/emigrants (entering/leaving for at least 12 months) by sex and age group	According to information about registration at the place of residence, the State Statistics Service develops data with respect to migrants entering/leaving for over six, rather than 12, months
Immigration/emigration by citizenship, previous/next country of usual residence, age and sex	According to information about registration at the place of residence, the State Statistics Service develops data on migrants' destination country/courty of origin and citizenship
Contingents	
Entire population by country of birth, age and sex	In the absence of a demographic register, the only source of such data in Ukraine is the census, which is why only the 2001 data are available at present
Persons born abroad, by country of birth, time of arrival and sex	Census data are available only as of 2001
Population aged 15 and older by country of birth, education level and sex	Census data are available only as of 2001
Entire population by citizenship, age and sex	Census data are available only as of 2001
Non-citizens by country of citizenship, date of arrival and sex	Census data are available only as of 2001. At the same time, the State Statistics Service registers foreigners and stateless persons if they reside in Ukraine permanently or are staying temporarily, but more than 90 days. Information about the total number and citizenship of registered foreigners, but not about time of arrival and sex, is obtainable from departmental data
Population aged 15 and older, by country of citizenship, education level and sex	Census data are available only as of 2001

Thus, information on migration flows collected in Ukraine is narrower than that requested by the UN. It should be noted, however, that UN specialists point to the low level of responses to the questions they send out in many countries as obtaining reliable information about migration flows is difficult. There is no single

source of data that would meet the needs of users, and information needs to be combined drawing from different sources.⁶⁴

As far as data on migrants in the census are concerned, the main problem is that a long time has elapsed since the first All-Ukrainian Population Census was carried out in 2001. The characteristics of the population have significantly changed since then, but information on these changes is not available.

At the same time, there are ways to partly fill the gaps by improving administrative statistics and using them more broadly. Specific mechanisms could be detailed for improving migration statistics in a program jointly drafted by the State Statistics Service and agencies responsible for the implementation of migration policy.

This program should be oriented towards standards adopted in the EU, where the process of harmonization of migration statistics was launched after the Amsterdam Treaty entered into force, and the first program of the EU member states aimed at developing common approaches to and legislation on migration was adopted in Tampere in 1999. The reasoning was that a common migration policy demanded adequate statistical provision.

Common EU migration statistics rules were established in 2007 in Regulation No. 862/2007.⁶⁵ According to the regulation, member states must submit to Eurostat statistical data on the number of immigrants entering their territory, emigrants leaving their territory, migrants residing in the country, the number of residence permits issued, foreigners who have acquired citizenship, etc.

The national governments must also send to Eurostat data on the number of persons who have applied for asylum and persons whose applications are being processed; on the number of rejected applications, applications that resulted in the granting of refugee status or complementary or temporary protection; on the number of unaccompanied underage asylum seekers; on applications sent for consideration to other EU state according to the Dublin Accord; on persons selected for participation in programs of resettlement to other countries.

The next group of data concerns illegal migration. Eurostat collects information about third-country nationals who were denied entry, efforts to find persons illegally staying in the country, decisions to expel and the number of irregular third-country nationals who left the territory of a country.

The source of these data is population registers, administrative and legal events, censuses and sample surveys. As a rule, data are presented broken down by age, sex and citizenship. Additional parameters may concern the year in which a stay permit was issued for the first time (statistics about stay permits) or reasons for denying entry or for apprehension (statistics about illegal migration).

In 2010, the 2007 Regulation was amended with two documents aimed at ensuring that member states use common definitions of the categories of the groups of country of birth, groups of country of previous

64 United Nations Statistics Division: Demographic Yearbook Questionnaire on International Travel and Migration Statistics. – <https://unstats.un.org/unsd/demographic/products/dyb/techreport/migration.pdf>

65 Regulation (EC) No 862/2007 of the European Parliament and of the Council of 11 July 2007 on Community statistics on migration and international protection and repealing Council Regulation (EEC) No 311/76 on the compilation of statistics on foreign workers. – <http://eur-lex.europa.eu/legal-content/EN/ALL/?jsessionid=cDj9TCcFLgT0q7TLBTTYpFlqYvGJh4RBdJhrGFLmn3Nxhn2WzM!1967577200?uri=CELEX:32007R0862>

usual residence, groups of country of next usual residence, as well as categories of reasons for granting stay permits.⁶⁶

An important component in EU regulations on migration statistics is the definition of the main concepts that underlie the collection of data. The key among them is the definition of international migration (immigration, emigration) as entering/leaving for more than 12 months.

Let us compare the parameters of Ukrainian migration statistics with the tables contained in the database of the Statistical Office of the European Communities (Eurostat)⁶⁷ (Table 4).

Table 4. Comparison of the types of data collected by Eurostat and Ukrainian migration statistics

Eurostat tables	Ukrainian migration statistics
Flows	
Immigration/emigration by citizenship, country of birth, country of previous/next residence, age group and sex	According to information about registration at the place of residence, the State Statistics Service develops data about migrants with regard to their country of arrival/ departure, citizenship, sex and age, but not country of birth
Contingents	
Population by citizenship, country of birth, age group and sex	In the absence of a demographic register, the only source of such data in Ukraine is the census, which is why only the 2001 data are available at present
Residence permits	
First-time residence permits by grounds for granting, duration, citizenship of recipient, age and sex	The State Migration Service keeps records of immigration permits and permanent residence permits, broken down by citizenship and grounds for granting stipulated in the Law of Ukraine "On Immigration", but not by age or sex
All residence permits valid as of the end of the year by grounds for granting, duration, citizenship of recipient, age and sex	The State Migration Service processes information about registered migrants by citizenship and grounds for immigration stipulated in the laws of Ukraine "On Immigration" and "On the Legal Status of Foreigners and Stateless Persons", but not by sex or age. Moreover, records are kept of foreigners who have come for a temporary stay, disaggregated by citizenship and purpose of arrival, but, again, not by sex or age

66 Commission Regulation (EU) No 351/2010 of 23 April 2010 implementing Regulation (EC) No 862/2007 of the European Parliament and of the Council on Community statistics on migration and international protection as regards the definitions of the categories of the groups of country of birth, groups of country of previous usual residence, groups of country of next usual residence and groups of citizenship // Official Journal L 104 of 24.4.2010; Commission Regulation (EU) No 216/2010 of 15 March 2010 implementing Regulation (EC) No 862/2007 of the European Parliament and of the Council on Community statistics on migration and international protection, as regards the definitions of categories of the reasons for the residence permits // Official Journal L 66 of 16.3.2010.

67 Eurostat. Database. Population. – <http://epp.eurostat.ec.europa.eu/portal/page/portal/population/data/database>

Eurostat tables	Ukrainian migration statistics
Changes in migration status by grounds and citizenship of migrants	The State Migration Service keeps records of foreigners whose period of stay has been extended, broken down by citizenship and grounds for extension
Citizenship	
Acquisition/loss of citizenship by age and sex and future/past citizenship	Information about acquisition/loss of Ukrainian citizenship is disaggregated by the State Migration Service by previous citizenship. With respect to age, children (up to 18 years of age) are singled out, while sex is not indicated. Records about loss of Ukrainian citizenship do not specify new citizenship; children are singled out as an age group
Asylum	
Submitted/withdrawn applications for asylum by citizenship, age and sex of applicant	The State Migration Service keeps records of submitted applications, broken down by citizenship of applicant; children (up to 18 years of age) are singled out as an age group; sex is not indicated
Applications from unaccompanied underage asylum seekers by citizenship, age and sex	Data on applications from unaccompanied underage asylum seekers are disaggregated by citizenship of applicant, but not by age or sex
Decisions on applications of asylum seekers and about loss/withdrawal of protection by citizenship, age and sex of applicant	Decisions are disaggregated by acquired/lost status and citizenship; children (up to 18 years of age) are singled out as an age group; sex is not indicated
Resettlement of asylum seekers to another country that agrees to accept them by citizenship, age and sex	These data are recorded by the UNHCR Office in Ukraine, which carries out resettlement
Illegal migration	
Denial of entry by reason and part of the border	These data are collected by the State Border Guard Service
Illegal migrants detected on the territory of the country by citizenship, age and sex	The State Migration Service collects data on the number of illegal migrants and offenders of migration legislation who were apprehended or against whom proceedings were instituted, by citizenship, but not by age or sex (only data on detained persons are disaggregated by sex)
Adopted decisions on expulsion and return to home country of illegal migrants	The State Migration Service collects information about decisions on expulsion of illegal migrants and about Ukraine's fulfillment of international agreements on readmission, singling out two groups, Ukrainian citizens and foreigners, but not disaggregating data by age and sex

In comparison with the majority of developed countries, the existing migration data collection system in Ukraine currently has significant shortcomings, such as a lack of a population register and the incompleteness of registration at the place of residence. Registration of citizens and foreigners in the EU states is regulated by special laws. Every person must register when moving to a new place of residence within a certain term (which varies not only in different countries, but also in different administrative-territorial regions of federalized countries). The EU states impose fines for violating registration rules. Moreover, the absence of registration normally disentitles a person to various benefits. For example, unregistered citizens cannot receive welfare benefits and take out loans in the Netherlands.

As already mentioned, a factor significantly affecting the completeness of registration at the place of residence in Ukraine is the link between the cost of utilities and the number of persons registered in an apartment or house, which is why landlords are not interested in registering their tenants.

In Poland, the legislation stipulates that registration at the place of residence serves no other purpose than registering the citizens. In this country, it is possible to register residence in buildings that are not in compliance with the norms of construction laws, and hence are considered uninhabitable. Similar principles are also being implemented in Ukraine. For example, under an agreement with the UNHCR, refugees may be registered at the address of the UNHCR office in Ukraine. The State Migration Service should consider proposals of the Trade Union of Migrant Workers in Ukraine and Abroad to enable registration at the address of this organization.

However, in the most economically developed EU states obtaining accurate data on migration and location of citizens and foreigners remains an unattainable ideal. In particular, in Germany, which has mandatory registration, not all citizens are actually registered.⁶⁸

To summarize, the existing migration registration system lacks numerous parameters that are found in EU statistics. This makes it necessary to make significant efforts aimed at harmonization. Above all, common definitions must be introduced. Due to the fact that migration statistics in Ukraine are based on data on registration at the place of residence, to which persons arriving/leaving for more than six months are subject, it is necessary for registration forms to include a question about the planned term of stay. This will separate short-term migrants (up to 12 months) from those staying in the country long-term (in excess of 12 months). The same information should be requested during deregistration in connection with moving to a different place of residence.

Another issue that needs to be resolved in order to ensure the comparability of Ukrainian and European statistics, is the determination of the country of birth for immigrants/emigrants by sex and age. Information on the place of birth is contained in the form filled out during registration/deregistration of the place of residence, and can therefore be included in the processing of these data.

Data collected by the State Migration Service can be a source of information about contingents of migrants all the while the census is postponed. In order to achieve compliance with EU requirements, the State Migration Service needs to disaggregate information by country of birth, sex and age of immigrants who reside in Ukraine on a permanent basis.

68 Bundesmeldegesetz. – <http://www.buzer.de/gesetz/10628/b27574.htm>

Data on citizenship acquisition should also be disaggregated by sex, age and previous citizenship of a naturalized foreigner or a stateless person.

In the area of forced migration, the State Migration Service collects most of the data that are requested by Eurostat from the EU states. At the same time, its data lack distribution by sex and age of asylum seekers, applicants whose applications are being processed and rejected applications. Such data are available only with regard to recognized refugees residing in the country (the cohort of refugees).

Data on persons denied entry to Ukraine (departmental statistics of the State Border Guard Service) and illegal migrants detected on the territory of Ukraine (statistics of the State Migration Service) also need to be disaggregated by sex and age.

Data on permits of stay should concern first-time permits and be disaggregated by duration.

Data on persons whose status of stay was changed need to be singled out and broken down by citizenship, grounds for issuing a permit of stay and its duration.

CONCLUSIONS AND RECOMMENDATIONS

Our review of the main and additional sources of data on the mobility of the population in Ukraine leads to the conclusion that the country has a fairly extensive system of collecting migration information. Its main sources are the day-to-day registration of migration, the national census, household surveys and administrative data. A series of national and departmental registers created in the past years cover certain groups of the population and contain data that can potentially be used to supplement our knowledge of migration. New technologies have been actively implemented to more effectively carry out the registration, transfer and analysis of information. Key migration data are published in print and on the websites of the respective agencies, or are available upon request.

However, migration statistics are tied to registration at the place of residence. In a situation where citizens do not always register a change of their place of residence, this leads to a significant under-declaration of migration. Although each agency has achieved significant progress in improving its own registration system, inter-departmental cooperation in migration data collection and exchange needs to be improved. Migration statistics indicators and the definitions used do not always ensure comparability of Ukrainian and foreign data.

Migration data in Ukraine today are not sufficient neither for a proper understanding of the migration situation, especially the consequences of migration and its demographic, social, cultural and other effects, nor for making adequate political and administrative decisions.

The reasons for this are varied. Some of them are objective and have to do with the changeable nature of migration itself, the complexity of the migration situation in Ukraine, the presence of inherently different migration flows and international movements of various durations. Calculations of migration flows and stocks run into difficulties concerning definitions, as well as serious methodological issues that have not yet been resolved anywhere in the world. Thus, migration data are not without reservations in many countries. This includes those countries that have accumulated much more extensive experience than Ukraine in regulating migration processes, and have more resources at their disposal.

At the same time, many problems of migration statistics can be described as subjective. Above all, approaches that lie as a foundation for collecting migration data are vestiges of Soviet times regardless of the fact that the social situation today is entirely different. The problem in question is the dependence on registration/deregistration of the place of residence. Firstly, the hypothetical creation of a state demographic register would be based on the same system of registration, and, secondly, the creation of such a registry appears quite implausible given the current economic situation. At the same time, there are no plans to use new automated sources of information about the population, i.e. the specialized state registers, for generating statistical information on the population's mobility.

Statistical problems are to some extent linked to the fact that Ukraine until recently lacked a specialized executive authority, which is responsible for the realization of migration policy and takes interest in improving migration statistics. The State Migration Service now fulfills this function. However, the service is at an early stage of executing its activities and the problems of statistics do not seem to be high a prioritized task at this early stage.

Furthermore, institutional factors have led to a situation where statistics often do not reflect the dynamics of the phenomenon in question, but changes in the activity of the respective agency, as well as numerous reorganizations and the implementation of new legislation. For example, when the number of applications for asylum sharply declined in the early 2000s, it happened not because foreigners stopped coming to Ukraine or stopped applying for refugee status, but because no applications were accepted at all for several months due to institutional and legislative changes. The negative effects of administrative transformations on statistical data lie also in the fact that frequent reorganizations result in the rotation or firing of specialists, thus constantly decreasing, rather than increasing, the potential.

Even though the State Migration Service is now in place, administrative and controlling functions in the field of migration remain scattered. Coordination among various agencies is lacking, which is reflected in incoherent statistical data. When organizing data collection, agencies are guided by the need to perform their own varied functions, and have differing technical and personnel capacity to carry out statistical work. However, what they do have in common is the fact that the collection of data on the mobility of the population is not one of their main tasks, and that it is of secondary importance. Regulations concerning the state authorities do not specify the task of collecting statistical information. The exception is the regulations concerning the State Statistics Service.

Therefore, administrative statistics are largely one-dimensional, lack detail and refer to events rather than people. Sometimes data are collected, but not subjected to statistical processing. In particular, this is the case with the structural characteristics of migrants. As a rule, access to departmental statistics is insufficient. Most of these data are not published in printed form or on websites, and are only available upon request.

The low comparability of Ukrainian and foreign migration statistics can be explained by the insufficient incorporation of definitions and indicators used abroad into the Ukrainian data collection systems.

Cases in which administrative statistical systems are not coordinated with the State Statistics Service constitute a significant problem.

To summarize, the existing migration statistics system in Ukraine can be classified as partly acceptable. Although it does draw on a wide range of information, it fails to incorporate a number of international recommendations on data collection. The formation of a new, improved migration statistics system must include the expansion of the system of indicators drawn from the existing sources of collecting data, the inclusion of information from indirect sources of migration data and the introduction of new information sources.

In light of the above considerations, we deem it **advisable to propose** the following measures aimed at improving the system of migration information on Ukraine's population:

In the short-term perspective, and within the framework of the existing system:

1. As the State Migration Service of Ukraine works on improving the departmental forms of statistical reports, it needs to coordinate its content with the State Statistics Service of Ukraine. In this process international recommendations should be taken into consideration. In particular, the service should do the following: Trace changes in the legal status of foreigners, singling out status granted for the first time; make sure that data on naturalized foreigners includes previous citizenship, duration of residence in Ukraine, age, sex, etc.; make sure that the statistics on immigration permits reflect the duration of residence in Ukraine, if any, before the receipt of a permit, as well as age, sex and other features of immigrants. Moreover, data on applications for

international protection, decisions adopted in response to them and the number of foreigners who are in the process of obtaining such protection, would have to include age and sex. Data on illegal migrants detected on the territory of Ukraine and migration legislation offenders need to be disaggregated not only by citizenship, but also by sex and age. All of this is necessary in order to identify the target groups towards which the state needs to direct its efforts in the field of migration, and to ensure comparability of Ukrainian and foreign data.

2. In the process of compiling statistics on the crossings of Ukraine's state border, the State Border Guard Service needs to do the following: Specify the purpose of leaving abroad for Ukrainian citizens and carry out sample surveys to this end; make arrangements for singling out border crossings within the framework of "small border movement" into a separate category; produce data on the age and sex of apprehended illegal migrants.

3. In the process of compiling statistics on foreigners studying in Ukraine, the Ministry of Education and Science needs to arrange for their processing by age and sex.

4. In the process of compiling data on Ukrainian citizens employed abroad, the State Employment Service should single out sailors, which can be done by separately aggregating data on all crewing agencies and on other employment agencies. This will make it possible to speak about the characteristics of labor migration on the basis of data drawn from intermediaries.

5. The Ministry of Foreign Affairs of Ukraine needs to publish, data on consular registration of citizens residing/staying abroad on a quarterly basis. These data should be disaggregated by country and age group. Information from foreign diplomatic missions on the number of Ukrainian citizens in their respective countries (based on data collected by these countries and expert estimations) should also be published.

6. Ministries and agencies that collect administrative data on migration need to facilitate the publication of these data on the websites of relevant institutions and expand the scope of published data.

7. When further developing the Migration Profile of Ukraine, information from indirect sources of migration data needs to be included, particularly data on births, deaths, individual entrepreneurs, convicts etc. These data should be disaggregated by citizenship, as well as data on victims of trafficking in human beings.

Within the context of improving migration statistics we would like to propose the following:

1. Conduct a census of the population that would provide more accurate data on the entire population, as well as migrants and Ukraine's migration losses. The program for developing materials for the All-Ukrainian Population Census needs to have an expanded list of tables with a combination distribution of Ukraine's population by citizenship and other features. When drafting the program for the next All-Ukrainian Population Census, it is necessary to consider expanding the list of questions on migration in the questionnaire by adding the following: Purpose of travel and country of stay (population area, if in Ukraine) for temporarily absent citizens; reasons for moving, year of naturalization (if not a citizen by birth) and reason for naturalization for immigrants. The implementation of this recommendation presupposes additional financing.

2. Speed up the creation of the Unified State Demographic Register. The Ukrainian Government needs to create an interdepartmental working group on the USDR Formation Concept. The experience of developing the existing Ukrainian databases on the population and information accumulated in them need to be taken into consideration.

In order to ensure a fruitful interdepartmental cooperation, legislation needs to be amended. An algorithm needs to be developed for periodic transfers of depersonalized data from the register to the statistics agency for professional processing and analysis. A statistics component needs to be added to the Law on the Unified State Demographic Register, and amendments need to be made to legislation regulating the use of data in registers. This needs to be done in order to supplement and refine statistical data on the population in general and its mobility in particular.

3. The day-to-day registration of migration needs to be improved. In particular, information on migrants needs to include the country of birth. Moreover, day-to-day registration needs to be combined with sample surveys of persons changing their place of residence. Arrival/departure certificates used before the current forms were introduced can serve, in a modified form, as the basis for the questionnaires for such surveys. For example, the question about the reason for moving, which yielded little useful information and in response to which most respondents cited personal reasons, could be made more detailed by suggesting such answers as “changing the place of work”, “marriage/establishment of a partner relationship”, “moving to live with parents”, “moving to live with children”, etc. The implementation of this recommendation presupposes additional financing.

4. Surveys of labor migration need to be carried out periodically (once in 4-5 years). In the framework of the survey program, the categories of migrant workers should be distinguished. In particular, this concerns long-term migrant workers (absent for more than one year) who are, in essence, emigrants, even though they have not deregistered; citizens who have returned from emigration; circular migrants. These distinctions are of crucial importance for policy-making. The implementation of this recommendation presupposes additional financing.

5. Periodic surveys of international travelers at Ukrainian border checkpoints need to be launched in order to obtain more accurate data on the composition of migration flows, as well as the purposes and directions of international movements. The implementation of this recommendation presupposes additional financing.

6. After the population census is conducted in 2016, sample surveys on the conditions of foreigners and stateless persons in Ukraine need to be conducted. This census will make it possible to determine the parameters of the total population of this contingent and build a representative sample. The implementation of this recommendation presupposes additional financing.

7. The cooperation between the Ministry of Internal Affairs, the State Migration Service, the State Border Guard Service, the Ministry of Social Policy, the State Employment Service, the Ministry of Education and Science and the Ministry of Foreign Affairs on registering foreigners needs to be improved. A regular exchange of personalized information with the aim of forming a register of foreigners in Ukraine needs to be established between these agencies. This register would have to include a maximum of data on entry, stay and exit from Ukraine with regard to foreign nationals and stateless persons. It should include information on entry visas issued to foreigners by the Ministry of Foreign Affairs bodies (in the case of persons requiring a visa to enter Ukraine); data of the State Border Guard Service on actual entries by foreigners; data of the State Migration Service on foreigners, including their registration and change of the status of stay; data of the Ministry of Education and Science on foreign students; information of the State Employment Service on foreign workers; data of the State Border Guard Service on foreigners' exits from Ukraine. Information contained in the register should be accessible to the above agencies, while generalized depersonalized data should be made available to a wide range of researchers.

9. The Central Election Commission should be tasked with enabling statistical measurements of citizens' return from abroad and territorial movements within the country based on the data contained in the Register of Voters. If election legislation is amended to give migrant workers abroad better access to the election process,

particularly by introducing a system of voter registration (for example, by mail) not tied to consular registration, the possibility of statistical processing of this information for the purpose of studying the volume and composition of migration from Ukraine needs to be envisaged in legislation.

10. Specialists working with statistics in various agencies need to be systematically trained. They need to be briefed on international experience and best practices. The State Migration Service unit responsible for statistical and analytical work needs to have more staff and better technical equipment. The implementation of this recommendation presupposes additional financing.

11. A statistical periodical on migration under the aegis of the State Statistics Service needs to be launched. It would publish both state migration statistics data and administrative data on migration. The implementation of this recommendation presupposes additional financing.

12. The executive authority responsible for taxation⁶⁹ needs to develop and publish the results of a combination distribution of taxpayers by region (administrative district) of residence and by region (administrative district) of tax payment.

13. International cooperation in the field of migration information needs to be further developed. Data exchange with the statistical agencies of foreign countries needs to be expanded for the purpose of data comparison and verification.

14. In the National Academy of Sciences of Ukraine and departmental research institutions, migration research needs to be stepped up with special attention to methodology and statistics. The implementation of this recommendation presupposes additional financing.

15. The Interdepartmental Commission on Migration attached to the Cabinet of Ministers of Ukraine needs to resume its operation. In order to increase the effectiveness of its statistical work, a representative of the State Statistics Service should be added to the commission.

16. Draft a program for the development of migration statistics in Ukraine. The program needs to identify top-priority tasks and long-term goals, as well as the mechanism and terms for their achievement. When drafting the program, the above recommendations need to be taken into account. The Cabinet of Ministers needs to issue a regulation creating an interdepartmental working group to draft the program.

The implementation of a number of recommendations would require additional financing. Considering the financial limitations experienced by the Ukrainian state, international donors should consider the possibility of providing material and technical aid, and, if necessary, methodological assistance.

A new system of migration statistics based on the above recommendations would be more advanced than the current one as it would be based on additional indicators mentioned in international recommendations. This system would also be supplemented with data collected by Ukraine's diplomatic missions abroad on the number of Ukrainian citizens staying abroad. It would also be supplemented with data from a demographic register and a number of sample surveys.

⁶⁹ At the moment, this authority is the Ministry of Revenue and Duties, but it may be dissolved.

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ANNEXES

ANNEX A. AN OVERVIEW OF MIGRATION TRENDS IN UKRAINE

The current migration situation in Ukraine is characterized by the stabilization of the overall level of registered migration (primarily due to internal migration), a gradual increase in migration losses, a transition to a positive net migration balance since 2006, an increasing share of young people among migrants, a more balanced gender ratio in migration flows and more pronounced regional differences. Against the backdrop of improving indicators of registered migration, the volume of labor migration abroad remains significant.

According to the State Statistics Service, after 11 years, 1994-2004, during which outgoing migration exceeded incoming migration (only registered migration is taken into account), a positive migration balance (4,600 persons) was again recorded in 2005. A small positive migration balance persisted throughout 2006-2011, ranging from 13,500 to 17,100 persons. In 2012, the volume of incoming migration sharply grew, leading to a nearly fourfold increase of the migration balance (to 61,800 persons). However, this was due to regulations which eased the registration of foreigners who came to Ukraine in previous years, rather than to a real increase in the number of incoming migrants.

In January-September 2012, 51 holders of the *kandydat nauk* degree (an equivalent of PhD. – Transl.) and five holders of the *doktor nauk* degree left Ukraine. The latter number decreases with each passing year, having already fallen to less than 20% of the 2002 level. This is due, firstly, to the fact that the majority of specialists inclined to emigration have already left Ukraine and, secondly, to a gradual increase in the income level of highly qualified and experienced specialists in Ukraine. In contrast, the number of *kandydat nauk* degree holders, which dropped in the early 2000s, began to grow again with the onset of the world financial crisis.

Ukraine remains one of the biggest donors of labor force in Europe. According to the results of the second national survey on labor migration conducted in April-June 2012 by the State Statistics Service of Ukraine jointly with the Ptukha Institute of Demography and Social Studies and commissioned by ILO, 1.2 million Ukrainian citizens aged 15-70, or 3.4% of the population in this age group, worked or sought employment abroad in the period from 1 January 2010 to 17 June 2012. This survey could not cover citizens in households all of whose members left abroad and lived there for many years, i.e. the real scale of Ukrainian labor emigration is bigger. Labor migration is more common among men – they account for two-thirds of all migrant workers. The majority of migrant workers are aged 25-49, i.e. these are people who have certain work experience and qualification and at the same time preserve high capacity for work.

The biggest recipient countries of Ukrainian workforce are the Russian Federation (43.2%), Poland (14.3%), Italy (13.2%) and the Czech Republic (12.9%). Other countries to which significant labor migration flows are directed include Spain (4.5%), Germany (2.4%), Hungary (1.9%), Portugal and Belarus (1.8% each). Significant differences can be observed in the directions of external labor migration among men and women. Among key recipient countries of Ukrainian migrant workers, women predominate in Hungary (53.0%) and especially in Italy (78.5%). Men are in the majority among Ukrainian migrant workers in Belarus, Poland and Spain, but the

share of women in these countries is distinctly higher than across all migration flows. The Russian Federation and the Czech Republic are the countries of primarily male migration from Ukraine (83.8% and 75.1%, respectively). The gender ratio among Ukrainian migrant workers in Germany and Portugal is roughly the same as across the total population of this group.

At the same time, the number of foreigners temporarily working in Ukraine remains low. According to the State Employment Service, there were 7,500 of foreign workers in Ukraine as of the beginning of 2013. Their numbers steadily grew until 2009, reaching 12,400, but then began to decline with the onset of the world financial crisis. Foreign workers in Ukraine represent more than 100 countries of the world. At the beginning of 2013, the biggest groups were from the Russian Federation (1,200 workers), Turkey (1,000), Poland, Belarus, Germany and Uzbekistan.

The number of foreigners permanently residing or temporarily staying in Ukraine constantly increases. At the end of 2011, the Ministry of Internal Affairs bodies (State Migration Service bodies after August 2012) had more than 310,000 foreigners on record, which is 1.35 times more than at the end of 2005. Over three-fourths of them are citizens of the former USSR, including nearly half from the Russian Federation. The citizens of Azerbaijan, Moldova, Armenia, Georgia, Uzbekistan, Turkmenistan, Belarus, China and Vietnam also comprise large groups.

As of 1 January 2013, there were 2,425 persons with refugee status in Ukraine. They come from the CIS states (above all, Armenia, Azerbaijan, Russia and Georgia), Asia (Afghanistan, which accounts for more than half of refugees, as well as Iraq, Syria and Iran), Africa (especially DR Congo and Sudan) and former Yugoslavia. After a rapid increase in 1997-2002, the number of registered refugees gradually declined in 2003-2009. In the past years, it again began to grow at a low rate.

According to the Ministry of Education, Science, Youth and Sports of Ukraine, more than 49,000 foreign students studied in Ukraine's higher education institutions as of the beginning of the 2012-2013 academic year. The biggest groups of foreign students are from Turkmenistan, China and Russia.

Since Ukraine got its independence it has been a territory of transit for irregular migrants trying to enter Western European countries. After the state border of Ukraine was better equipped and adequate visa control was set up, Ukraine's role as a country of transit diminished. Citizens of the former USSR predominate among irregular migrants as they enjoy visa-free travel and can stay on the territory of Ukraine for up to 90 days without registration. In 2012, they accounted for 92% of persons who were denied entry to Ukraine, according to the State Border Guard Service. The biggest groups were from Tajikistan, Uzbekistan, Moldova, Georgia and Kyrgyzstan. Former Soviet citizens, primarily from Russia, Uzbekistan, Azerbaijan and, to a lesser extent, Moldova, Georgia and Armenia, accounted for 84% of irregular migrants detected in Ukraine, according to the State Migration Service. The State Border Guard Service reports that more than half of the persons apprehended for illegally crossing the border are citizens of former Soviet republics. The biggest contingents come from Moldova and Georgia (among the post-Soviet countries) and Afghanistan and Somali (among other regions of the world).

ANNEX B. LIST OF INTERVIEWEES

State Statistics Service

Natalia Vlasenko, Deputy Head of the State Statistics Service
Halyna Tymoshenko, Director of the Department for Population and Regional Statistics
Maria Timonina, Deputy Director of the Department for Population and Regional Statistics
Alla Solop, Deputy Director of the Department for Labor Statistics
Liubov Zadoienko, Head of the Division for Demographic Statistics

State Migration Service

Serhii Dekhtiarenko, Director of the Department for Management of Affairs and Regional Development
Natalia Naumenko, Head of the Directorate for Protection Seekers
Viacheslav Hnatiuk, Head of the Division for Reporting and Organizing the Activities of Territorial Bodies
Volodymyr Yurchenko, Head of the Division for Analytical and Methodological Provision

State Border Guard Service

Valerii Tymchenko, Senior Officer of the Directorate for Working with Foreigners and Administrative Proceedings
Vladyslav Chernetsky, Senior Officer of the Directorate for Analysis, Risk Assessment and Statistics

State Employment Service

Olena Kozyrieva, Head of the Directorate for Informational and Analytical Provision and Strategic Planning

Ministry of Education and Science

Petro Peretiatko, Deputy Head of the Directorate for International Cooperation
Svitlana Pohukaieva, Chief Specialist in the Directorate for International Cooperation

Ukrainian State Center for International Education

Svitlana Honcharova, Deputy Director

Ministry of Foreign Affairs

Kyrylo Kalyta, Deputy Director of the Department and Head of the Division for Consular and Legal Issues
Vitalii Moshkivsky, Head of the Visa Policy Division

Central Election Commission

Oleksandr Stelmakh, Deputy Head of the Service of the Administrator of the State Register of Voters

State Court Administration, State Enterprise “Information Court Systems”

Vitalii Zhyvaiev, First Deputy Director General

Oleksandr Fialkovsky, Computer System Analyst in the Software Engineering Department

State Registration Service

Anna Ivashchenko, Head of the Division for Processing Applications on State Registration Issues in the Department of State Registration of Legal Entities and Individual Entrepreneurs

Olena Zavhorodnia, Head of the Division for Legal Assistance in the Department for the Civil Status of Citizens
Lesia Muzychuk, Chief Specialist in the Sector for Methodology, Standard-Setting and Work with Registers in the Directorate for Registration of Public Associations and State Registration of Printed Mass Media and Information Agencies

Denys Spesivtsev, Head of the Division for Interaction with the State Bodies Registering Real Property Titles

Anna Chernukhina, Chief Specialist in the Division for International Cooperation in the Department for Analytical Work and Public Relations

Ministry of Labor and Social Policy

Olena Farymets, Chief Specialist in the Department for Family and Gender Policy and Combatting Trafficking in Human Beings

National Bank

Olena Troitska, Deputy Head of the Directorate and Head of the Division for Methodology and Balance of Payments Compilation in the Department for Balance of Payments.