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# Institutionalization of Migration Policy Frameworks in Armenia, Azerbaijan and Georgia

Shushanik Makaryan\* and Haykanush Chobanyan\*\*

## ABSTRACT

This article is a comparative study of the institutionalization of the migration policy frameworks of post-Soviet states Armenia, Azerbaijan and Georgia since the collapse of the Soviet Union in 1991. All three countries share common historical legacies: a Soviet past, wars and conflicts, unemployment, high emigration, and commitment to integration into European bodies. To what extent do the migration policies of these three countries (driven by contextual forces, i.e. domestic challenges) address country-specific migration dynamics? Or are they imposed by the European Union? In which dimensions have the national policies on migration of Armenia, Azerbaijan and Georgia evolved, and around which issues have they converged or diverged? Have these trends led to an integration of migration policymaking at the regional level in the South Caucasus?

## INTRODUCTION AND THE THEORETICAL FRAMEWORK

The institutionalization of the migration policies of nation-states is subject to pressures from domestic, historical and external forces. Research, largely centred on migrant-receiving western countries, has primarily focused on immigration, integration and citizenship issues, asylum and refugee policies and irregular migration (Brubaker, 1992; Lavenex, 2001; Hollifield, 2004; Boswell, 2007). This research has documented that contextual and historical factors, such as fertility patterns and migration dynamics (Brubaker, 1992), the agenda of political parties in power (Joppke, 2003) and prior policy traditions and legacies (see Weil, 2001; Wright, 2012) determine what policies states adopt on migration and citizenship.

Since post-World War II, the impact of global forces on national policies has increased. Supranational entities and institutional frameworks (Lavenex, 2001) or the globally diffusing political culture (Meyer et al., 1997) shape policies and agendas of states. The neo-institutionalist literature also notes that young states, driven by quests for legitimacy and recognition, are the most likely to conform to worldwide models of statehood and to enact globally legitimated policies (Meyer et al., 1997: 159). When states fail to comply with global norms, they are forced to comply by pressures emanating from international organizations or the civil society (Hafta-Burton and Tsutsui, 2005) or various forms of conditionality (Schimmelfennig and Scholtz, 2008).

Hardly any research exists on the challenges that young, migrant-sending states face when developing their migration regimes, and importantly, how these initial migration policies are transformed

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over time. This scarcity of research is exacerbated by the fact that less developed countries often lack policies and laws that regulate migration (Hollifield, 2004: 893).

Addressing the gap in the migration scholarship, we examine the forces shaping the migration policies of Armenia, Azerbaijan and Georgia since the collapse of the Soviet Union in 1991. Unlike Russia, Ukraine, or Moldova, these three South Caucasian states have not been popular transit channels of migration to the European Union, and hence have been less the subject of academic inquiry in both migration and the European Neighbourhood Policy scholarship (but see Longhurst and Nies, 2009; Ademmer and Borzel, 2013). In the meantime, Armenia, Azerbaijan and Georgia are not only neighbouring states with a common border; they also share similar trajectories in socio-economic and political dynamics that have shaped international migration in this region since the collapse of the Soviet Union. All three countries have joined the European Union's European Neighbourhood Policy (ENP) and the Eastern Partnership (EaP) initiative. These policy frameworks aim to integrate migration policies with those of the EU for better migration management (European Commission, 2011:11). These three countries were also involved in ethnic conflicts and wars. In the 1990s Armenia and Azerbaijan fought a war over the Nagorno-Karabakh (an ethnically Armenian enclave), which eventually declared a *de facto* independence from Azerbaijan. Georgia had a civil war in the early 1990s, and ethnic violence in separatist regions of South Ossetia and Abkhazia, which in 2008 escalated into a war with Russia, and led to *de-facto* independence of these separatist regions. The collapse of the Soviet economic system and the political instability in its aftermath led to high unemployment<sup>1</sup> and large volumes of permanent and temporary migration from all three countries. Combined with low birth-rate and the continuously declining cohort of persons aged 0-14, (WDI, cited in ETF, 2011:80), the aging of the population and the depopulation of the country became a valid concern for all post-Soviet states in the South Caucasus. In this context emigration (especially of the young labour force) became an urgent matter of national security.

This article is a comparative study of the institutionalization of migration policy frameworks of Armenia, Azerbaijan and Georgia, which became independent states upon the collapse of the Soviet Union in 1991. To what extent do the migration policies of these states address country-specific migration dynamics, and hence are driven by contextual forces, rather than being imposed by the European Union? In which dimensions have these national migration policies evolved, and around which issues have they converged or diverged? Have these trends led to an integration of migration policymaking at regional level in the South Caucasus? To investigate this, we apply a systematic analysis of:

- a) country policy documents (e.g. state policy programmes on migration, demography, poverty, etc.);
- b) European Union policy documents and country progress reports;
- c) analyses of the parliamentary debates, programmes and platforms of political parties in Armenia, Azerbaijan, Georgia;

to examine the institutionalization and change of migration policies in these states from 1991 to the present. The key focus is not on the legislative analyses of documents, but on policy directions set out in national migration policy frameworks.

## DOMESTIC DYNAMICS AND MIGRATION POLICIES OF ARMENIA, AZERBAIJAN AND GEORGIA

During only the first decade since independence in 1991, the population decline due to migration (i.e. negative net migration) exceeded 15 per cent of the population size in Armenia and Georgia,

reaching 20 per cent by 2004 in both countries (cited in Mansoor and Quillin, 2006:33). In Azerbaijan, despite similar emigration trends, but due to high crude birth rate, the population continued to increase (SSC, 2012).

Although migration was often used by political opposition to blame authorities for bad governance, the debates of the 1990s never matured into a policy. In Azerbaijan the politics has been largely centred on a one-party system – the ruling New Azerbaijan Party (Yeni Azerbaijan, the political base of both the former and current presidential administrations), which since the collapse of the Soviet Union has won the majority of seats in the parliament in all parliamentary elections: 1995, 2000-2001, 2005, and 2010. Yet the challenge for Azeri political parties has not been the adversarial politics of pushing an agenda on migration policy in Azerbaijan. Rather, in the 1990s and the 2000s the migration discourse has practically been absent from political party agendas and programmes in Azerbaijan (Babak et al., 2004; Rumyansev, 2012a). At most, the focus has been on the social welfare issues of refugees and internally displaced persons (e.g. Civic Solidarity Party, n.d.; Motherland Party, n.d.). Either the state control of the press and of political freedom, or overwhelming public concern over the Nagorno-Karabakh conflict, kept the agenda for migration regulation constrained to domestic issues such as refugees and internally displaced persons (IDPs).

In contrast to Azerbaijan, migration, and emigration issues are hotly debated and are highly politicized in Armenia (Chobanyan, 2012) and Georgia (Chelidze, 2012). Yet in both countries these debates have failed to translate into a migration policy agenda and have remained as mere rhetoric (Chobanyan, 2012; Chelidze, 2012). In Armenia most legislative initiatives in the migration sphere (such as the Law on Refugees [1999], on Political Asylum [2001], on Aliens [2006], on the State Border [2011]) were launched by the Government of Armenia and not by political parties represented in the parliament (Chobanyan, 2012). The politicized nature of migration debates has also delayed some legislative reforms: for example, the draft Law of Armenia on Regulation of Overseas Employment, drafted in 2001 and modified several times, has to date not been adopted by the parliament of Armenia amidst caution to not be perceived by the public as encouraging emigration (Chobanyan, 2012: 3).

As states in the South Caucasus joined more international treaties and conventions (Chobanyan, 2012), and the technical capacity of governmental institutions increased and bureaucracies expanded, the policy-making domain also expanded and the focus shifted to adopting more targeted policies, i.e. with narrower focus, such as on youth employment, migration, etc.

In 2000 Armenia became the first country in the South Caucasus that had adopted a Concept of State Regulation of Migration (Government of Armenia, 2004). In 2004 Armenia issued the second migration regulation policy programme, and then the third in 2010. Azerbaijan adopted its migration concept in 2004 (Government of Azerbaijan 2004) and finally its state programme on migration in 2006.

Georgia did not adopt a migration policy until 2013. The civil war and the conflicts in Abkhazia and South Ossetia created high volumes of refugees and IDPs: to date more than 212,000 IDPs in Georgia are still in protracted displacement from conflicts of the 1990s (UNHCR, 2009). The political unrest of the first decade and Rose Revolution of the 2003 kept the migration policy-making out of priority agenda. After the Rose Revolution, the growing tension between Georgia and Russia shifted the focus of Georgian authorities to economic policy. Various reforms to ease business environment in the country, and attract investors and migrants somewhat intentionally delayed both the migration policy development and the efforts to address legislative gaps that were present in existing legislation on labour migration (Patariaia, 2011: 42). To attract more investments Georgia unilaterally lifted visa requirements to many countries, and today citizens of more than 100 countries can enter and stay in Georgia for 360 days without a visa (MFA Georgia, n.d.). Nor did any legal provision regulate the employment of, or the issuance of work permits to, foreign citizens (Gabrishidze, 2012:4). When foreign visitors entered Georgia, it was impossible to monitor and verify whether they overstayed or changed their status (IOM 2008:4).

Persons could enter Georgia as tourists and get employed without actually violating Georgia's legislation: there was simply no legal limitation to a status change of a foreigner (Gabrichidze, 2012:6).

While the non-regulated migration regime attracted migrant workers (although immigration was still lower than emigration), it also transformed Georgia into a transit country. Thus, problems of irregular migration and human trafficking came to dominate in future migration reform efforts. The lack of migration regulation also affected other commitments that Georgia had undertaken when joining the Council of Europe in 1999, and in particular, the 12-year plan to repatriate Meshkhetian Turks who after being displaced by Stalin to Central Asia, now sought refuge in other post-Soviet states amidst unrest in Central Asia (Patariaia, 2011). The lack of both governmental will to shift economic resources from IDPs to to-be-repatriates and of coordinated migration policy delayed the repatriation project for more than a decade.

In Armenia and Azerbaijan, even though the initial policymaking on migration was typically derived from poverty reduction or economic development strategies, the first migration policy concepts had heavy imprints of domestic challenges (refugees, IDPs, emigration) that Armenia and Azerbaijan faced in the 1990s and the early 2000s. These issues persisted in later policy frameworks, even when the external impact on migration policy-making had increased, such as from the EU. In contrast, in Georgia the approach was to shape the economic and political system with *minimum* migration regulation. Thus, the policy impact on migration issues would be indirect, derived from economic dynamics of the country.

### **Refugees, internally displaced persons (IDPs)**

A major focus in the first migration policy frameworks of both Armenia and Azerbaijan was on the refugees and the IDPs from the Nagorno-Karabakh conflict. For Armenia the refugee crisis was accompanied by the economic blockade imposed on Armenia by Azerbaijan and Turkey. In Azerbaijan the IDP crisis was exacerbated by the arrival of refuge-seeking Meshkhetian Turks from the Central Asia and Georgia. Thus, in Azerbaijan the first policy concepts mentioned material support (such as housing, or jobs, education, health services), programmes on integrating refugees and the IDPs in the labour market, as well as policy measures on facilitating the resettlement or the return of IDPs to their original settlements. In Armenia, in addition to support measures for refugees, the 2000 and the 2004 migration policy concepts emphasized the need for preventing future massive forced migrations of Armenians from other potential hot-spot countries by establishing relations with governments of those countries and by involving Armenian organizations abroad to help prevent potential forced migrations.

### **Emigration, citizens and co-ethnic members abroad**

The second major challenge for both countries was the migration of their citizens abroad. In Armenia it was clear that during an economic blockade and high unemployment, the immigration of foreign labour was unlikely. Thus, the emphasis was on the return and re-integration and protection of Armenian nationals abroad, as well as the repatriation of the Armenian diaspora. In Azerbaijan most discussed in the mass media were the rights and the status of Azeri migrant workers abroad (e.g. in Russia, Ukraine, Turkey), many of whom are to date irregular migrants. In this context there were also frequent debates about granting dual citizenship to these persons, many of whom have now obtained second citizenship and are de-facto dual citizens; see, for example, the Programme of the Democratic Party of Azerbaijan (Babak et al., 2004; Echo, 2007). However, in Azerbaijan the dual citizenship issue was framed as conditional upon solving the Nagorno-Karabakh conflict and upon deciding the citizenship status of the population of the Armenian enclave of Nagorno-Karabakh.

Nevertheless, the 2004 migration policy concept of Azerbaijan laid heavy emphasis on the protection of rights of migrants, especially those of Azeri migrants abroad.

Yet there were clear differences in how Azerbaijan and Armenia proceeded with their citizens or ethnic members abroad. While Armenia explored mechanisms to repatriate its diaspora (Government of Armenia, 2000; 2004), Azerbaijan's government aimed to construct and institutionalize a diaspora abroad (Rumyansev, 2012b). Since the disintegration of the Soviet Union and the emigration of temporary migrant workers abroad –mainly to Russia and to Turkey – the Azeri government has systematically tried to use its migrant base to construct and organize an Azeri diaspora abroad (Rumyansev, 2012b; Heydar Aliyev Foundation, 2010) by frequently citing the need to imitate the Armenian diaspora and its powerful lobbying model (President of Azerbaijan, 2011). This political project (Rumyansev, 2012b) has been very carefully controlled by the Azeri government to ensure the “formation of the [Azeri] diaspora on a scientific basis” (Head of the State Committee on Work with Diaspora, Nazim Ibrahimov, cited in press conference in Trend, 2012). Azeri diaspora organizations were also seen as a mechanism to help protect the rights of Azeri migrants abroad; thus the 2004 migration policy concept supported the diaspora-building project and as a policy priority stressed assisting Azeri citizens to find jobs abroad, “establishing contacts with the Azeri community abroad and providing support in organizing the Azeri diaspora” (Government of Azerbaijan, 2004, p. 9). The diaspora-building project was at its initial stages, and to institutionalize it, in 2002 the State Committee on Work with Diaspora was established.

Armenia had a large diaspora in Western Europe, the USA and Latin America, as well as the former Soviet region – the Near Abroad. By the 1989 (last) Soviet population census, more than one million persons of Armenian nationality<sup>2</sup> lived in other republics of the former Soviet Union (Anderson and Silver, 1989). The population census conducted in Russia thirteen years later revealed that in Russia alone proportion of persons of Armenian nationality (not citizenship) had more than doubled since 1989 (Rosstat, 2004). The Armenian diaspora in the Near Abroad is only a fraction of the Armenian diaspora living in the USA, Latin America, and Western Europe. Thus, besides elaborating mechanisms (such as bilateral agreements) to protect the rights of Armenian citizens abroad or to monitor the recruitment, employment and return of migrant workers, in 2000 and 2004 Armenia's migration policy also aimed to facilitate the diaspora repatriation and the return migration of co-citizens. The policy envisioned adopting the institute of dual citizenship, simplifying the procedure for border crossing (visa documents) and the legal stay of the diaspora in Armenia, or giving privileges to Armenians from abroad in employment, entrepreneurship in Armenia or in acquiring citizenship of Armenia. Both repatriation and dual citizenship issues were voiced by various political parties (Chobanyan, 2012; Makaryan, 2010). In 2005 the Constitution of Armenia and in 2007 the Citizenship Law were amended to allow dual citizenship, and the persons of Armenian nationality were granted facilitated naturalization. In 2008 Armenia established a Ministry of Diaspora.

### Migration regulation

After the collapse of the Soviet Union, a major challenge was the reliability of international migration statistics (Makaryan, 2012). Thus, in both Armenia and Azerbaijan there was a disproportionately heavy emphasis on migration measurement, technical capacity building of agencies that dealt with migration or the coordination of migration information, including the creation of a border-crossing registration system (in Armenia), an automated passport system, a single-migration card system (in Azerbaijan), an automated entry-exit and registration system, information exchange both domestically between governmental agencies and inter-governmentally on migration statistics, and visa data and technologies.



In Azerbaijan, capacity building extended to also labour *immigration* issues. The boom of energy and construction sectors had made Azerbaijan attractive for migrant workers from Afghanistan, Pakistan, Iran and post-Soviet Central Asia. While the official number of documented migrant workers is only a few thousands, the number of undocumented migrant workers is much higher and by various estimates could have reached up to 0.45 million persons in 2012 (Day.Az, 2012). Thus, starting from 2010, the Azeri government issued quotas for migrant workers: in 2012 the quota was set to 11,970 persons (Aliyev, 2012). Yet the establishment of quotas carried a rather arbitrary character, and was neither based upon, nor reflected the labour-force demand for international migrants in Azerbaijan (Aliyev, 2012).

Based on the 2004 migration policy concept, in 2006, without much public debate, Azerbaijan adopted the State Programme on Migration for the years 2006-2008 (President of Azerbaijan 2006). In 2007, the State Migration Service (SMS) of Azerbaijan was established. In 2009 the “single-window system” was created, centralizing the regulation of migration in the hands of the SMS (President of Azerbaijan, 2009). The 2006-2008 Programme also set an agenda for drafting a Migration Code of Azerbaijan, which was adopted and entered into force in 2013 (Government of Republic of Azerbaijan, 2013a). The Code changed the regulation on the stay and registration of migrants, including foreigners who had finances or investments in Azerbaijan, and eased the employment permission for foreigners married to an Azeri citizen (Azerbaijan State Migration Service, 2013). The Code also introduced some stringent measures for migrants, such as making permits for permanent residency conditional upon knowledge of Azeri language, verifiable by the Ministry of Education language test (article 54.5 of the Migration Code).

As the EU pursued a more active role in the South Caucasus, migration policy-making dynamics changed, especially in Armenia and Georgia.

## THE EUROPEAN UNION IMPACT ON MIGRATION POLICY

In the 1990s and early 2000s, the EU had no pro-active, longterm strategy for post-Soviet states. The bilateral Partnership and Cooperation Agreements (PCAs) with Armenia, Azerbaijan, and Georgia, signed in 1996 and entered into force in 1999, were very similar in nature, and identical in their emphasis on migration – the focus was on illegal immigration (Title VIII). This unidimensional EU agenda was not coincidental. First, in the 1990s the main challenge for the EU was to halt the immigration of illegal migrants, who, amidst the economic and political crisis of the Soviet collapse, were heading to Europe and other western countries. Second, the EU competences were limited<sup>3</sup> to initiating migration cooperation with non-EU states. It was not until the Tampere 1999 meeting of the European Council that the EU set an agenda for a comprehensive approach to migration and partnership engagement with migrant origin and transit countries (European Parliament, 1999, par. 11).

The first migration programmes of both Armenia and Azerbaijan barely mentioned any European initiative. In 2004, however, the EU launched the European Neighbourhood Policy (ENP) to promote economic cooperation and democratic reforms in the South and East neighbourhood of the EU. Armenia, Azerbaijan, Belarus, Georgia, the Republic of Moldova and Ukraine are the six post-Soviet states currently included in the ENP.

The political motivation of the ENP was to prevent “[new] geostrategic threats ... stemming from insecure borders with new [non-EU] neighbours” that would emerge after the 2004 EU enlargement (Gawrich et al., 2010:1214). Extending the model applied to EU candidate states, the EU intended to reinforce external borders and to use ENP to provide a security buffer zone (Kelley, 2006). By applying conditionality and institutional socialization principles (Kelley, 2006), the ultimate objective of the ENP was a “short-term security strategy” on migration and border control,

and a “long-term good governance” through legislative harmonization and policy convergence (Gawrich et al., 2010:1214). “Well managed legal migration” was included in the ENP framework as a mutually winning policy for “sustainable economic and social development” of both the EU and its neighbours (European Commission, 2011:11). In 2009, in Prague, the EU launched the Eastern Partnership (EaP) initiative, to tailor its ENP activities to suit post-Soviet states.

Based on the conditionality principle of “less for less” and “more for more,” funds flow from the EU to post-Soviet governments, and to local and international non-profit organizations working on the region. During 2007-2013, more than EURO 12 billion were allocated for ENP-related projects in 16 states of the EU neighbourhood, among those the six post-Soviet states (External Action, 2013). Many local and international organizations have been funded from EU sources to help provide expertise for migration policy development in the South Caucasus. The Thematic Programme on Migration and Asylum alone allocated around 80 million Euros (see Table 1) for migration-related projects in the post-Soviet states.

With the ENP, and later also the EaP, the role of the EU in migration policymaking in post-Soviet states has drastically increased. To encourage collaboration from ENP states, the ENP framed EU border security interests as human mobility principles, and provided a reward of visa-facilitation if ENP states agree to readmission agreements: i.e. to readmit irregular migrants apprehended in the EU (Kelley, 2006). The visa facilitation and liberalization was also one of the six EU priority activities for the EaP. Yet, while the visa facilitation reduces the number of documents required to obtain a visa to the EU, and allows to obtain short-term visas to the European Union for total duration of 90 days per 180 day-period, it applies only to a few categories of persons. At present visa facilitation and readmission agreements are already in force with Armenia, Georgia, Moldova and Ukraine, and mobility partnerships have been signed with Armenia, Azerbaijan, Georgia and Moldova (see Table 2).

Despite the overall EU influence in the post-Soviet Eastern Partnership states, the impact of the EU on migration policy-making in the South Caucasus varies. First of all, the EU included Armenia, Azerbaijan and Georgia into the ENP after lobbying from these states and based on its interests in the energy resources of the region, and largely from the decision to push for local conflict resolution and stability in the region (Barbé and Johansson-Nogues, 2008; Gawrich et al., 2010). South Caucasian states also had differing expectations from the ENP and EaP. And this contrast was well reflected in the impact that the EU had in the migration policymaking in the South Caucasus.

Azerbaijan, due to its energy reserves, was less dependent on the EU and thus was less prone to develop a cultural linkage with the EU (Longhurst and Nies, 2009). The political agenda of Azerbaijan on euro-integration was more a rhetoric than a foreign policy priority. Political analysts and opposition parties insisted that the Azeri government was reluctant to promote Azerbaijan’s integration within the Eastern Partnership initiative due to fears that the harmonization of the

TABLE 1  
FUNDING THROUGH THE THEMATIC PROGRAM ON MIGRATION AND ASYLUM (FOR EASTERN PARTNERSHIP, RUSSIA, CENTRAL ASIA)

Year	Amount in Euros
2004-2006*	21.3 mln.
2007-2008	21.0 mln.
2009-2010	19.0 mln.
2011-2012	18.0 mln.
<b>TOTAL</b> contributed by the EU, excluding co-share contributions by award recipient-organizations.	<b>79.3 million</b>

Source: EuropeAid (various).  
\*Data for 2004-2006 were compiled from the list of awarded projects.



TABLE 2  
MIGRATION COOPERATION IN THE EU EASTERN NEIGHBOURHOOD

EU Eastern Partnership Country	EU Migration Related Policy Initiatives in Eastern Partnership Countries			
	Mobility Partnership	Visa Facilitation Agreement	Readmission Agreement	Association Agreement
<b>Armenia</b>	2011	2014 (in force)	2013 (in force)	Cancelled by Armenia
<b>Azerbaijan</b>	2013	2013 (signed)	2014 (signed)	Negotiations launched
<b>Georgia</b>	2009	2011 (in force)	2010 (in force)	Initialled* in 2013
<b>Belarus</b>	--	Negotiations launched	Negotiations launched	-----
<b>Moldova</b>	2008	2008 (in force)	2008 (in force)	Initialled* in 2013
<b>Ukraine</b>	--	2008 (in force)	2008 (in force)	to be signed by Nov. 2014

Source: DG Home Affairs (2011, 2012), European Commission (2012, 2013, 2014a, 2014b), ENPI 2014.

\*When the negotiations on the agreement are completed, the European Union and third-countries initial (i.e. pre-signs) the negotiated version of the agreement. This means more reforms are still to be undertaken along the agreed lines before the agreement is signed.

socio-political, economic and institutional and legislative framework with the EU (one of the pre-conditions of Euro-integration) would ultimately change the status quo in Azerbaijan and create a situation non-beneficial to its corrupt authorities (Kavkazskij Uzel, 2011). The EU however has taken a soft stand on Azerbaijan, its main trading partner in the South Caucasus, and has ignored Azerbaijan's undemocratic policies in exchange for benefits from the Azeri energy sector (Kelley, 2006; Barbe and Johansson-Nogues, 2008; Kavkazskij Uzel, 2011).

The EU's impact on Azerbaijan's 2006-2008 State Programme on Migration was also limited. The ENP Action Plan, adopted in 2006 (*ENP EU/Azerbaijan Action Plan*, 2006b), outlined activities for migration-related cooperation, border management, readmission agreements, improvement of document security, convergence of legislation on the asylum-seekers and human trafficking, and stressed the requirement to adopt and implement the State Migration Program of Azerbaijan. Yet the level of engagement remained very low until the 2010s and focused on border security and legislative convergence, including legislative compliance of the newly adopted Migration Code of Azerbaijan with EU practices. In 2012, the EU and Azerbaijan started negotiations on visa facilitation with the EU and signed the agreement in 2013, while the readmission agreement was signed in 2014.

In Armenia and Georgia the EU has been much more influential. In 2006 Armenia and the EU adopted an ENP Action Plan for the proceeding five years (*ENP EU/Armenia Action Plan for Armenia*, 2006a). The impact of this Action Plan has also been reflected in the 2010 Concept for the Policy of State Regulation of Migration in Armenia. More than 20 issues related to migration were outlined in the EU-Armenia ENP Action Plan (pp. 26-28), including border management, readmission and asylum issues, combating illegal migration and the traffic in human beings. And the 2010 Migration Policy Concept of Armenia clearly and explicitly identified a national priority the European integration and the approximation of Armenia's institutional structures and the migration legislative framework, particularly on trafficking, asylum and refugees, with the EU. Thus, the linkage with the EU has been a strong norm-diffusion channel of western migration culture in Armenia.

Moreover, in line with the EU's objective to improve border control, the range and the number of activities on technical capacity building and migration measurement also increased in Armenia's 2010 migration programme and included establishing "one-stop shops," biometric passports and identity cards, and electronic information systems for registering migration flows or monitoring the progress of the implemented migration policy. To address the readmission agreements, the policy also envisioned adopting programmes for the re-integration of migrants, and creating consulting services with migrant-hosting countries and hotlines for migrant workers abroad.

In Georgia, given the policy vacuum on migration, the EU impact on migration policy frameworks has been larger than in Armenia or Azerbaijan. Since the early 2000s and the onset of the ENP, Georgia has been seeking recognition of its democratic statehood, and has tried to build a geopolitical barrier against Russia. However, at the early stages of the ENP, the position of the Georgian government to keep migration unregulated and to not adopt any policy framework, conflicted with motivation of the provisions of the ENP Action Plan (*ENP EU/Georgia Action Plan*, 2006c) and made actual compliance of Georgia with the ENP migration-related agenda minimal, with few results (Ademmer and Börzel, 2013). After 2008, however, when citizens of the separatist regions of Georgia started using Russian passports to benefit from Russia-EU visa facilitation agreement, the EU's leverage increased in Georgia, and the EU was able to push ahead the Readmission Agreements as a precondition for visa facilitation (Ademmer and Börzel, 2013). Since then, Georgia has been very enthusiastic about the ENP policies and the prospects of visa facilitation (Barbé and Johansson-Nogues, 2008: 89). The EU mobility partnership, visa facilitation and readmission agreements have since 2009 been the main driving force in shaping migration policy-making in Georgia.

When Georgia joined the ENP in 2006, the ENP Action Plan envisioned an elaboration of a strategy on migration and asylum, and coordination among agencies dealing with migration. Based on that, in 2007, the IOM, funded by the European Commission, conducted a migration legislation assessment in Georgia (IOM, 2008). In 2010 Georgia established a Governmental Commission on Migration Issues to develop a migration policy (Patariaia, 2011). That year the Readmission Agreement between Georgia and the EU came into force, but the lack of a migration policy and of a coordinating agency made the implementation of the Agreement challenging (Patariaia, 2011). Four main priorities were identified that formed the pillars of a future migration programme. These priorities were:

- 1) the promotion of legal migration
- 2) regulation of irregular migration
- 3) reintegration of migrants (linked to Readmission agreements)
- 4) asylum policy (Patariaia, 2011: 57).

All four priorities were identical to the ENP EU/Georgia 2006c Action Plan, which stated “[m]igration issues (legal, illegal, readmission, visa, asylum)” as one of the joint policy objectives (Article 4.3.2).

In 2013 Georgia finally adopted a migration policy (Government of Georgia, 2013b). The EU blueprint was evident everywhere. The Policy was divided into the same four priorities, as identified above for the ENP Action Plan: legal, irregular migration, asylum and return and reintegration issues. In Armenia or Azerbaijan migration policies were often not implemented due to lack of funding, while the implementation of Georgia’s migration policy was built around EU funds.<sup>4</sup> As the Action Plan of Georgia’s Migration Policy indicated (Government of Georgia, 2013c), legal migration (employment abroad, legislative reforms on immigration, diaspora involvement in development), irregular migration (trafficking, asylum), return and reintegration issues (readmission, legislative reforms, 100 micro-loans to return migrants, mobility centres, readmission information system, etc) were to be funded from or implemented in partnership with the EU. The IOM, ICMPD and UNHCR (among other international organizations) would contribute to capacity building in migration statistics, legislative gaps on irregular migration, asylum, return migrants, etc., albeit within either ongoing or planned EU funded projects.

Already in its legislative assessment, the IOM (2008: 2) noted that despite widespread warnings about problems linked to unregulated migration, high-level officials in Georgia were still convinced that future migration policy should continue making Georgia attractive to migrants and investors. This line of policy was again institutionalized in the 2013 migration policy, and the liberal visa regime was explicitly defended in Georgia’s economic interests (Articles 4.1.2.1 and 4.1.2.2). However, to accommodate EU demands for reform, Georgia outlined a detailed list of activities for combating irregular migration into Georgia, including legislative reform, creation of a new agency on irregular migration, and accommodation centres for detected irregular migrants. The Policy also laid strong emphasis on technical capacity building, such as the creation of information systems on immigration and asylum-seekers, building an infrastructure of public services for migrants, integrated border management system, and staff training, in line with migration reforms in other post-Soviet states.

## DISCUSSION AND CONCLUSIONS

Our research (Makaryan n.d.) indicates that despite varying economic development prospects and diverging geopolitical concerns, the purposes of nation-states for migration regulation, as articulated in migration policies (both in the EU and in the post-Soviet region), are strikingly similar and are

conceptualized around a world political culture of economic development, progress and individualism, in line with neo-institutionalist expectations (Meyer et al., 1997). In this article, instead, we explored how country-specific factors vis-a-vis the EU policies in the South Caucasus shaped the institutionalization of migration policy frameworks in Armenia, Azerbaijan and Georgia.

Systematic analyses of the migration policy frameworks of Armenia, Azerbaijan and Georgia reveal that the European Union had weak involvement in the South Caucasus in the 1990s and early 2000s, when Armenia and Azerbaijan conceived their migration policy programmes. The minimal impact of the EU on the national migration policymaking of these states also partially explains the lesser impact that the EU had in later years in both funding and shaping migration policy agendas in Armenia and Azerbaijan, as compared with Georgia where, as we argued, Georgian authorities fully followed the ENP Action Plan in designing Georgia's migration policy. In Armenia and Azerbaijan migration policies were conceived around domestic migration issues (IDPs, refugees, emigrating labour force) and were not based on foreign policy objectives linked to the EU or the Eastern partnership agenda, as was the case for Georgia, even though Georgia faced similar domestic challenges. Despite opposing population growth trends, the migration policy trajectories of Armenia and Azerbaijan were quite similar and focused on the welfare of refugees and IDPs; legislation on the status of aliens, refugees and asylum seekers; ties with the co-citizens and co-ethnic members abroad, etc.

In the second half of the 2000s, with the creation of the ENP, the EU's role in migration issues in the South Caucasian region increased more in Armenia and Georgia, and less in Azerbaijan where, given the country's energy resources, the EU has not had much leverage to exercise conditionality (as was, until recently, the case with Readmission Agreements). That said, the EU's impact on the migration policies of Armenia, Azerbaijan and Georgia was mainly in two areas: technical capacity building (in line with the border security interest of the EU) and legislative harmonization on asylum and refugees, and human trafficking. In fact, the EU has not faced much contention from South Caucasian states in promoting legislative harmonization on these issues. Linkages, such as the ENP or EaP, facilitate the global diffusion of world norms and the human rights culture (Strang and Meyer, 1993). The adoption, albeit only symbolically, of policies that comply with western standards (such as laws on asylum-seekers and refugees) gives global legitimacy to nation-states, and thus, young states are more likely to comply with western norms (Meyer et al., 1997).

The article also illustrates strong institutional legacy and the re-instatement of past policy principles and priorities in migration policies adopted in later years (in Armenia and Azerbaijan), despite changing migration patterns. This highlights the robustness of policymaking process that prevails even for societies with dramatically and frequently changing migration and socio-economic trends. In Georgia, too, this pattern of policy legacy is observed. The tradition of vague migration regulation has continued and has been institutionalized even in the current policy framework. But now, not only the economic policy, but also the EU agenda are driving it, with passive domestic input from Georgia.

The analyses also reveal that despite the bilateral nature of the EU's relationship with post-Soviet states, the common mechanisms to regulate migration create an umbrella framework on migration in the region. Mobility partnerships, visa facilitation or readmission agreements promote the establishment of biometric passports, integrated border management, automated information systems, approximation of legislation and of institutional capacity. These create a common policy space, not only between those states and the EU but also among these states at the regional level. However, whether the EU involvement has led to a more integrated and effective approach in shaping migration dynamics in the country (e.g. attracting diaspora investments, reversing emigration to immigration trends) still has to be seen.

Russia, as a geopolitical power in the region, has not been dominant in shaping the migration policymaking of post-Soviet states. However, this may change as the role of the Eurasian Customs

Union increases in the region. To date, Russia's economic interests in creating an open economic space in the CIS, combined with its own challenges in designing a migration policy tailored to its policy needs, have consolidated a visa-free travel for citizens of Armenia and Azerbaijan, leaving regional regulation of labour migration still among the hot issues for all CIS states, whereas for Georgia the war with Russia has not only shifted political priorities to the West, but has also changed migrants' preferences in favour of destinations in Western countries.

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## NOTES

1. As per the International Labour Organization (cited in ETF 2011), in 2007, 28 per cent of Armenia's, 13 per cent of Georgia's and 6.5 per cent of Azerbaijan's populations were still unemployed.
2. We use the word "nationality" to emphasize the ethnic origin and the descent of the person, whereas we use "citizenship" to refer to the legal bond of the person with the nation-state.
3. We thank Reviewer 1 for directing our attention to the Tampere meeting and to the legal circumstances that prevented the EU from active cooperation with non-EU states on migration issues.
4. In Armenia and Azerbaijan too, international and local organizations linked their activities to national migration agencies as main beneficiaries. However, as we argued earlier, in contrast to Georgia, in both Armenia and Azerbaijan the migration policies arose from domestic problems, and not solely from foreign policy or EU partnership agenda, as was the case in Georgia (see also Ademmer and Börzel, 2013, for the role of the EU funding in the migration sphere in Armenia and Georgia).

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