

НЕЛЕГАЛЬНАЯ МИГРАЦИЯ В ГЛОБАЛЬНОМ МИРЕ: МАСШТАБЫ, ПОСЛЕДСТВИЯ, ПРОТИВОДЕЙСТВИЕ

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В статье проанализирован феномен нелегальной миграции, методологические сложности оценки ее масштабов, показана ее структурная непреодолимость в современном мире, а также экономико-политические последствия нелегальной миграции. Автором предложена методика оценки масштабов нелегальной миграции и приведены оценка ее масштабов в разных странах мира. Представлены рекомендации по совершенствованию государственной политики в области противодействия нелегальной миграции.

Ключевые слова: глобализация, международная миграция, нелегальная миграция, миграционная политика, масштабы нелегальной миграции, противодействие нелегальной миграции.

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ILLEGAL MIGRATION IN THE GLOBAL WORLD: SCALES, CONSEQUENCES, COUNTERACTION

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The present article examines the theoretical and methodological issues in the study of illegal migration and international cooperation aimed at preventing illegal migration. When analyzing the issues of illegal immigration, the theoretical and methodological justification becomes of a special importance. At present, the task of systematization and standardization of terminology with respect to illegal migration analysis seems to be especially relevant, without which it is impossible to start formalizing data on the global scale. The present study provides us with the analysis of the phenomenon of illegal immigration, outlines methodological obstacles in assessing the scale of illegal immigration as well as its negative consequences. Author suggests a model for measuring illegal immigration and ways to improve state regulations of illegal migration.

Keywords: globalization, international migration, illegal migration, irregular migration, scales of irregular migration, migration policy, preventing illegal migration.

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Methodological basis for analysis of illegal migration

In the second half of the XX century, globalization processes in a combination with sweeping changes in global political and economic systems promoted a sharp intensification of interstate migratory flows, led to forming of essentially new migratory situation in the world.

Steady growth of scales and structural insuperability of illegal migration became one of its typical features. At the same time, despite activation of migration policy, implementation of numerous measures directed at prevention of, and counteraction against, illegal

migration, its scales in the world not only failed to decrease, but, on the contrary, considerably increased for the last decades. For example, in the Resolution adopted by the 19th Session of the International Labour Organization (1974), it was pointed out that “despite efforts made by major countries using foreign labor force, the number of spontaneous (illegal) migrants remains rather considerable, and, if we approach this question from the side of the entire world, then this migration is, more likely, the rule, but not the exception” [13]. In the Programme of Action of the United Nations International Conference on Population and Development (1994), it is pointed out that “given that the pressures for

migration are growing in a number of developing countries, especially since their labor force continues to increase, undocumented or irregular migration is expected to rise" [7]. Furthermore, in the Resolution adopted following the results of the 92nd Session of the ILO (2004) "concerning a fair deal for migrant workers in a global economy", it was stated that "the number of migrants in an irregular situation is rising which is promoted, in a certain degree, by further commercialization of migratory processes, including processes of human smuggling and trafficking in persons, but also by growth of informal forms of employment in receiving countries. If international community fails to take adequate measures, then this situation will continue to worsen further..." [14].

At the end of XX – beginning of the XXI century, aggravation of social and economic problems in countries that receive migrants, complication of a geopolitical situation in the world and other factors led to that the phenomenon of illegal immigration became a subject of an increasing and expanding public discussion in many countries of the world. According to sociological polls, residents of the majority of developed countries consider illegal immigration as one of the most burning issues threatening national security. Inflow of illegal migrants is associated with a deterioration of a criminogenic situation, growth of drug addiction and drug trafficking, threats of international terrorism and other negative effects [11, p. 2].

Society's concern, in its turn, causes an increasing interest in problems of illegal immigration from the side of scientists, state and political figures, institutes of civil society and international organizations, stimulates further strengthening of measures in the field of counteraction against illegal immigration. It became especially noticeable after the September 11, 2001 tragedy in the USA when the problem of national security and counteraction against international terrorism became the main subject of the world agenda, and also after the events of the "Arab Spring" which significantly aggravated the problem of forced and illegal immigration in Europe.

In the years of 2008–2014, a deterioration of the macroeconomic situation and further toughening of migratory control measures in major countries receiving migrants, change of a geopolitical situation in the world and other factors contributed to an insignificant reduction of scales of illegal immigration. However, incentives to an illegal entrance and employment for migrants, on the one hand, and to use of an illegal labor force by employers, on the other hand, continue to exist. At the same time, in countries with a rather liberal immigration policy in which there are legal opportunities for labor migration, illegal migration becomes an alternative for those migrants who do not meet selection criteria and/or for whom

illegal immigration is less expensive. Whereas in countries with a restriction immigration policy, in which possibilities of a legal entrance or stay are considerably limited, the use of channels of illegal migration becomes almost the only way of moving to such countries for most of potential migrants. In its turn, an expansion of scales of an illegal component of migratory processes brings a serious imbalance to ensuring national security of a state. At the same time, it should be noted that illegal immigration affects not only developed countries. Not a single state of the world, where a level of living is above that of its neighbors, is insured against an inflow of illegal migrants. So, for example, the world's largest "supplier" of illegal immigrants – Mexico – is also the country of entrance for about one million illegal immigrants from other Latin American countries [4].

All the aforesaid confirms that illegal immigration is a steady and large-scale phenomenon having a considerable impact on social and economic and political processes in many countries of the modern world, and determines its structural insuperability.

For an analysis of influence of illegal migration on different spheres of life of society, development of recommendations for improvement of state policy in the field of regulation of migratory processes and counteraction against illegal migration, an assessment of scales and structure of illegal migration is necessary. At the same time, backwardness of a conceptual apparatus, an insufficient readiness of methods of assessment of the number of illegal migrants do not allow to evaluate, even remotely accurately, the real scales of this social phenomenon in the majority of countries of the modern world. Thus, systematization and unification of terminology in the field of illegal migration is necessary for conducting an assessment of scales of illegal migration in the world.

In works of different scientists, it is possible to find not only different designation of illegal immigration, but also different understanding of the very essence of this phenomenon. For example, for a designation of migrants who enter a country unlawfully or illegally, break established terms of stay or live in a country without a residence permit, violate other migratory rules established for them, and a corresponding type of migration, a number of terms is used in the modern scientific literature: "undocumented", "unlawful", "illegal", "unauthorized", "irregular", "underground", "semi-legal" migrations, etc. At the same time, some scientists consider these terms as synonyms whereas others consider them as essentially different.

The concept "illegal" has a normative implication and bears an impress of "criminality" whereas many illegal migrants, even if they broke migratory laws in the field of entrance and/or stay in a receiving

country, cannot be called criminals in the usual sense of this word. In this connection, the majority of international organizations presently, such as the United Nations, the International Organization for Migration, the International Labour Organization, the Council of Europe and others give preference to the terms “irregular migration” and “irregular migrants”/ “migrants with irregular status”. Whereas the use of the terms “illegal migration” and “illegal migrants” is generally limited to cases of smuggling of, and trafficking in, migrants [1; 2; 5; 8; 10; 11; 12; 16].

Summarizing recommendations containing in international and Russian normative documents and reference publications, we will point out that, in our opinion, the following are the most complete and exact definitions:

Illegal (irregular) migration are territorial (space) movements of people through administrative borders accompanied by a violation of departure rules of a country of departure, rules of entrance and/or stay (residence) in a country of arrival, rules of transit through a third country or rules of employment in a country of arrival.

Illegal (irregular) migrants are migrants who violated rules of departure from a country of departure, rules of departure from, or stay in, a receiving country, rules of transit through a territory of a third state, and also rules of employment in a receiving country.

Illegal (undocumented) migrant workers (migrant workers staying in violation of the law; migrant workers without documents) are migrant workers or members of their families who are not permitted to enter, stay or work in a given country.

At the same time, illegality (irregular situation in the field of migration) can be connected with different aspects of migratory processes: departure, transit, entrance or stay in a country, form of employment, return, and violations of law can be committed both in relation to migrants and by migrants themselves.

Illegal migration is subdivided into two main types – illegal emigration and illegal immigration. In recent years, illegal forms of transit migration became more widespread.

Let's pay attention to a difference between the two main types of illegal migration:

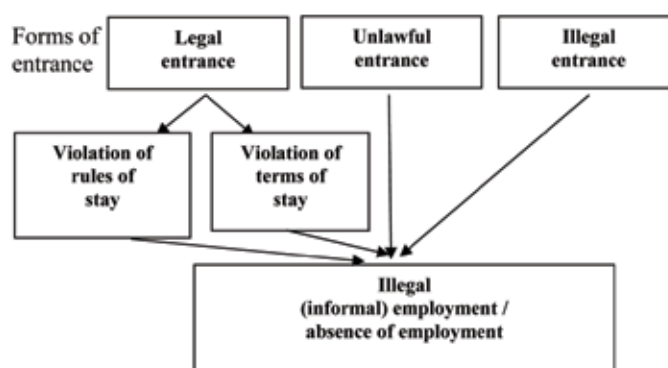
Illegal emigration, as a rule, has a non-returnable character and often, upon successful entrance to a different country, takes on a form of forced migration. In case of refusal of providing this status, many from this group of migrants pass into a group of illegal immigrants.

Fundamental characteristics of illegal immigration are: 1) illegal employment – it is the main goal of overwhelming number of illegal immigrants irrespective of how the fact of crossing of the border occurs; 2) temporary character – most of illegal migrants aim to return back home.

In turn, it is possible to distinguish three main channels of arrival of illegal immigrants (see Scheme 1 below):

1. Illegal entrance. Movements connected with illegal crossing of a state border of a destination country belong to this form, i.e. in avoidance of check points at borders.
2. Unlawful entrance. Migrants who arrive to a destination country legally, however, use counterfeit documents for entrance (counterfeit or someone else's ID documents, counterfeit or altered visas, fake invitations, etc.) or documents obtained by way of providing incorrect data, corruption, coercion or by any other unlawful way, belong to this form. This form also includes counterfeit refugee certificates or fictitious documents necessary for filing an application for asylum.
3. Legal entrance and violation of conditions of stay. This form includes migrants who enter a country on legal grounds (for example, on tourist visas or private invitation), however, then violate conditions of stay in it. The last can be connected both with a non-compliance with the rules of stay during their lawful stay in a country (for example, unlawful employment of students or tourists, and also changing a place of work by migrant workers contrary to conditions of signed contracts), and with violation of terms of stay determined by visas or other documents (including foreign students who did not wish to return back home after completion of their study; transit migrants with expired visas; migrants working under interstate agreements and contracts which validity period already expired).

Thus, the structure of illegal immigration can be presented as follows:



Scheme 1

Economic and political aspects of illegal immigration

Growth of scales of illegal immigration in the modern world is explained by different factors among which economic factors take a predominating place.

Considering economic factors, it is necessary to analyze benefits from illegal immigration derived by the four main participants of the process:

- migrant himself (herself) who decided to choose an illegal way of movement and employment;
- employer going for employment of illegal labor force;
- state of departure of migrants (country of departure);
- state which receives migrants (destination country).

From the point of view of an illegal immigrant, reasons for penetration to, and illegal employment in, the foreign labor market are connected, first of all, with the following factors:

- bigger opportunities for employment and level of compensation in a receiving country in comparison with a country of emigration;
- impossibility to obtain an official permission for entry or work in a desirable destination country;
- possibility not to spend time, efforts and money for registration and obtaining an official work permit;
- possibility to gain income free of taxes.

Aspiration of migrants not to be officially registered is often promoted by mainly seasonal nature of their employment in an informal sector (construction, agricultural industry, etc.).

From the point of view of an employer, the following reasons contribute to the attractiveness of use of illegal immigrants:

- possibility of essential economy on wages funded and social deduction;
- position of an illegal worker deprived of civil rights which allows an employer to "have a free hand" and to dictate his own terms of employment, salary, working schedule, etc.;
- need for filling of workplaces which are unattractive for local population, life-threatening or unhealthy;
- disproportion of supply and demand on labor in the regional and industry markets;
- need for a more flexible use of labor force;
- nonflexible system of registration and licensing of foreign workers.

Thus, migrant workers working illegally represent for entrepreneurs the cheapest labor force deprived of civil rights which is a considerable incentive for hiring such workers, despite existing and

constantly increasing penalties and sanctions (up to imprisonment) for employers practicing illegal employment of foreigners.

Illegal immigrants also bring benefit to a receiving state in general as they represent the so-called "net taxpayers" who are paying, in most cases, different taxes (less direct, than indirect taxes), but very rarely receive any social benefits and privileges.

Illegal migration can also be encouraged, directly or indirectly, by countries of emigration because, at least, in the short-term period it can make a positive impact on their economy. Illegal migration promotes reduction of demographic pressure in sending states and decrease of the level of unemployment because it absorbs a considerable number of young people entering the labor market. Illegal immigration also promotes creation of considerable flows of money transfers to countries of emigration. At the same time, money transfers represent a more reliable and stable source of currency receipts and are subject to fluctuations of economic cycles to a lesser extent.

Thus, benefits from illegal immigration are felt, to varying degrees, by everyone who is involved in this process both in a sending state, an illegal immigrant, an employer employing him(her), and a receiving state. The problem of illegal immigration will not be and cannot be solved until labor markets of destination countries continue to perceive an existence of niches for unlawful employment, interest continues to exist from the side of employers (and states) for a cheap and deprived of civil rights foreign labor force which supports a decrease in costs of production, competitiveness of goods, "saving" on the sphere of social protection. On the other hand, economic situation in countries of departure of illegal migrants remains a permanent push factor.

Economic and political relations developing between countries of entrance and departure, existence of agreements in the field of migratory exchange, sharp differences in economic development, level of living in general and certain other reasons and phenomena play a special role in the growth of scales of illegal immigration. For example, if we speak about Russia and the Near Abroad, then an increase in scales of illegal immigration is influenced by a stronger economic situation of Russia as compared with that of the majority of other CIS countries, existence of a considerable share of an informal sector of economy, a common language and established ties in the post-Soviet space.

In a number of countries, their geographical position – advantageous from the point of view of transit – acts as an important factor of growth of illegal immigration. The majority of South-Eastern European countries faced such a factor.

Considerable in terms of its scales, illegal immigration can cause serious social and economic costs for a national security of a country of entrance and arrival of migrants. Let's list the main possible costs and consequences of illegal immigration:

- illegal immigration promotes development and support of an informal sector of economy because illegal migrants create unreasonable competitive advantages for companies which employ them, in comparison with companies that stay away from such practice;
- by creating an uncontrollable market of goods and services, stimulating a development of shadow segments in it, and by distorting the system of interrelationship between subjects of the market and the state, illegal immigration slows down creation and development of an effective civilized labor market;
- illegal immigration can be connected with smuggling operations, prostitution, distribution of drugs and other crimes;
- illegal immigrants do not pay taxes on income gained by them, and companies employing them do not make social deductions from shadow funds of compensation which means missed fiscal benefits. In a number of cases, illegal immigration even leads to an increase in a tax burden of the aboriginal population because the budget should incur additional expenses on social security of immigrants, training of their children, on public safety, maintenance of new prisons, etc.;
- illegal immigrants are not covered by the provisions of a minimum wage; the last can lead to a decrease in the average level of compensation of unskilled workers;
- employers can ignore requirements for ensuring health protection and observance of safety measures which can lead to injuries and a threat of life of immigrants, premature deaths;
- upon their arrival, illegal immigrants do not pass medical examination regarding presence of diseases or viruses; their ability to apply for a health care in a country of their stay is also substantially limited. At the same time, they are subject to risks of diseases on their way, especially if they are transported illegally or forcibly, because of insanitary conditions of accommodation, severe conditions of work and an excessive labor exploitation. The last can cause serious medical consequences as diseases can spread among the population of a receiving country;
- forced to live with an illegal status under limited opportunities for legalization and a continuous threat of deportation, illegal immigrants risk, in a bigger degree, to become an object of crimes;
- illegal immigration promotes criminalization of situation and an increase in crime;
- a growth of scales of illegal immigration is accompanied by formation of foreign ethnic communities, with a big ethno-cultural and ethno-confessional distance in the relation to the local population, which often fail to be integrated into a receiving society. The last, in its turn, can lead to an aggravation of social and interethnic tension, strengthening of extremist nationalist political trends;
- a prejudiced attitude towards illegal immigrants can lead to a split in a society if such a perception extends over persons who have arrived in a country;
- illegal immigration becomes the main factor promoting success of far-right parties in elections;
- illegal immigration promotes formation of isolated compact settlement zones for migrants on an ethnic criterion (ethnic enclaves) which complicates, and, at times, makes it impossible to integrate migrants into a society;
- under an adverse development (prolonged "accumulation" of illegal immigrants), there is a threat of a loss of control over a situation in certain regions of a country.

Such a combination of factors causes an increase of problems connected with illegal immigration and illegal employment of foreign labor force. This situation is aggravated by an increase in criminal activity, facilitating a possibility to illegal immigrants of their employment in a country which is also connected with a significant increase in scales of illegal immigration.

Scales of illegal immigration in the modern world

For an assessment of scales of illegal immigration in different countries of the modern world, it is advisable to use the theory of factors of migration (the Pull-Push theory) and methods of discriminant analysis.

Based on available researches of illegal migration, and also proceeding from available statistical information (data of the International Clandestino Project, the United Nations Population Division, Bureaus of Population Research and the World Bank), we have developed an economic mathematical model for assessment of scales of illegal immigration [9; 15].

The number of illegal immigrants in a given country acts as a dependent variable in the model. A set of fifteen indicators that hypothetically influence the level of illegal immigration was formed as independent variables: (1) crude birth rate, ‰; (2) crude death rate, ‰; (3) coefficient of a migratory gain, ‰; (4) coefficient of infantile mortality, ‰; (5) total coefficient of birth rate, infants per one woman; (6) share of population aged up to 15 years, %; (7) share of population aged 65 years and above, %; (8) life expectancy at birth, men, years; (9) life expectancy at birth, women, years; (10)

share of urban population, %; (11) GDP per capita based on purchasing power parity, US dollars; (12) density of population, persons per 1 sq.km; (13) level of unemployment under the ILO methodology, %; (14) annual average population size, thousands of persons; (15) level of literacy of population, %.

In order to conduct the discriminant analysis, a "training sample" from the majority of European countries and the USA, a number of African and South American countries and Australia was formed. An assessment of the number of illegal migrants in European countries was taken from the Clandestino research project, estimates for other countries were taken from official sources released by governments of given countries. In the training sample, the following estimates of an interval of scales of illegal immigration were set: (1) 0–10 thousand persons; (2) 11–50 thousand persons; (3) 51–200 thousand persons; (4) 201–500 thousand persons; (5) 501–1000 thousand persons; (6) over 1000 thousand persons.

For each interval, regression models of the following type were examined:

$$IM_i = c + \sum \alpha_i \cdot X_i,$$

where IM_i – is an assessment of scales of illegal migration in i country, X_i – is a vector of economic and demographic indicators of i country, c – is a constant, $\alpha_i = (\alpha_1, \dots, \alpha_n)$ – are regression parameters.

Using methods of discriminant analysis of the formed set of initial indicators, existing ties between an outcome variable and expected explanatory variables were revealed for the training sample, and also an importance of explanatory variables was estimated.

The conducted analysis showed that simultaneous inclusion of all the 15 chosen indicators would lead to an emergence of a multicollinearity in the model. Therefore, we tested different regression models including different explanatory variables not correlated among themselves. As a result, the best model was chosen in which all explanatory variables were significant at the 1% level. The model takes into account six of the previously selected indicators (3, 5, 9, 10, 11, 12) as determinants of illegal immigration.

Table 1

Distribution of countries and territories of the world according to assessment of scales of illegal migration, 2013

#	Scales of illegal migration	Composition of clusters
I	0–10 thousands of persons	Andorra, Antigua and Barbuda, Barbados, Bahrain, Belarus, Bulgaria, Bosnia and Herzegovina, Vanuatu, Georgia, Iceland, Democratic People's Republic of Korea, Kosovo, Liechtenstein, Luxembourg, Mauritius, Maldives, Moldova, Monaco, Palau, Romania, San Marino, Serbia, Singapore, Thailand, Ukraine, Finland, Croatia, Sweden
II	11–50 thousands of persons	Azerbaijan, Angola, Armenia, Afghanistan, Bangladesh, Belize, Benin, Bolivia, Burkina Faso, Burundi, Butana, Hungary, East Timor, Ethiopia, Gabon, Haiti, Gambia, Ghana, Guinea, Guinea-Bissau, Honduras, Denmark, Democratic Republic of Congo, Djibouti, Egypt, Zimbabwe, Yemen, Iraq, Cambodia, Cameroon, Kenya, Kyrgyzstan, Kiribati, Comoro Islands, Congo, Côte d'Ivoire, Cuba, Laos, Lesotho, Liberia, Mauritania, Madagascar, Malawi, Malaysia, Mali, Republic of Moldova, Micronesia, Mozambique, Mongolia, Myanmar, Namibia, Nepal, Niger, Nigeria, Netherlands, Pakistan, Panama, Papua New Guinea, Portugal, Rwanda, São Tomé and Príncipe, Swaziland, Seychelles, Senegal, Saint Vincent and the Grenadines, Saint Christopher and Nevis, Saint Lucia, Syria, Solomon Islands, Somalia, Sudan, Sierra Leone, Tajikistan, Tanzania, the Republic of Togo, the Kingdom of Tonga, Trinidad and Tobago, Tuvalu, Turkmenistan, Uzbekistan, Uganda, Philippines, Central African Republic, Chad, Chile, Sri Lanka, Equatorial Guinea, Eritrea, Ethiopia, Southern Sudan, Jamaica
III	51–200 thousands of persons	Albania, Dominica, Zambia, India, Ireland, Cyprus, China, Costa Rica, Kuwait, Latvia, Lithuania, Macedonia, Poland, Slovakia, Slovenia, Taiwan, Estonia, Montenegro, Czech Republic
IV	201–500 thousands of persons	Austria, Botswana, Guatemala, Germany, Canada, Qatar, Libya, New Zealand, Norway, Switzerland
V	501–1000 thousands of persons	Australia, Argentina, Belgium, Venezuela, Greece, Indonesia, Spain, Italy, Lebanon, Colombia, Nicaragua, Paraguay, Peru, Tunisia, South Korea, Uruguay, Ecuador, Japan
VI	above 1000 thousand persons	Algeria, Brazil, Great Britain, Dominican Republic, Jordan, Israel, Iran, Kazakhstan, Morocco, Mexico, Oman, United Arab Emirates, Russia, Saudi Arabia, Turkey, USA, France, Republic of South Africa

Calculated using Statistica 10 software package.

Using methods of the discriminant analysis in accordance with the above constructed model, countries and territories of the world were arranged into six clusters, corresponding to estimates of scales of

illegal migration (see Table 1). In this article, we do not provide parameters of regressions because they serve only as an auxiliary tool to refer countries to this or that interval. At the same time, an addition of new data to

the "training sample" will allow to increase an accuracy of the offered model, to improve the algorithm from the point of view of increasing accuracy of a forecast.

As it can be seen from Table 1, the developed model allows to reveal countries that attract illegal immigrants in the biggest degree, and also countries – transit zones for illegal migrants.

The conducted research confirmed prospects of application of the discriminant analysis methods for an assessment of scales of illegal migration and development of recommendations for improvement of state policy in the field of regulation of migratory processes and counteraction against illegal migration on this basis. At the same time, there is a possibility for improvement of the model.

Questions of counteraction against illegal immigration

In recent years, immigration policy has been toughening of in many countries. At the same time, in the light of aggravation of the problem of international terrorism, at the beginning of this millennium, priority began to be attached to immigration control, increased filtration of arriving migrants taking into account requirements of national security and drastic toughening of fight against illegal immigration. In the beginning of the XXI century, laws which are clearly directed at fight against illegal immigration and illegal employment were adopted practically in all developed countries [3, 4].

Accumulated experience of developed countries shows that there are no universal ways of counteraction against illegal immigration, therefore, to fight against it, it is necessary to use the most various measures.

In general, within a framework of the modern immigration policy, depending on a stage of a migratory process, it is possible to distinguish three directions of counteraction against illegal immigration: (1) prophylaxis (stage of making a decision about an illegal movement); (2) prevention and suppression (stage of implementation of an illegal movement); (3) detection, punishment, deportation (stage of settling of illegal migrants in a country of arrival).

Let's consider primary groups of measures within each of the three specified directions:

(1) prophylaxis of illegal immigration:

- strengthening of a protection level of visas and other documents issued to immigrants (including introduction of "laser" visas, which include a photo and prints of forefingers, and of biometric visas which contain an electronic chip with information about its holder);
- information campaigns in mass media in the main countries of emigration explaining terms and

conditions of a legal entrance, stay and employment abroad. As a result of these campaigns, potential migrants in countries of their permanent residence can, and should, receive necessary information about advantages of use of lawful ways of immigration, transit and employment in receiving countries. For example, according to an initiative of the European Commission, in countries from which it is possible to expect the biggest inflow of illegal migrants, special information centers are being created which task is to provide residents of these countries with information about legal opportunities to get a seasonal job in the EU, and also to inform about a danger of an illegal migration;

- preliminary control in countries of departure. For example, there is the Advance Passenger Information System (APIS) in operation in the USA by means of which information about passengers gets to immigration and customs services of the USA. Some countries place representatives of their border services in the main points of departure (airports, seaports, etc.) of foreign states;
 - application of sanctions to carriers, i.e. transport companies and other intermediaries (for example, to travel agencies) which organize and practice transportation of illegal migrants by land, water or air. In this case, companies will be interested in a prophylaxis of illegal migration and identification of potential illegal migrants;
 - toughening of punishment for organizers of illegal immigration and trafficking in migrants, suppression of activity of criminal organizations which are engaged in smuggling of migrants. Practically in all developed countries administrative and criminal liability exists for organization of smuggling of migrants, issuance of special visas to those persons who act as witnesses against participants of such criminal groups is being practiced in a number of countries;
 - strengthening of international cooperation between countries of destination for illegal migrants, and also their interaction with countries of origin and transit of illegal migrants. Within this direction, in particular, agreements on re-admission of illegal migrants are signed.
- (2) prevention and suppression of illegal immigration:
- physical strengthening of borders (protecting constructions, systems of electronic control, etc.);
 - strengthening of patrolling and border control;
 - professional development of border services workers and improvement of their technical equipment.
- (3) detection, punishment, deportation of illegal immigrants:
- conducting regular document checks (visas, work permits, etc.) of foreign citizens who are in a country. Such checks can be conducted by both

employees of migration services, and employees of social services when providing any public services and also by employers at the time of employment;

- complication of a procedure for providing a refugee status, first of all, for persons who are seeking asylum; prophylaxis and detection of sham marriages entered into for the sake of obtaining a residence permit;
- strengthening of responsibility of foreign citizens for an unlawful stay in a country. Among such measures of responsibility there are: an administrative fine, temporary detention, custody, deportation, prohibition or restrictions for re-entering a country;
- introduction of administrative and criminal liability for businessmen for use of illegal labor force. Among such measures, there are collection of back tax payments and social deductions, revocation of business activity licenses, closing of business, payment of expenses on deportation of illegal immigrants, imprisonment of business managers.

Let us emphasize that the fight against illegal immigration has to be conducted in such ways that ensure preservation of trust to systems of providing asylum and existing channels of legal migration. Governments of countries of arrival have to observe the rights of illegal migrants.

An analysis of laws adopted in the last years and directed at counteraction against illegal migration demonstrates a duality of policy of receiving states: on the one hand, policy for newly arriving migrants becomes more and more restrictive, on the other hand, policy of legalization is pursued in relation to those who entered a country earlier and found a job illegally. In developed countries from 1980 to 2014, over 30 migration amnesties were held and over 10 million illegal immigrants were amnestied. For example, in 2014, the US President B. Obama signed an executive order reforming the immigration system of the USA which provided for legalization of over 5 million illegal migrants. Thus, actually, it is not about eradication of illegal immigration, but about legalization of those who entered the country earlier and found a job illegally.

It should be noted that among experts there is no consensus in a question of efficiency of migration amnesties. Supporters of these programs point out that such amnesties act as alternative to expensive procedures of deportation, promote an increase in tax income of states, improvement of migrants' position and their integration into a receiving society, etc. Whereas their opponents emphasize that such campaigns only increase scales of illegal immigration, being an incentive for new waves of illegal immigrants. In our opinion, legalization of illegal immigrants has to be conducted only in exceptional cases, at the

same time, migration amnesties have to be carefully organized and be held only under specific bases.

In 2003–2005, the Global Commission on International Migration functioned under the auspices of the UN which task consisted in conducting a comprehensive analysis of current trends in the field of international migration and development of recommendations on this basis about improvement of migration policy. Within the framework of activity of the Commission, an analysis of interrelation of illegal migration, national security and human rights became one of the main directions of researches. According to recommendations of the Commission, each state, having the right to define a procedure of entrance to, and stay in, its territory, should also feel a responsibility for protection of the rights of migrants; while fighting against illegal immigration, states have to actively interact with each other, without limiting the rights of migrants, including the right of refugees for asylum; governments have to conduct consultations in this regard with unions of employers, labor unions and institute of the civil society [12].

Conclusion

Questions of illegal immigration management assume formation of an entire complex of legal institutions and have to be considered in a wider context of common immigration legislation. First of all, it has to include a clear legal regulation of criteria and procedures for legal entrance into a country taking into account all the variety of modern migratory flows.

In our opinion, a search of balance between toughening of policy in relation to both illegal migrants, and employers using their labor, including measures in relation to informal labor markets in destination countries, and strengthening of a legal base of legal migration, creation of additional legal channels for receipt of migrant workers and expansion of possibility for a legal stay in a country is necessary, first of all, for an effective counteraction against illegal immigration. Subject to expansion of legal guarantees, certain part of immigrants who now prefer illegal channels for entrance and living, will get a legal status.

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