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**COMPARATIVE ANALYSIS OF MODELS BY ADAPTATION OF  
IMMIGRANTS**

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***Abstract***

The article deals with a number of author's methods of research: socio-political forecasting of migration processes, typing of indicators of departmental reporting on migration, political-legal evaluation of the development of processes of immigrants' adaptation in receiving countries. From the point of view of the authors of the article migration process, is a social process aimed at mastering the experience of territorial movement and readiness for changing territorial status. It develops evolutionarily in three stages: 1) the formation of territorial mobility of the population; 2) resettlement, implementation of potential readiness for migration mobility; 3) the final one is the survival and adaptation of migrants in the places of settlement. Regulating the adaptation process is an important part of state's migration policy. In turn, migration policy is a system of commonly recognized ideas and conceptually consolidated means generally accepted at the level of power structures, by which, first of all, the state, as well as other public institutions, being adhered to certain principles, strive to achieve the goals set, and is implemented in accordance with the principles that constitute the fundamental basis of the State. A comparative analysis of the adaptive state migration policy in Russia, Germany (as the main recipient with the most developed system of adaptation of migrants) has been carried out. The process of adaptation of foreign nationals, the influence of local authorities and civil society entities on the regulation of inclusion of immigrants in the host society has been studied.

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## 1. Introduction

The scientific novelty of the study's outcomes is the development of theoretical principles and methodology for researching adaptation of immigrants and their managerial regulation based on world experience and considering development trends. Systemically learned experience of the most exemplary recipient countries in the field of adaptation of immigrants allows to identify qualitative characteristics, and on this basis to offer an author's vision of effective management practices of migration processes regulation (Bygnes, 2019; MacKenzie & Lucio, 2019; Braithwaite, Salehyan, & Savun, 2018). The significance of the study conducted is to develop proposals for the effective use of public governance tools, the capacity of civil society institutions to address socio-economic, political, legal, institutional issues, strategic planning and public security tasks put on the agenda by the global and domestic migration processes in recipient countries. The Russian Federation is taking on the challenges of global migration processes. The legitimization of the UN's global treaties on migration and refugees should be completed in 2019. It should be admitted that now there is no international consolidated position on these documents, but Russia is taking steps to complete the treaty process, considering it as a vector of the legislative process in the sphere of state migration policy. The terms used in the study of migration management processes are important not only for research in the scientific paper, but also more broadly in the process of understanding and developing unified approaches and unified understanding of social and legal activities on social and sociocultural adaptation, integration of migrants into country legal space.

As a result of the study:

- a comparative policy and legal model for the adaptation of immigrants has been prepared, taking into account methodological approaches for regulating migration processes, as well as mechanisms for ensuring human rights and minimizing migration risks;
- a set of recommendations for streamlining the state migration policy in the area of adaptation of immigrants and the integration of citizens of host societies has been developed;
- interpretation of the social, cultural, legal, economic adaptation of foreign nationals to the Russian state and host society, with the highlighting of the main forms of adaptation activities of state authorities and institutions civil society, and its legal justification have been proposed;
- the mechanism of interaction in public bodies with civil society institutions on addressing the pressing issues of managing the process of adaptation of immigrants has been studied.

## 2. Problem Statement

Cause-and-effect understanding of socio-economic, political, legal, cultural and institutional factors of global and national migration processes, including adaptation processes, are important for the formation and implementation of the state migration policy in cooperation with civil society institutions. The authors highlighted the problem of harmonizing the interests of the host society, the recipient State, on the one hand, the cross-border flows of immigrants. The authors consider this problem in accordance with human rights standards and minimization of migration risks.

From the perspective of comparative country and international approaches, the authors analyzed the fundamental definitions of migration management based on the provisions of the Global Compact on

Safe, Orderly and Legal Migration adopted UN Intergovernmental Conference December 10 – 11, 2018 (United Nations, 2018).

Modern global migration is a post-crisis process, which is interpreted as the process of displacement of people from regions with increased levels of social, economic, political, and natural and resource tensions (instability). Migration of people from such regions is caused by harm to sociocultural, infrastructure, religious and confessional, financial and economic, energy, political and legal, ethno-social, environmental and other favorable and traditional living environments (Galas, 2017; Czaika & Hobolth, 2016; Squire, 2018; Dines, Montagna, & Vacchelli, 2018).

One of the key factors causing regional tension (instability) in the modern world remains political and/or armed conflict, the cause of which is the clash of interests of people, organizations and countries. Regulating post-crisis migration poses challenges for recipient countries: to balance human rights, the interests of the host society and the national security of the recipient State, and to address the consequences of crises in donor states, preventing conflicts of interest. From the point of view of the socio-political and economic balance of interests, the task of adapting immigrants into the host society must also be addressed. For Russia, unlike in Europe, post-crisis migration takes the form of labor and economic migration, but the reasons for its cause are similar to the above.

The Office of the UN High Commissioner for Refugees believes that the world community should prepare for a series of post-crisis waves of forced migration in 2019 (UN News, 2018): 1) from the recipient countries that have accepted a significant number of migrants, 2) on the Mediterranean route; 3) from Turkey, Lebanon, Jordan, Iraq, Egypt in connection with the prolongation of the Syrian crisis. Europe as a whole will receive 40% more post-crisis migrants in 2019 than in the previous year. The Russian Federation accepts major migration flows originating from CIS and the former USSR countries. Mostly it is economic immigration (primarily labor). However, the premise of this immigration is post-crisis tension (instability). As of January 1 the totality of the citizens of unstable countries in Africa, the Middle East and Asia registered in Russia was, more than 2 million people what constitutes a significant share in the structure of migration flows in Russia. The risk of widening negative consequences and the risk of potential social destabilization in attractive regions persist and with increasing social discontent (primarily a decline in living standards and financial situation, widening the gap between the super-rich and the poor) can lead to social destabilization (Schon, 2018; Akanle, 2018; Hovden, Mjelde, & Gripsrud, 2018; Freeman, 2017).

### **3. Research Questions**

The subject of the study is the political and legal principles and approaches to the regulation of the immigrant adaptation process, applicable in Russia and Germany for management practices. Adaptation of immigrants is a process of activity of state authorities, local governments, civil society institutions, law-abiding foreign nationals, aimed at incorporating the immigrant into the social structure and the host nation's social relations system; economic relations in accordance with the principles and norms of state economic policy, in cultural, legal relations. Each type of social adaptation (economic, financial, social, sociocultural, legal, etc.) is characterized by specific social, legal, economic activities, reflecting the effectiveness of the regulation of adaptive Process.

Legal adaptation is considered in the study as the process of the activities of state authorities, local governments, civil society institutions, law-abiding foreign national or stateless persons, aimed at incorporating immigrants into the legal relations of the host State and legitimizing it.

Economic adaptation in the author's understanding – the process of the activities of state authorities, local governments, civil society institutions, law-abiding foreign national or stateless person, aimed at the inclusion of immigrants in economic and trade relations, entrepreneurship, investment, monetary, financial and monetary relations in accordance with the principles and norms of public economic policy (legal approach).

The authors study the process of the work of state authorities, local governments, civil society institutions, law-abiding foreign national or stateless persons, aimed at incorporating the immigrant into the social structure and social relations system of the host State.

Cultural adaptation of an immigrant (from a policy-legal approach) is understood by the authors as a process of action by public authorities, local governments, civil society institutions, a foreign national or a person without citizenship aimed at incorporating these persons into the cultural relations of the host State in accordance with the principles and norms of state cultural policy.

#### **4. Purpose of the Study**

The aim of the study is a comparative theoretic and methodological study of the methods of regulating processes taking into account the world trends of the development of practice-oriented strategic modeling.

The purpose of the study defines the objectives of scientific research:

- 1) Exploring methodological approaches to regulating the adaptation of immigrants in a host society.
- 2) Exploring country approaches and international regulations governing the adaptation of immigrants, taking into account human rights mechanisms and minimizing migration risks.
- 3) Determining the causal relationship of the process of adapting immigrants in recipient countries based on country and international experience.
- 4) Develop recommendations to streamline government policies on immigrant adaptation.

#### **5. Research Methods**

The methodology of the study is based on the polyparadigm concept of the study, using scientific and practical experience of studying migration processes and the practice of possible impact on the regulation of the adaptation of immigrants.

The model of adaptation of immigrants is considered from a political and legal point of view and is interpreted as a form of reflection of political and legal reality, as revealed by scientific analysis, correlated with the object under study, as means expressions of its internal structure, which carries information about it and performs a descriptive (demonstration) task.

This form reflects the ways of external influence on the object of the study (institutional, administrative, overbearing, public and other) and regulatory consolidation of the structured system of

signs of the object, reflecting the patterns the existence and development of political and legal phenomena of reality, as well as the methodological guideline for their study and modernization. The authors applied a type of modeling based on data on the real state of the relevant political and legal phenomenon. This type of modeling is relevant in the study of complex phenomena, such as migration, which affect the interests of people, societies, states, regions, which reflect a wide range of factors causing them (political, economic, social, cultural, legal, geopolitical, etc.). Real modelling helps to improve the way complex phenomena (like migration) are regulated and optimized. In this regard, the political-legal model has an independent scientific value, as it has its own range of cognitive possibilities. At the same time, the model has scientific and practical qualities, as it has the potential for implementation.

## 6. Findings

In the Russian Federation, as a result of the evolutionary development of migration and other legislation, relevant enforcement practices receive sin are formally enshrining an adaptive model for the regulation of migration processes. This model is based on the creation and guaranteed support by the State of full-fledged inclusion of immigrants legally staying and living in the country, the social structure of the Federation and its system of legal, civil, social and other Relations. At the same time, the emphasis is on ensuring the progressive development of the host society and human potential, the dynamic growth of the economy and the comfortable, safe and mutually beneficial coexistence of immigrants and the titular society, which excludes or minimizing ethnic, religious, cultural and other types of conflict. Important importance is attached in the Russian model to the regulation of the demographic situation in correlation with migration flows. Equally important for Russia is the prevention of migration risks and socio-economic and geopolitical challenges.

The German model is close in terms of institutional development, legislative support, governance mechanisms and methods of participation of civil society institutions to the Russian model of immigrant adaptation (Borneman & Ghassem-Fachandi, 2017; Holmes & Castañeda, 2016). The choice of the German model of adaptation is conditioned by Germany's political role in solving global migration problems. In Germany, at the federal level, a set of issues related to migration is assigned to several federal executive authorities, which are involved in the implementation of Germany's migration policy to varying degrees, including issues Foreign nationals: Federal Ministry of the Interior; Federal Migration and Refugee Service (BAMF) and Federal Police under the jurisdiction of the Ministry of Internal Affairs; Federal Ministry of Labor and Social Affairs (BMAS); BMAS-affiliated Employment Agency, which directs the federal network of employment agencies and their affiliates; Federal Ministry of Education and Research; Federal Ministry of Family, Elderly, Women and Youth; Permanent Council of Ministers and Heads of Internal Affairs of the Federal Lands (IMK), and the Council of Ministers and Heads of Labour and Social Affairs. Adaptation issues in Germany are also addressed at the local government level of the federal states and may fall within the purview of various ministries (e.g. the Ministry of Social Affairs and The Family or the Ministry of Justice or the Ministry of Labour (as in the Bavaria) or the Ministry of Integration (as in Baden-Wuerttemberg).

The central body for the adaptation of German foreign nationals is the German Interior Ministry's Migration and Refugees Service, which has the broadest list of relevant functions, rights and powers. Thus,

in the case of Germany, the political and legal model of the adaptation of immigrants is based on the principle of dispersal of tasks and functions in this area to various government bodies, with the coordinating role of the Federal Interior Ministry in the face of the Federal Service for the migration and refugees. In the implementation of the powers in the field of adaptation, the Interior Ministry and its subordinate structures will have a natural and not always easily insurmountable conflict of interest, inexorably affecting the effectiveness of integration activities and making it difficult to achieve goals Integration.

In this regard, the Russian approach to the selection of state bodies, which have the competence to adapt foreign nationals, looks more rational and balanced. According to the Russian adaptation model, the Federal Agency for Nationalities (FADN of Russia) is the central government body fully dealing with the entire spectrum of adaptation issues of foreign nationals and stateless persons. FADN is completely independent from the point of view of the subject of the federal executive authority, which is administered by the Government of the Russian Federation. It is clear that the capacity of a single public body will not be sufficient to successfully meet the challenge of a full, sustainable and long-term adaptation of immigrants.

Similar to Germany, a number of federal entities are involved in its decision: the Ministry of Labor and Social Development of the Russian Federation, the Federal Service for Oversight in Education and Science., the Ministry of Economic Development Russia's Development Ministry, etc. The competent authorities in adaptation should include the General Directorate for Migration of the Ministry of the Interior of the Russian Federation, as the authority authorized in the broad sense of the word, and implementing in this power, including socio-economic and humanitarian power. Nevertheless, the status document of the Ministry of Internal Affairs of the Russian Federation does not provide for a direct indication of the implementation of cultural and social adaptation of foreign nationals as an independent function. Government policy on migrant adaptation. Similarly, provisions for some other public bodies.

In general, summing up the above, it should be concluded that, as in the case of Germany, the Russian political and legal model of migrant adaptation is generally based on the principle of multiple participation in this activity of different tasks and functions of the authorities state power under the leading role of a special commissioner with the necessary amount of powers in the field of adaptation (FADN of Russia).

The provisions of the laws govern adaptation in Germany: on citizenship, on residence, economic activity and integration of foreign nationals in the federal territory; assessment and recognition of foreign professional qualifications. However, the legislation does not contain a special law establishing the legal basis for adaptation activities. A key act in the adaptation system is the Law on Residence, Economic Activity and the Integration of Foreign Citizens in Federal Territory. The Citizenship Act records the identity of naturalization and adaptive requirements. The Foreign Professional Assessment and Recognition Act establishes procedures for assessing foreign labour skills, creating the best conditions for the verification and identification of immigrant vocational education documents for the purpose of applicant's employment in accordance with his professional abilities and education.

The provisions of the Law on residence, economic activity and integration of foreign nationals in the federal territory make it mandatory for a foreign national to participate in adaptive activities. This includes the need to attend and successfully complete integration courses, which are basic and advanced language

training courses, as well as an introductory course on information on the German legal system, culture and history. A feature of German law is the fact that it also determines the number of persons required to attend adaptation courses, as well as establishes a system of sanctions for failure to perform such a duty or for failure to pass the final exam, administrative measures related to financial accruals. The legislation considers adaptation activities in a broad sense, makes it mandatory to supplement courses with other programs implemented at the federal and state levels. According to this law, the German Interior Ministry is being developed and lists of specific adaptation measures taking into account the migration specifics of the federal, land and local levels are being developed. At the same time, such lists of measures are open, i.e. they can be adjusted, supplemented or otherwise optimized. These programs are a flexible adaptation management tool characterized by variability of approaches, innovation and potential.

The legal basis for the adaptation of immigrants in Germany is: 1) the absence of a system-forming element in the form of a separate special piece of legislation, 2) the dispersal of the relevant regulations on the legal array (under various laws), 3) by settling at the level of the law of the most important public relations, 4) the refusal to enshrine in law an exhaustive list of adaptation measures and how to apply them with the delegation of authority to determine specific measures and their practical implementation to a special authorized entity, depending on the emerging migration situation (discretionary authority), 5) the imperative of the requirement to participate in adaptation activities for certain categories of foreign nationals, 6) Responsibility for non-compliance with the requirement to participate in adaptation activities, 7) attention to the recognition of education and qualifications received by immigrants in others. Countries.

In Russia, the process documentation the legal framework for the adaptation of foreign nationals has not yet been completed, although many basic parameters have already been reflected in the legislation and are being implemented in practice. Both German and Russian political and legal models of adaptation operate in the absence of a basic special legislation that comprehensively regulates adaptation issues. Based on The experience of Germany, it is logical to assume that the existence of such a special regulation in the legal system of the state is not an absolute necessity for the effective functioning of the adaptation system. The strict fixation of legal relations at the level of the law will deprive this system of flexibility, ability to "adapt" to changing external conditions. The more productive path chosen by Germany is to enshrine in law only the most fundamental points with giving authorized public bodies a wide room for manoeuvre in determining the list of measures and methods and implementation.

In this regard, the following recommendations may be made to improve the legal framework for the adaptation of immigrants in the case of the Russian Federation and in the light of the international practice studied: a) consider the feasibility of abandoning the development of an independent integrated basic regulation (concept); б) to regulate the legal relations on adaptation within industry acts in the relevant areas of activity,; в) limit legislative regulation in the field of adaptation to only the most important legal relationships, ; г) to regulate other adaptation issues, including the identification of the lists of measures and how they are applied, to be implemented within the framework of the federal programmes being developed, which will provide flexibility.

Modern Germany is experiencing a shortage of highly skilled workers. As a result, the focus is on ensuring the interests of highly qualified professionals in providing them with long-term stay status and

support measures as a priority. In view of the ongoing global geopolitical changes, Germany has experienced an influx of refugees since August 2015. The federal authorities were faced with the need to adapt their own migration policy to new extreme conditions. At present, refugees are also a priority category for immigrants in Germany. The legal status of highly skilled professionals and refugees in terms of adaptation to German society is not the same: a more privileged position was granted to the first group of foreigners, and a number of stringent requirements were imposed on applicants for international protection.

Unlike Germany, the Priority Categories of Foreign Citizens can be clearly identified in the Russian Federation. According to paragraph 6 of paragraph 5 and paragraph 6 of article 15.1 of the Federal Law on the Legal Status of Foreign Citizens in the Russian Federation, from the confirmation of Russian language proficiency, knowledge of Russian history and the basics of Russian law, highly qualified professionals and their families have been released. This preference is indicative of their particular privileged position, which gives preference in adaptation. However, this approach, which aims to promote human development and economic growth, has not been directly reflected in the current version of the Russian Federation's State Migration Policy Concept. The document states: among foreign nationals employed by Russian employers, a significant proportion are low-skilled workers, due to the increase in the reduction of the workers of these categories of workers for the titular population and the low level of workers diversifying the economy.

## 7. Conclusion

In order to maintain social stability, it is advisable to:

1. Developing public-private partnerships to regulate migration processes and manage the adaptation of immigrants through a reasonable distribution of tasks between civil society institutions (including credit organizations and investors representing the real sector of the economy).

2. Work to bridge gaps in legislation aimed at adapting foreign nationals and harmonizing the laws of recipient states with international law.

3. Creating a computer product that uses universal methods and principles of mapping data on the Internet with the publication on the website of an interactive map of recipient countries, with which the user (government and government, civil society institutions, immigrants) can receive information on the state of the economy, financial climate, labour markets, employment, and the level of social stability in host regions, taking into account the prospects of attracting effective/desirable immigrants and investors.

4. The assignment of the powers in the field of adaptation of migrants in the competence of public authorities, whose functioning is not directly related to the performance of law enforcement functions.

5. Distinguishing between the responsibilities of the authorities and the office for their participation in the adaptation/integration of immigrants to ensure legal regulation and cover all aspects of integration activities, while excluding duplication of them Powers.

6. Applying the institution of labor and social mentoring through.

7. Deployment with the active involvement of civil society structures and non-governmental non-profit organizations of the advisory and information and educational network to adapt foreign nationals.

8. Immigrants' access to electronic communications, various free electronic applications aimed at obtaining reliable and up-to-date information on various aspects of residence and residence in the recipient country.

9. The development and implementation of locally sensitive immigrant adaptation/integration projects and the extension of the most successful initiatives to the federal and regional levels.

10. Organized recruitment of foreign workers should be correlated with domestic labour potential. The task of the state is to determine in the medium and long term those categories of migrants (labour, business, scientists, students) that are important for ensuring national, socio-economic interests host States are ready to adapt and integrate into the country of entry without conflict and are ready, having sufficient information about the receiving state, having passed pre-immigration training (including vocational qualification, educational, sanitary and hygienic), to come to the recipient country for temporary and permanent residence.

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