



# POLICY BRIEF

## The EU-Belarus Mobility Partnership: The Way Forward

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October 2020

### EXECUTIVE SUMMARY

The Mobility Partnership opens up new perspectives for potential cooperation between the signatory EU Member States and the Republic of Belarus. It brings an opportunity to develop a comprehensive migration policy, and to ensure the safe movement of migrants and their social and legal protection. The full potential of the Mobility Partnership is yet to be mobilized. It could provide incentives to improve labour migration legislation, further expand educational programs, pave the way to visa liberalisation or see the launch of new projects on migration.

This policy brief analyses the implementation of the individual policy areas addressed by the Mobility Partnership and outlines a set of corresponding recommendations.



## CONTEXT

On 13 October 2016, the Republic of Belarus, the European Union and the seven EU Member States – Bulgaria, Latvia, Lithuania, Hungary, Poland, Romania, and Finland – signed the Joint Declaration on Mobility Partnership. Its signing symbolised the new turn in the relationship between Belarus and the EU<sup>1</sup>, made possible by lengthy negotiations and considerable efforts on both sides.

The agreement aimed at:

- improving the overall management of migration flows;
- continuing activities to prevent and counter irregular migration and human trafficking;
- measures and initiatives in the field of labour migration and other types of legal mobility;
- developing horizontal initiatives involving civil society;
- capacity building in the asylum area;
- utilising the potential of migration for sustainable development.

The document covers all the main aspects of migration policy, but does not include a detailed implementation plan. Instead, there is an intention to develop and regularly update an indicative action plan containing specific measures. The areas of the Mobility Partnership Declaration match the state policy of Belarus. Thus, the Belarusian sub-program “External Migration” for 2016-2020 highlights the management of external migration, as well as prevention and suppression of irregular migration among its priority areas<sup>2</sup>. The National Sustainable Development Strategy of Belarus until 2030 equally envisages the development of measures aiming at the adaptation and integration of immigrants. As much as the mentioned areas remain valid, the measures for their implementation require continuous improvement.

To date, Belarus has accumulated considerable experience in ensuring an effective migration control and in identifying irregular migrants<sup>3</sup>. The country has also established a national asylum system based on internationally recognized rules and standards. The recent years have seen intensified interagency cooperation in the field of information exchange and migration policy coordination. Moreover, the beginning of 2020 saw the long awaited signing of the Readmission and the Visa Facilitation Agreements with the EU<sup>4</sup>. While it can be questioned whether these positive developments resulted from the Mobility Partnership itself, they are consistent with the signed Declaration.

In terms of financing, the EU currently represents the largest donor in Belarus and supports the country through different instruments, among which [the European Neighbourhood Instrument \(ENI\)](#) is the key tool for bilateral cooperation for the period 2014-2020. In particular, in 2014-2020, the EU allocated over €170 million under this instrument. Belarus also benefits from the Mobility Partnership Facility (MPF) under the Asylum, Migration

<sup>1</sup> After a period of cool down in the relations between Belarus and the EU and the suspension of practical cooperation and foreign assistance in various fields, the active dialogue resumed only by the beginning of the 2010s, also touching upon issues of migration policy, cross-border cooperation, protection of migrants' rights, etc. Cooperation between Belarus and the EU in the field of international technical assistance has expanded. Bilateral and multilateral dialogues between representatives of ministries and agencies have become more frequent.

<sup>2</sup> Etalon, 2018.

<sup>3</sup> Signing of the Mobility Partnership Declaration prompted the launch of the new EU-funded project 'Helping Belarus Address the Phenomenon of Increasing Numbers of Irregular Migrants' at the end of 2018. The expected result is building of an integrated migration management system and a sustainable national assisted voluntary return and reintegration system in Belarus by 2022, including the construction and reconstruction of migrant accommodation centres in line with the EU best practices and international standards for such institutions. IOM Belarus together with the Ministry of Internal Affairs and the State Border Committee of the Republic of Belarus implement this 4-year project. The EU funding amounts to 7 million EUR (IOM, 2018).

<sup>4</sup> EC (2020). Visa Facilitation and Readmission: the European Union and Belarus sign agreements



and Integration Fund (AMIF) and Internal Security Fund (ISF). The MPF grants funding to smaller-scale projects in a number of priority areas. MPF has financed several actions in Belarus including the elaboration of a Migration Policy for Belarus supported by ICMPD.<sup>5</sup>

It is important to note that additional steps towards the liberalization of Belarus' migration policy will largely depend on the state of its internal politics and shall also consider the country's membership in the Eurasian Economic Union (EAEU). The EAEU membership foresees, among others, an approximation of national migration legislations, improved cooperation and information exchange among governmental and non-governmental actors in the field of migration, and building of a coherent migration policy within the Eurasian migration system. Moreover, acknowledging the significant role of Russia in the EAEU, changes in Russia's migration policy may affect the easing or toughening of measures in Belarus in many ways. Over the long haul, these factors will affect the implementation of the Mobility Partnership and other relevant migration agreements in Belarus.

## TAKING STOCK OF THE IMPLEMENTATION DYNAMICS

### Labour mobility

Looking at the various areas of the Mobility Partnership, the labour (temporarily and circular) mobility from Belarus to the EU has seen the most noticeable progress. As of 2016, the number of valid residence permits issued to Belarus nationals in the EU for work reasons has been growing by some 8.000-10.000 every year<sup>6</sup> with most Belarusian migrants staying abroad for over six months. In 2018, the total number of valid work permits amounted to over 36.000<sup>7</sup> with half of them issued by Poland, followed by Lithuania. Both countries have long been the main destination countries for Belarusian labour migrants in the EU.

In the recent years, *Poland* has considerably eased access to its labour market, primarily targeting labour migrants from the bordering Eastern Partnership countries. On 1 January 2018, Poland amended the Law "On Facilitating Employment and Labour Market Institutions", liberalising admission to foreigners for seasonal and short-term work. This amendment introduced an additional type of seasonal work permit, extended the length of stay for seasonal employment in the field of agriculture, horticulture and tourism to 270 days per year, and reduced the registration fee threefold. These new provisions aimed at preventing abuses in the employment of foreigners when based on invitations from Polish employers. By the end of 2018, the number of first-time work permits issued to Belarus nationals for the period from six to eleven months amounted to nearly 17.000, as compared to only 4.100 in 2017.<sup>8</sup> Meanwhile, the number of declarations entrusting the work to Belarusian citizens in 2018 reached nearly 63.000.<sup>9</sup>

Belarus nationals have also been moving to Poland on the so-called Pole's Card<sup>10</sup>, which targets individuals of Polish descent. The cardholder can work, study and do business on the same basis as Polish nationals, as well as enjoy free emergency health care, seek

<sup>5</sup> EC (2016). Belarus and the EU.

<sup>6</sup> In 2016, BY nationals received 17.790 permits for work reasons, in 2017 - 28.057, and in 2018-35.981. See more in Eurostat database.

<sup>7</sup> Eurostat. According to the expert estimations, the number of Belarus labour migrants in the EU amounted to 100.000 persons at the end of 2017. See more in the Analytical report "Labour migration to the EU and the social security system in Belarus, Moldova and Ukraine".

<sup>8</sup> Eurostat. The total number of the first-time work permits issued to Belarus nationals in Poland grew substantially in the last years: in 2016 - 4870, in 2017 - 10518, and in 2018 - 19233. See more in the Demographic Yearbook of Poland 2019. P.443

<sup>9</sup> Demographic Yearbook of Poland 2019. P. 445

<sup>10</sup> The card exists as of 2007. Read more: <https://ec.europa.eu/migrant-integration/news/poles-card-and-related-benefits-to-be-available-to-wider-group-of-foreigners> Accessed on 13.08.2020



a free long-term visa and naturalise in one year. Moreover, cardholders can receive a special financial benefit to cover part of their expenses for settlement and maintenance in Poland. This makes the Pole's Card an attractive tool for young people who are thus able to migrate in the least costly way. The latest data shows 125,000 Pole's Cards issued to Belarusians, with over 45,000 issued in 2016–2018.<sup>11</sup> However, some experts argue that the actual number of Belarusian nationals who left for Poland on the Pole's Card is marginal, amounting to some 1,000<sup>12</sup>.

*Lithuania* is the second most popular EU destination for Belarusian labour migrants. In order to address the labour shortages provoked by the substantial outflow of its own citizens, Lithuania amended its Law “On the Situation of Foreigners” in January 2017. Ever since, it is much easier and faster to hire foreigners in the identified shortage professions. The latter includes staff of IT and innovative companies, international truck drivers, welders, assemblers of metal vessels' hulls, operators of metalworking machines, tailors, and a number of construction professions. Belarusian labour migrants in Lithuania often work exactly in these occupations.<sup>13</sup> Furthermore, as of March 2019, Lithuania amended its work permit rules. Labour migrants in non-highly qualified jobs will no longer need to prove qualifications and recent relevant employment experience, while workers changing employers or positions are no longer required to renew their work permit. In addition, Lithuania introduced a 12-month post-graduation job-search extension for international students.<sup>4</sup> In 2017, Belarusians obtained some 2,500 first-time work permits in Lithuania; in 2018, this number grew to over 3,000, and further doubled in 2019 reaching 6,725. Importantly, almost 14,000 Belarusians had a valid work permit in Lithuania at the end of 2019.<sup>15</sup>

While no special benefits are granted for employment of Belarus nationals in *Latvia*, there still has been an increase in the number of Belarusians holding a valid work permit: from 652 persons in 2017 to 937 in 2018 and 1,179 in 2019.<sup>16</sup>

The Belarusian labour migration to the remaining signatory countries – Bulgaria, Romania, Finland and Hungary – has remained below 1% as compared to those going to Lithuania, Latvia and Poland.

## Student Mobility and Entrepreneurship

Ensuring modern and open higher education systems across its neighbourhood is one of the EU's key priorities, which also plays an important role in its relations to Belarus. The EU actively supports the participation of Belarusian youth organizations and young people in exchange and volunteer programs within the European Neighbourhood (e.g. EU TEMPUS, Erasmus +, TAIEX, EU4Youth, etc.).

The Republic of Belarus has been consistently extending international academic mobility of the teaching staff and students, as well as the number of higher education specialties available in English.<sup>17</sup> Since 2017, some 2,000 students and teachers from Belarus were able to gain learning or teaching experience in the EU through Erasmus+<sup>18</sup>. Another 3,400

<sup>11</sup> Demographic Yearbook of Poland 2019, p. 450. Media reports refer to 137,000 issued Pole's Cards of which 55,000 were issued in the last three years. See here: <https://www.rp.pl/Bialorus/309269893-Karta-Polaka-Droga-do-Polski.html> Accessed on 13.08.2020

<sup>12</sup> Yeliseyev, 2018.

<sup>13</sup> Tut.by (2019). Lithuania is concerned that Belarusians and Ukrainians are pushing local residents out of the labour market.

<sup>14</sup> OECD (2019)

<sup>15</sup> Eurostat

<sup>16</sup> Ibid

<sup>17</sup> EHEA Paris (2018). Communiqué Appendix II “Belarus Strategy”, p.3

<sup>18</sup> EU Neighbours 2020 and EU Neighbours 2017. Facts and figures about EU-Belarus relations.



young workers built up their creative and innovative capacities through exchange, training and volunteering programmes since 2014<sup>19</sup>. Belarus also has been participating in the EU “MOST” project (Mobility Scheme for Targeted People-to-People-Contacts) to expand professional contacts between nationals of Belarus and the EU<sup>20</sup>. By 2020, over 5.500 professionals benefited from the MOST<sup>21</sup>. Thanks to the TEMPUS program, contacts have been established between Belarusian and European universities. Moreover, the curricula in Belarusian higher education institutions have been improving, including through strengthening the qualifications of Belarusian teachers. Nevertheless, since 2014, the total number of students has been decreasing and the number of unemployed graduates on the rise.<sup>22</sup>

The full transition of the Belarus education system to the Bologna Process is still ongoing, partially due to Belarus’ refusal to abolish the assignment of compulsory work for persons with a secondary specialized and higher education (2 years) and for persons with vocational education (1 year).<sup>23</sup> The preservation of the post-graduate work assignment represents a major obstacle for leaving the country to work abroad upon graduation from university. The inefficient interaction between the education system and labour market represents another important challenge. While there is a growing demand in various medium-skilled professions, the national education system prioritises higher education. The lack of the qualifications in high demand restricts the migratory intentions of young people interested in temporary employment abroad (see the results of the 2016 Pushkevich survey, 2018).

Entrepreneurship figures among the priorities within the migration and development area of the Mobility Partnership. Nevertheless, the share of the micro, small and medium enterprises in the GDP of Belarus remains lower than in most countries. Access to funding, in terms of both sources and volume, is a serious challenge for young entrepreneurs wishing to engage in private business. As part of the state support for promoting entrepreneurship and youth participation in small businesses, a Belarusian enterprising community, known as the “business hive”, was established. This community functions as a business incubator that provides places for 150 start-up companies and consists of “business cells” specializing in business education issues, employment, art industry, information and communication technologies of tourism, advertising, services, etc. Among the recent EU initiatives, two joint projects of the EU and the World Bank Group focusing on development of the private sector and entrepreneurship in Belarus should be highlighted. The first project – a technical assistance program of 4.8 million EUR – is aimed at stimulating the development of the private sector in Belarus, including through development of small and medium businesses, attracting investment and preparing a paperless trading system. The second project aims at strengthening the Belarusian competition law. It envisages creation of a roadmap to draft regulations for competition development<sup>24</sup>.

## Visa issues

The signing of the EU-Belarus Visa Facilitation agreement in January 2020 represented a major achievement in making the short-term travel of Belarusians to the Schengen area easier and more affordable. As of July 2020, the visa fee is €35 instead of €60; the service fee may not exceed €30, and the processing time for consulates to take a decision

<sup>19</sup> Ibid.

<sup>20</sup> MOST (2019).

<sup>21</sup> EU Neighbours (2020)

<sup>22</sup> Belsat (2019). What is wrong with the Belarussian higher education?

<sup>23</sup> EHEA Paris Ministerial Conference (2018). Communiqué “Belarus Strategy” and EHEA Final Report “Support for the Belarus Roadmap”.

<sup>24</sup> Export, 2019.



on a visa application in standard cases amounts to 10 working days. Moreover, as many as eleven categories of travellers will enjoy exemption from the consular fee, whereas regular travellers such as journalists, students and members of official delegations can receive multiple-entry visas with a validity of up to five years.<sup>25</sup>

Three years ago, Belarus granted visa-free entry for up to five days through the Minsk National Airport to nationals of 80 countries. As of July 2018, this period has been extended to 30 days for nationals of 74 countries, including the EU Member States. This resulted in a rapidly growing tourist flow from non-CIS countries – from 38.200 in 2016 to 83.900 in 2017 and 182.317 in 2019. In 2019, most tourists came from neighbouring Poland (61.349), Lithuania (76.060), and Latvia (10.478).<sup>26</sup> The flow of Belarusian tourists to the neighbouring EU countries has meanwhile fluctuated. For instance, the number of visas issued by Polish consulates has decreased from 319.000 in 2015 to 216.000 in 2019. In contrast, Lithuanian consulates in Belarus issued 203.000 visas in 2015 and over 250.000 in 2019.<sup>27</sup>

The next step for increased short-term mobility would consist in signing of the Visa Liberalisation Agreement. Back in 2014, a group of migration experts from academia, NGOs, government and international organisations anticipated an EU-Belarus visa-free regime within ten years.<sup>28</sup> In 2020, the Ministry of Foreign Affairs of Belarus asserted that discussions on the visa liberalisation might start soon.<sup>29</sup> How long the process may take in reality remains unknown, but it can be expedited through specific actions within the Partnership.

## BUILDING THE WAY FORWARD

### Data needs

Without robust data, one can hardly develop reliable and efficient policies. The persisting problem of statistic accuracy and comparability, therefore, represents a major challenge. Belarus assesses external migration based on the data from the immigration cards, as well as information on the number of persons who left and arrived under official employment contracts. The most accurate is the arrival statistics. The reliable assessment of the outgoing migration from Belarus to the EU, meanwhile, is not possible neither in quantitative nor qualitative terms. At present, one can use the data collected in the databases of Eurostat and the International Organization for Migration. However, even this information is only available to a limited extent.

Lacking the necessary data on migration, decision-makers are unable to bring forward specific regulatory measures that could substantially improve mobility and benefit countries and migrants. The absence of the information on qualitative characteristics of migration, on the transition period between temporary and permanent migration and the limited knowledge on other parameters hamper the dialogue between migrants and other agents. Moreover, in order to get an objective picture of the issues and the stage of implementation of the intended plans, researchers and authorities need qualitative studies about the challenges that Belarusians encounter when seeking employment in the EU. Such studies remain scarce.

<sup>25</sup> EC (2020). Visa Facilitation Agreement . EC (2020). Visa Facilitation and Readmission: the agreements between the European Union and Belarus enter into force.

<sup>26</sup> Belarus in Numbers 2020

<sup>27</sup> Complete statistics on short-stay visas issued by the Schengen States

<sup>28</sup> Yeliseyeu A. Migration between the EU, V4 and Eastern Europe: the present situation and the possible future. The perspective of Belarus. In Forecasting migration between the EU, V4 and Eastern Europe. Impact of visa abolition. Ed. By Jaroszewicz M. and Lesinska M. Warsaw, July 2014, Center for Eastern Studies.

<sup>29</sup> Schengenvisainfo (2020). Belarus Hopes It Will Soon Start Discussing Visa-Liberalization with EU



## Employment portal

To facilitate safe labour mobility to the EU, there is a need to establish a reliable information source for Belarusian migrants. The website of the Ministry of Internal Affairs of Belarus previously entailed a provisional list of recommended actions for individual migrants moving abroad for employment purposes, outlining how to obtain the information on legislation, exit/entry and employment procedures.<sup>30</sup> The website of the La Strada Program still features a similar list.<sup>31</sup> Moreover, La Strada also operates a hotline providing advice on safe travel abroad. In 2018 alone, 5,500 persons called the hotline, whereas effective assistance was provided to 287 Belarusians who faced problems abroad.<sup>32</sup> This, however, is barely enough.

There is a genuine need for a database on employment opportunities in the countries-signatories of the Mobility Partnership Declaration. It could provide further information on the employment rights and obligations, on social protection and other key aspects, which can be of use to migrants, authorities, as well as the public and the academic community.

## Social protection

Belarus provides social protection to its population in accordance with the country's Comprehensive System of Measures for Social Protection of the Population and its implementation plan adopted in March 2000. The system includes the payment of social benefits, provision of in-kind assistance, waivers and social services, and more. The various social assistance programs cover more than half of the national population. The labour emigration of Belarusians (especially undocumented) results in a consistent reduction of contributions to the Social Security Fund. This, in turn, puts additional pressure on the national social security system, which already puts an increased burden on the working-age population. To ensure that Belarusian migrants and their family members receive social protection in their countries of destination and upon their return back home, there is a need to eliminate existing legal barriers, including those related to pension security.

To date, Belarus has agreements in the field of social security only with Russia, Lithuania and Latvia. In a first step, the country could conclude such agreements with all countries-signatories of the Mobility Partnership Declaration, prioritising Poland, which attracts more Belarusian labour migrants every year. In a second step, the provisions of such agreements need to be transposed into practice. The transfer of pension entitlements also needs to be addressed. Within the CIS, for instance, Belarus concluded an agreement in the field of pension security as early as 1992, but the system has not been set up. The ongoing pension reform in Belarus may also hamper the disbursement of pension entitlements in absence of agreements stipulating the pension transfer from the country of employment to Belarus and vice-versa. Already now, each Belarus national needs 16 years of employment and insurance contributions to qualify for a pension, with the figure projected to grow to 20 years by 2025. Under such circumstances, long-term emigration to the EU may become an obstacle to receiving a pension in the future.

<sup>30</sup> Sozhnews (2017). The Department of Citizenship and Migration has developed recommendations for citizens of the Republic of Belarus leaving for work abroad

<sup>31</sup> La Strada. Work abroad.

<sup>32</sup> Gender perspectives (2019).



## Cross-border mobility

The Mobility Partnership Declaration takes into account the three agreements on local border traffic between Belarus, Latvia, Lithuania and Poland signed in 2010. Whereas the Schengen visa allows staying abroad for up to 90 days within a 180-day period, the local border traffic agreement regulates only the duration of an uninterrupted stay. The local border traffic applies to residents of communities situated within 50 kilometres on both sides of the border. Therefore, the practical implementation of free movement is of great interest to a significant number of residents in the western regions of Belarus.

At this moment, in fact, only the Belarusian-Latvian agreement, effective as of 1 February 2012, is in force. As part of cross-border cooperation programs, the EU has allocated funds to improve the border crossing points' infrastructure. The Belarusian side, however, is not ready to confirm the infrastructure's compliance with the requirements necessary to introduce the local border traffic. This has delayed the coming into effect of the simplified procedure for mutual trips on behalf of residents of the border regions.

## CONCLUSIONS AND RECOMMENDATIONS

The presented analysis confirms the progress achieved in the areas of legal mobility, as well as migration and development, as envisaged by the EU Mobility Partnership with Belarus. Nevertheless, both sides need to take additional measures to reap the full potential of the Partnership.

In **terms of labour migration**, the development of an indicative action plan represent the key priority. It shall outline a set of measures to help create and improve labour conditions, and ensure that people can freely utilise the available opportunities. To facilitate the implementation of the set measures, the European and Belarusian employment actors need to establish reliable partnerships and build a joint database of vacancies. The latter could also host additional information on work and exchange programs, as well as legal data on a variety of topics. The employment of high-skilled personnel could feature a 'roadmap for migrants' development', providing an initial package of rights and guarantees, and opportunities for advanced training, education and prospects related to employment in the EU.

The lack of access to the **social protection system** (right to free education and healthcare, benefits to families with children and people with disabilities, etc.), which hinders some people in their migratory intentions, shall be addressed through establishing of practical and legal conditions for Belarusians to exercise their social and pension rights outside the country. In addition, there is a need to develop legal mediation and counselling services for migrants. Among others, the EU and the EAEU could assess the possibility to develop Social Security and Pension Security Agreements, which may considerably ease the life of regional migrant workers.

With regard to **education and youth policy**, Belarus needs to revise the foundations of its education system to enhance the coordination between the State, the educational institutions, and the private sector. Youth access to higher, vocational and secondary special education should match the needs of employers and the economy. Since the quality of education is also an issue, there is a need to complete the legal groundwork paving the way to an independent quality control agency in line with the European standards and guidelines. Moreover, Belarus needs to accelerate the development of a Roadmap for accession to the Program for International Student Assessment, including a system of education quality





assessment and management in educational institutions. As a starting point, the Mobility Partnership could help regulate various issues with the signatory countries. In particular, it could facilitate a dialogue between the Public Bologna Committee and the competent state agencies on abolition of the work assignment institute.

An efficient implementation of the **EU-Belarus Visa Facilitation** agreement largely depends on the effective cooperation within the framework of the Mobility Partnership. The EU countries-signatories could potentially take a more active role in steering and facilitating its implementation. While the Visa Liberalisation Agreement with the EU remains a long-term objective, the free movement of residents in the border regions of Belarus, Lithuania and Poland is a step that Belarus could pursue more actively already now.

To effectively assess and reform the existing migration policy, there is a need for **comparable statistics and qualitative studies**, including surveys. In this regard, an EU-Belarus consolidated database would allow for better monitoring of the situation and ensuring a timely response based on regular feedback between the parties. Lastly, there is a need to ensure coordination and financing of qualitative studies on migration (including interdisciplinary ones) at research institutes and higher educational institutions both in Belarus and in the Declaration signatory countries. Together with other EU research initiatives in the migration field, these studies may form the scientific base to help Belarus improve its migration policies.

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This publication was produced in the framework of the "Prague Process: Dialogue, Analyses and Training in Action" initiative, a component of the Mobility Partnership Facility II project, with the assistance of the European Union.

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Funded by the European Union

