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Actual Issues of Information and Digital Regulation of Migration Processes

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ABSTRACT
The study of information and digital regulation of migration processes is a developing interdisciplinary area focused on the study of the spheres of influence of legal regulation of the use of digital technologies in the management of migration processes. In the work, special attention is paid to the lack of a legal basis for the use of information and digital technologies in relation to migrant children, and appropriate recommendations are proposed. The purpose of the study is to conduct a comprehensive analysis of information and digital regulation of migration processes. Research methods: general scientific and dialectical method of cognition (systemic, logical, statistical, especially legal, etc.).

Keywords: Migration processes, migrants, migrant children, information and digital technologies.

1. INTRODUCTION

Migration processes have deep historical roots. The reasons for the emergence of migration are: natural disasters, conflicts, terrorism or human rights violations, the search for a better job, education, economic benefits or the desire to reunite with the family.

The level of migration in the modern world is unprecedented, moreover, its constant growth is recorded: 2.3% in 1980, 2.8% in 2000, 3.4% in 2017, and in 2000 the number of migrants in the world was about 173 million people. In 2019, the number of migrants reached 272 million. Today, there are 70 million migrants in the world, including 26 million refugees, more than 41 million internal migrants, and 3.5 million people have applied for asylum in foreign countries.

Today, migration is one of the "nonlinear" and large-scale problems of the entire international community and, in particular, in the border regions of the Russian Federation. The active flow of migrants from the countries of the Central Asian region, such as Uzbekistan, Tajikistan, Azerbaijan, Kyrgyzstan, Kazakhstan, Turkmenistan, creates a number of problems for the receiving state that need to be addressed. The mechanism for solving these problems lies not only within the legal framework, but also in the interaction of civil society institutions in order to avoid xenophobia. Vasiliev [1] notes that the subjects of international migration processes are citizens of neighboring states, who purposefully immigrate to the territory of the Russian Federation due to the low standard of living in the republics, the inability to freely carry out entrepreneurial and other economic activities, low wages, etc.

International migration as a multidimensional phenomenon affects many areas and processes associated not only with the industrialization of the formal and informal sectors of the economy, but also with the direct fulfillment by the state of international obligations to ensure the rights and legitimate interests of a person - a migrant by virtue of the obligations assumed within the framework of ratified international legal acts. Child migrants are a particularly vulnerable category of subjects of international migration processes.

Currently, there are practically no comprehensive studies of the role of digital technologies in migration processes, while the migration crisis that has arisen in the countries of the European Union, as well as in the states of the Eurasian Economic Union, initiated a number of studies by such scientists as Leurs and Ponzanezi [2], Wall et al. [3], Alencar [4], Trimikliniotis et al. [5].

2. DIGITAL TECHNOLOGIES OF MIGRATION PROCESSES

The international community, as part of the implementation of the 2030 Agenda for Sustainable Development [6], has fixed the indicators applied to migration and mobility. In accordance with the adopted indicators, a new direction of research is being formed aimed at understanding the relationship between migration and digital media technologies and the need to develop a new reflective and innovative policy in the field of digital migration.

However, it should be noted that digital technologies are not a "panacea" that will eliminate the current migration crisis. Using new digital technologies in mi-

gration processes, the state, to a certain extent, acquires tools that guarantee the protection of the rights and legitimate interests of migrants in the regulation of migration processes.

Studies on the issue of information and digital regulation of migration processes successfully combine media and migration studies, however, they are mainly aimed at internal national movements or at the migration of highly educated migrants, and not at the international migration of forced migrants.

It should be noted that the use of digital technologies in migration processes does not fit into the narrow framework of specialized disciplinary research. It can be argued that the study of information and digital regulation of migration processes is an interdisciplinary study that includes studies in the field of media, cultural and communicative fields of science, Internet research, information research, migration research, ethnic, diaspora and racial research, mobility research and transnationalism, gender and postcolonial studies, anthropological, geographical, sociological and urban studies, studies of human-computer interaction, science and technology studies, and research in the field of jurisprudence and human rights.

The following areas of activity within the framework of helping migrant children, in the implementation of which digital technologies are needed, can be distinguished: registration and case management, remote sensing, digital communications, predictive analytics, educational technologies. It cannot be said that these technologies have been tested in the complete world and have no drawbacks.

1. Pilot innovation projects lack a developed program to effectively identify and measure anticipated impacts, including those with potentially unintended negative consequences.

2. The use of digital technology in the provision of care carries ethical risks such as privacy, privacy concerns, and the use of personal data to harm.

3. Lack of centralized capacity to coordinate innovations within the federal structure of government organizations, including special support for relevant technological innovation processes that are directly related to programming the migration movement of migrants.

4. Lack of technical capacity in key technology skills (e.g. data science, informatics), and the need to make better use of existing organizational capacity (at member, regional and country levels) and build / deepen partnerships with relevant external stakeholders

5. Absence or gaps in the regulatory framework of states when using digital technologies in the migration processes of children. Operators need to be particularly

careful when handling data on migrant children: age-disaggregated migration data must be collected and processed in accordance with legal data protection instruments to ensure the privacy, dignity and best interests of migrant children.

3. FEATURES OF THE USE OF DIGITAL TECHNOLOGIES

Studies of migration processes with the participation of migrant children, aimed at analyzing the interests and needs in the field of protection of rights, as well as in the relationship between migration and digital media technologies and the need to develop a new reflective and innovative policy in the field of digital migration. It can be stated that the research is not aimed at studying the issues of digitalization of migration processes with the participation of migrant children.

The legal status of migrant children is determined by international legal acts that enshrine the basic principles and guarantees for this category of subjects of migration relations. Such legal acts include:

- The UN Convention on the Rights of the Child in its article 19 establishes the duty of the state to protect children from violence, exploitation and abuse [7].
- The Universal Declaration of Human Rights (Article 14) enshrines the right of everyone to seek and receive asylum from persecution in other countries.
- The 1951 UN Convention relating to the Status of Refugees regulates guarantees and mechanisms to protect refugees from returning to countries where they are at risk of persecution.

Also, at the present stage of development of migration processes, the Council of Europe strategy on the rights of the child (2016-2021) acquires particular importance, the implementation of which is monitored by the Steering Committee on the Rights of the Child (CDENF). The Committee on the Rights of the Child, within its mandate, has considered the need to strengthen and expand measures to end violence against minors in order to prevent practices that threaten the development of children and make it impossible to implement non-violent ways of resolving conflicts with the participation of migrant children [8].

The Council of Europe for the Protection of Refugee and Migrant Children in Europe orients states towards the implementation of a legal mechanism to ensure the rights and legitimate interests of migrant children, as well as access to justice that takes into account the interests of children.

The previously mentioned digital technologies of migration processes applied to migrant children have a number of features:

1. Registration and case management (supporting the responsible adaptation of ICTs for cross-border business management, including registration technologies and the use of biometrics to manage the identity of displaced persons and populations, and various software platforms for family tracing and reunification). For example, the United Nations Sustainable Development Goals include the target "to ensure legal identity for all, including birth registration by 2030", which is "the key to ensuring that children are not forgotten, deprived of their rights". More than 10,000 migrant children disappeared after arriving in Europe, according to a 2018 UN investigation report. It is believed that some of them may have traveled to Europe without giving their whereabouts, others may have become victims of human trafficking [9]. We believe that the mandatory registration of a child in digital form based on biometric data will help to level the situation with lost migrant children.

2. Remote sensing: using geographic information systems (GIS), using data from satellites and aircraft, including drones, to monitor migrants. The capabilities of applications that allow determining the geolocation data of a lost minor migrant in some cases are tools for his survival.

3. Digital Connectivity: Harnessing the growing demand and use of mobile phones and the Internet around the world to improve coverage and service delivery to displaced populations. To do this, it is necessary to develop and implement tools to measure the possibility of establishing communication between displaced children and their families. The data obtained as a result of such an assessment will make it possible to collect complete information on the problems of child and family migration and to develop, on their basis, a set of measures aimed at helping them; conclude agreements on cooperation with other states, private and state agencies in the field of improving adaptation programs for migrant children (including those related to mental and psychosocial health programs).

4. Predictive analytics - The general use of statistical models and algorithms to extract trends and patterns from existing datasets to predict likely future behavior and events. Predictive analytics in migration: Analyze data and simulate situations to prevent migration and deploy predictive analytics for specific solutions, develop other advanced information approaches with a particular focus on supporting migration programs, and strategic planning for the movement of children.

5. Educational technology: software and hardware designed specifically for use by children, teachers, parents or legal representatives to provide education to hard-to-reach populations. It is necessary to pay special attention to the implementation and integration of distance educational software for children. For example, Better Learning and Education Together (ILET) provides a web-based data management platform for real-time data collection, visualization processing, and automated reporting to help communities create evidence-based school improvement plans for their communities [10].

Let's look at some examples:

1. The Security Information Management (Primero) application is an Information Management System (IMS) designed to simplify data processing and maintain confidentiality. This app meets the Minimum Child Protection Standards. Primero's open source software helps securely collect, store, manage and share data to monitor security incidents, migration management, family tracking and reunification, and national, regional and international migration policy programming. Primero supports several modules: CPIMS, CPIMS + and GBVIMS +. Technological design and control mechanisms of Primero correspond to all innovative achievements in the field of office work and technology of conducting migration processes, and the design is intuitive for people. Dedicated access and granular security ensure that only authorized persons have access to the data.

With regard to migrant children, Primero can be customized to support a wide range of protection programs, including gender-based violence, unaccompanied and separated children, and welfare programs. However, despite a number of sophisticated technologies, a number of issues remain unresolved in the regulatory and ethical framework. Thus, the authors were unable to develop and adopt a single publicly available guideline, which stipulates when BIMS cannot be used to register a minor.

2. Biometric registration is a government platform for providing remote biometric identification. Biometrics are unique biological and physiological characteristics that can be used to identify a person. Biometric registration from a number of migrants causes resistance, especially from those of them who have been registered more than once by various state and public structures for the implementation of the same goals. The November 2018 protests in Cox's Bazar, Bangladesh, by Rohingya refugees frustrated by over-registration and fears of privacy and security breaches in the collection of their biometric information, are the most prominent example of this phenomenon (Islam 2018).

3. Distributed ledger technologies (DLT) and blockchains in the management of migrant registration data

that enable migrants to be provided with a permanent digital identity through which they can move around the world and communicate (in theory) in a secure, anonymous and accessible manner. DLT refers to technologies that allow synchronized data to be exchanged between multiple geographic regions and participants. Blockchain technologies, a form of DLT, use encrypted "blocks" in an immutable chain of timestamped transaction records. DLT is at the center of the evolving debate on innovation in cash delivery, offering new opportunities for the transfer of digital monetary assets, allowing migrants to own, hold, and manage their monetary assets without intermediaries such as an NGO, bank or government. However, the use of DLT is still at an early stage, since a number of serious technical problems (security, confidentiality) remain unresolved in full, and mechanisms for resolving legal and ethical risks have not been developed.

4. Digital Communications - An Internet and mobile phone connection that allows adults and minors to access information about their new living environment, services and support (including money transfers, digital education and job opportunities). Although there are currently no comprehensive statistics on the ownership of mobile phones by migrants, this area is receiving increasing attention. UN data show that in 2016 90% of refugees are actively looking for access to access points to the 3G network, Wi-Fi, making decisions about the direction of their movement. (UNHCR 2016). A recent example is the innovative ICT project Save the Children's Kolorob, which aims to close the information gap among public service providers facing urban Bangladesh youth by providing them with reliable information on essential health, education and child protection services. Through a free mobile app for Android, 6-year-old Rebecca and her 5-year-old sister Abi were reunited with their mother [10].

4. CONCLUSIONS

Providing, using digital technologies, access to reliable and relevant, reliable and timely information remains the key to information and migration security, stabilization of society and migration processes in the state.

The problems associated with the lack of a comprehensive multidisciplinary study of digital technologies of migration processes and the programs for forecasting, planning and protecting the rights of migrants developed on their basis will negatively affect the rights of refugees, their health and life, their participation in a "mediatized" society, which in turn will entail serious risks for the state to which migrants come.

Such multidisciplinary research should include the research identified in this article. However, attention should be paid to research in the field of jurisprudence. Since, as shown in scientific work, it is not enough to develop digital technologies taking into account the achievements in the field of anthropological, geographical, sociological, urbanistic and other studies, their practical application is impossible without clear regulation in international and national legislation.

Protecting migrant children requires an integrated and strategic approach. Each area of the migration process for migrant children will require specific specialized technical capabilities, enhanced innovation management capabilities, and ethical and regulatory review and oversight with specific interventions:

1. It is necessary to create a focal point, whose functions will include: ensuring access to legal information, to national migration strategies; ensuring the work of the platform for supporting migrants, collecting and analyzing data on migrant children at the national, regional and local levels.

2. Develop recommendations based on legal, policy and institutional provisions for integrating into the culture of the host country, respecting the rights of the child, creating mechanisms and services adapted for migrant children, and adopting a national program to prevent, combat and respond to all forms of violence against children -migrants.

3. Develop a national legal and regulatory framework to regulate the use of digital technologies in the migration processes of children. Operators need to be particularly careful when handling data on migrant children: age-disaggregated migration data must be collected and processed in accordance with legal data protection instruments to ensure the privacy, dignity and best interests of migrant children.

4. Promote loyalty to migrant children and exchange knowledge and experience on the mechanism for organizing effective guardianship of unaccompanied and separated migrant children.

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