THE POLITICAL AND STRATEGIC CONTEXT OF MIGRATION IN ROMANIA

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ABSTRACT: *NOWADAYS, IN THE ACTUAL SOCIAL, POLITICAL AND ECONOMIC CONTEXT, IN AN "ENVIRONMENT CONTAMINATED" BY THE EFFECTS OF THE INFIGHTING BETWEEN DIFFERENT POLITICAL FORCES AND INTEREST GROUPS THAT PRESENT AS THEIR ULTIMATE GOAL MAKING ROMANIA A REPRESENTATIVE E.U. MEMBER, ALL THESE SUPPORTED BY AGGRESSIVE MEDIA CAMPAIGNS THAT EXPOSE TO THE GENERAL PUBLIC THEIR OWN REALITY IN ACCORDANCE WITH PERSONAL INTERESTS OF THE POLITICAL LEADERS SUPPORTED BY MEANS OF THE MEDIA COMPANIES , ROMANIAN CITIZENS CAN BE CONFUSED IN ORDER TO IDENTIFY THEIR MAIN PRINCIPLES AND PURPOSES THAT WORTH FIGHTING FOR. THEREFORE, IN ADDITION TO THE IDEAS OF INCREASING SALARIES, TAX REDUCTION, AMENDING THE TAX CODE, SAVING STATE COMPANIES IN ORDER TO CONSERVE JOBS, THAT ARE CIRCULATING IN THE PUBLIC SPACE, THE ROMANIAN CITIZEN SHOULD LEARN TO APPROACH, AT THE SAME TIME WITH A PERSONAL INITIATIVE FOR OBTAINING RIGHTS FOR THEMSELVES, A GLOBAL THINKING IN ORDER TO KNOW WHAT ARE THEIR DEMANDS FOR THE ROMANIAN AUTHORITIES' LEADERS. THE ASPECT OF INTERNATIONAL MIGRATION SHOULD BE A PART OF THIS GLOBAL THINKING AND SHOULD CONCERN EVERY CITIZEN OF OUR COUNTRY BECAUSE IT CAN INFLUENCE IN MANY WAYS OUR EVERYDAY LIFE, BY INFLUENCING THE LABOR MARKET, BY THE NEED TO REDIRECT ADMINISTRATIVE, FINANCIAL AND HUMAN RESOURCES IN ORDER TO FULFILL THE OBLIGATIONS THAT ROMANIA HAS IN THE DOMAIN OF INTERNATIONAL MIGRATION AS A E.U. MEMBER AND ALSO BY THE THREATS TO PUBLIC ORDER AND SECURITY REPRESENTED BY MEMBERS OF TERRORIST NETWORKS THAT INFILTRATE GROUPS OF IMMIGRANTS. GIVEN THE CURRENT INTERNATIONAL CONTEXT, MARKED BY THE CONFLICT IN UKRAINE, STRAINED RELATIONS BETWEEN EST AND WEST IN EUROPE, THE CONFLICTS FROM THE ARAB COUNTRIES, INTERNATIONAL TERRORIST NETWORKS, THE PROBLEM OF INTERNATIONAL MIGRATIONS SHOULD BE UNDERSTOOD BY EVERY CITIZEN AND TREATED VERY SERIOUSLY IN ORDER TO PRESERVE OUR OWN RIGHTS AND SAFETY AND ALSO THE EUROPEAN VALUES.*

KEYWORDS: *MIGRATION, STRATEGY, POLICY, LABOR, MANAGEMENT, RESONSIBILITIES, ASYLUM, TRAFFICKING*

1. GENERAL CONSIDERATIONS ON MIGRATION

International migration, which can come in different forms, as forced or voluntary, is an essential part of the current globalized existence. Currently, the number of persons residing outside their home country is greater than ever in the history of humanity. By

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analyzing this phenomenon, the scientists have concluded that migration can play a key role in developing the society and in poverty reduction. The phenomenon has clear benefits, which could be enhanced and disadvantages that could be minimized.

From a demographic point of view, relative to a given population, we can talk about two forms of migration: emigration and immigration, or in other words all entries and exits of persons. In fact, any migrant is both an immigrant to the destination country and an emigrant for the origin country.

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2. FORMS AND GENERAL CLASSIFICATIONS OF MIGRATION

Present studies revealed that international migration can come in various forms:
- ethnical minorities migration to the origin countries;
- labor migration;
- family migration (family migration of the workers pre-emigrants) in accordance to the family reunification right, guaranteed by international legislation;
- forced migration due to natural calamities, political or religious persecutions, wars, etc.;

These forms of migration can be classified by the following criteria:
- legacy: legal (realized by respecting the respective norms) and illegal (realized by infringement, fact that makes it hard to evaluate);
- motivation: voluntary and involuntary, forced;
- the period of staying in the departure country: temporary, long-time period, permanent.

Other forms of international migration are:
- migration based on ethnicity; theoretically, the state has the right to decide on long term who enters and receive the staying right on its territory among the immigrants;
- postcolonial migration, for the colonizing countries that set out strict rules for the immigrants from the former colonies;
- economical migration, which represents one of the most common forms in the past decades; it is motivated by the differences between the countries regarding the access to resources and labor, as well as the crisis of some specializations; therefore, many of the developed countries have constantly "recruited" immigrants and continues to encourage highly qualified labor migration from poor countries;
- asylum seekers and refugees, who represent the second largest group of illegal immigrants, after labor migration; as well as the family migration, this type is protected by the international legislation; asylum seekers and refugees have the right to remain on the territory of a state, where they are not national citizens, if their only alternative is to go back to a place where they are frightened of an inhuman or degrading treatment or high defined basis sanctions.

Therefore, by focalizing a very large set of social phenomenon, the migration has great importance both for the destination and origin country's security, as well as for human individuals security involved in this phenomena.

3. BENEFITS AND DISADVANTAGES OF MIGRATION

For the host country, benefits can be mostly perceived on the labor market by:

- Migrants contribution to the decrease of the labor forces deficit, either in highly qualified professions, strict qualified labor, or reduced qualification / unqualified labor that receives reticence from the native labor;

- Contributions in production increasing, including the export of the "adoption" countries, sometimes even in their origin countries;

- Inter-cultural exchange, the attenuation of the demographical aging process (migrants are usually young, with ages between 18 and 40).

For the migrants, benefits consist in assuring personal safety and life essential resources, life level improvement, fact that can bring benefits also for the country of origin, because in most of the cases migrants represent a financial support for the families left at home, the access to education or the protection of health.

Negative effects given by the inefficient management of the migration phenomenon consist in continuous destabilization of destination countries, starting with the raising of the inhabitants number, the decrease of the living-level and, mostly, for the origin inhabitants, the raise of the black labor – with negative effects on the labor force market, the undermining of the national economy in favor of the subterranean economy, and finalizing with the raise of the national and even regional criminality. Under such terms, it is considered that the migration issues can be administrated, for the benefits of all the parties involved, only by an efficient management. Therefore, the states are trying to integrate the problem of flow of persons in the global construction of the economical lasting development and the social progress. Moreover, the migration is being considered a multinational process that can no longer be administrated (only) unilaterally or bilaterally.

All this have assumed a different attitude of the involved states regarding the migratory flows:

- On one hand, an opening policy for the migration with the aim of covering the low qualified labor deficit (with some quantity barriers, established in accordance to the growth of the benefits and carried out in the using of the migrants flows conscriptions that have different professions and jobs) and of intensification of drawing temporary / permanently the "brains" for the support of the progress through high technologies, so by highly qualified labor force (displayed by developing the competition between the receiving states for the drawing of personnel that can cover the high competencies deficit);

- On the other hand, a common control policy of migratory flows and of combating illegal migration and illegal employment of foreigners (including an intensification of the interstates cooperation).

4. LABOR MIGRATION DYNAMICS

As far as the labor migration dynamics is concerned, the evolution of the number of persons that emigrate can be determined by various factors, such as:

a) the developing of unemployment and the continuous decrease of life level can determine the interested persons to chose leaving in different countries (temporary / permanently) as a saving option;

b) the labor force deficit in certain fields inside some European countries can determine the increase of the external migration;

c) on the other hand, the saturation of the labor market in some member states of the European Union can determine a certain phenomenon of foreigners rejection, that could have an opposite effect to the one desired by migrants.

Migration is also affected by inter-regional differences that determine, at the time, the volume and direction of migratory flow, as follows:

- differences between economical opportunities has been, for a long period of time, the main factor of the migrations, as far as the demanding for certain types of labor forces or labor forces in general is concerned;

- the economical opportunities differences can appear as a result of discovering or determination of new borders, technical innovations, development of new commercial routes or new borders, modifications in the divisions of labor or approach changes;

- differences regarding the life standard; certain differences of real incomes between the different states or regions can be relevant for the emigration volume;

- differences regarding the living conditions and the residence space can be extremely important in the determination of the migration volume and direction; these differences can serve as a basis not only to the whole movement field of suburbanization but mostly for the migration of the elder population; the aspects regarding the residence cover the quality of the houses in which migrants live, the neighboring, the climate and the scenery; taking in consideration the crisis of houses, common in many countries in Europe after the second world war, we can conclude that the availability of a house becomes a factor of difference;

- differences regarding the social well-being: some aspects of urban well-being such as recreation utilities (theatres, cinemas, concert halls, superior education institutions and specialized hospitals) manifest a certain influence in taking an emigration decision; still, from a statistical point of view, these aspects have marginal values in explaining the volume and the direction of the migration flow; modern urbanization is clearly based on factors that interest the working place and not the "glamorous lights of the city";

- cultural and political differences: frequently, a minority from a country prefers the cultural and political values that are cultivated somewhere else; this situation could be a reaction to the more or less revolutionary changes in the cultural and political field in the origin country of the migrants.

5. POLITICAL AND STRATEGICALLY FRAMEWORK REGARDING MIGRATION

Government programs reveal, within the objective regarding the fight against trans-border criminality, the fallowing main action lines:

- Actions for combating human beings trafficking and for realizing the danger that this phenomenon involves;

- Protecting the Romanian citizens from the community area against exploitation by organized crime networks; the identification and facilitation of the repatriation of citizens that find themselves in this kind of situations;

- The accreditation of responsible institutions in the field of migration (legal and illegal) and asylum; the development of the administrative capacity of the Romanian Immigration Office;

- The inter-institutional cooperation development through:
  o the improvement of data and information exchange between competent border authorities;
  o mutual assistance and the organization of common actions by the border authorities and the authorities responsible with the foreign labor employment management and control;
  o the integration of biometrics in travel documents with the aim of increasing their security level;

o the development, together with the responsible government authorities, of a strategy for covering the labor force deficiency through legal selective migration

o active supporting of a strategic EU policy for external eastern borders, according to the solidarity principle.

In the field of external policy, a highly interest will be paid to the consolidation of Romania's role as an active and influent EU member, respectively the insurance of a stably, democratic and prosper neighborhood and the assertion and protection of Romanian citizens rights and interests, regardless to their position. In this matter, the main action lines will regard:

- The insurance of a non-discriminatory treatment for Romanian working in the EU space (free movement of labor force);
- The Republic of Moldova will be the main beneficiary of Romanian's assistance for development projects;
- The implementation of the Black Sea Synergy, with the aim of transforming this area in a space of stability, security, prosperity and democracy;
- Romanian's participation to the initiation and development of an efficient mechanisms for solving and preventing conflicts in the Black Sea region.

In the European affairs field, Romania generally supported:

- Regarding the free movement of persons, the recommendation of the European Commission addressed to the member states and concerning the non-restrictive access to labor market of workers from the new member states. The workers' mobility is a positive factor which determines economic growth and states that have not applied any restrictions have enjoyed the economic benefits of labor market. We support the interests of Romanians working in Europe and we sustain their rights
- Black Sea cooperation: we will assume an active roll in the region, together with the other EU member states, in the view of solving some major problems like fight against terrorism (illegal migration being one of the phenomena associated to terrorism)
- Common migration policy: migration has to become a common policy of the EU, which doesn't mean that member states won't have to provide certain available instruments for combating illegal migration and human trafficking and also for deciding in what sort of economical sectors they should allow the employment of highly skilled third country workers.

6. ROMANIAN NATIONAL DEFENSE STRATEGY

Romanian National Defense Strategy shows how the international security environment is changing rapidly and is characterized, mainly, by the following major tendencies:

- acceleration of the globalization and regional integration processes, simultaneously with the persistency of some actions that can produce state fragmentation;
- reasonable convergence of the efforts devoted to structuring a new security architecture, stable and predictable, accompanied by anarchy tendencies in some areas;
- revitalizing the efforts of the states concerning the preservation of their influence in the dynamics of international relations, parallel to the multiplication of the forms and the increase of the non-state stakeholders' level of intervention in the evolution of these relations.

In this complex, dynamic and violent world the main conflict takes place between values, beliefs and different perceptions, between democracy and totalitarianism, and is determined by the major aggression of international terrorism, of extremist-religious origin, structured in transnational networks, against democratic states and rational political forces in states engaged in the process of democratization.

One of the main risks to national security is organized transnational criminality that represents a form of serious criminality that acquired the capacity to influence the policy of states and the activity of democratic institutions. It constitutes both an expression of the proliferation of some negative phenomena that amplify themselves under the conditions of globalization and a direct consequence of inefficient administration caused by radical political, economical and social transformations that took place in Central, Eastern and South-Eastern Europe after the fall of the communist regimes.

In the context of such a situation, the strategic area of interest in which Romania finds itself, became an authentic source and also a transit and destination area for some serious criminal activities such as: illegal traffic of weapons, munitions and explosives, respectively illegal migration and trafficking in human beings. Such activities are encouraged by the existence of local conflicts and by their nature and proportions, they can support terrorism and the proliferation of mass destruction weapons and can contribute to the perpetuation of separatist regimes.

With the aim of combating this type of risks and threats, the National Defense Strategy identifies a series of measures, such as:

- Developing internal, external and security policies, capable to neutralize negative phenomena within its own borders;
- Efficient and active cooperation between riverside to Black Sea states;
- Offering special attention to the relation with Republic of Moldova.

As for the mobility partnership with The Republic of Moldova, the main aspect is the development of a visible, solid, bilateral cooperation relation between the Romanian and the Moldavian authorities responsible with the migration management. Experience shows that the European Commission is never in favor of building a cooperation platform starting from nothing rather than using existing cooperation relations between member states and third countries. The key to success in this matter is building such a relation between the Romanian and the Moldavian authorities, which shall represent, in the view of the European Commission, a basis for the development of common projects. In the view of determining the third countries with which mobility partnerships were about to be signed, the European Commission lunched a vast consulting process of the member states. Romania claimed that the first Eastern Europe state with which such a partnership should be signed is The Republic of Moldova. The EU Council from February 2008 endorsed a first evaluation of the progress recorded in the application of the approach for the Eastern and the South-Eastern European regions and approved the start of the negotiation for the signing of the EU-Republic of Moldova Partnership[3].The final draft of the Declaration was signed at the JHA Council on 5-6 June 2008, Romania being one of the 16 member states signing the partnership, together with the European Commission[4]. After the signing of this partnership, the EU will pay an increased political attention to the Republic of Moldova and, not last, a significant financial assistance in the view of strengthening the national migration management system.

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[3] The EU Council conclusions from 18 February 2008 regarding EU-Republic of Moldova Partnership.
[4] The EU-Republic of Moldova Partnership approved with the occasion of the EU Council of 5 June 2008.

6.1. NATIONAL STRATEGY ON THE INTEGRATED BORDER MANAGEMENT

The aim of the national strategy is to establish policies, principles and objectives for the establishment of a common coherent and efficient management of the Romanian border state, in accordance to the community demands, that would assure the increase of the security level of citizens, observing their fundamental rights, free legal border traffic of persons and goods and fulfillment, as soon as possible. These are some of the necessary conditions for the application of Schengen acquis and the accession to this area.

The main instrument to apply the integrated border management is the Integrated System for Border State Security (ISBSS). ISBSS has an operative component, made up of the assembly of the operational procedures, the legislative subsystem and human resources, and a technical component. This technical component is composed of the infrastructure surveillance and control subsystem, the IT subsystem, the radio mobile communications subsystem, the fixed communications subsystem, the voice and data communications subsystem, the mobility and integrated logistical support subsystem.

Considering the time and place of action perspective for combating cross-border criminality and especially illegal migration, the Integrated Border Management comprises four complementary levels. The first level is the one of the activities that take place in third countries, especially in origin and transit countries. This level is projected in order to assure remote control of illegal migration and other forms of cross-border criminality and presents the activities that take place in third countries, especially in origin and transit countries for illegal migration. The responsible authorities are the Ministry of Foreign Affairs, with the Consular Offices of Romania abroad and the General Directorate for Consular Affairs, the Ministry of Internal Affairs, with the home affairs attaches and liaison officers, the Ministry of Transports and Infrastructure, with the economic agents that perform the activity of transporting international goods or passengers, the Ministry of National Defense with the defense attaches, the Ministry of Labor and the External Intelligence Service. In order to prevent unauthorized entry on the territory of Romania and EU Member States it is highly important to discover false or counterfeited documents both at the issuing of visas and when passengers are embarked on air, earth and sea means of transport.

The second level of international border cooperation is projected to assure border cooperation between neighbor countries, as well as between EU member states and other states in the area, taking into consideration the fact that a border control can't be performed only by a single partner. The main responsible institutions at this level are the Department for European Affairs, the Ministry of Foreign Affairs, the Ministry of Internal Affairs, with the Directorate for European Affairs and International Relations, the Centre for International Police Cooperation, the National Authority of Customs, the Ministry of Labor, the Ministry of Transports and Infrastructure.

In international border cooperation, the agreements with neighbor countries on cooperation in the domain of border management represent an efficient instrument for increasing border security.

The third level refers to the control and surveillance of the Romanian border state. This level resides in cross-border control and in border surveillance and it is based on risk analysis for the internal security and menaces that can affect border security. The main institutions with specific responsibilities are: the Ministry of Internal Affairs, with the General Inspectorate of the Romanian Border Police and the General Inspectorate of Immigration, the National Authority of Customs, the Ministry of Transports and Infrastructure, the Ministry of Health, the Ministry of National Defense, The National Sanitary-Veterinary Authority and for Food Safety, the National Guard for Environment.

The activities performed within national territory represent the forth level of the Integrated Border Management.

6.2.THE NATIONAL STRATEGY ON IMMIGRATION

- Romania's strategy on immigration offers the general background for establishing the Romanian authorities' actions in the administration of the immigration phenomenon, for obtaining privileges and the reduction of the negative effects generated by it.

6.3.CONTROLLED IMMIGRATION

- Assuring the administrative framework necessary to exert the right to free movement and residence of citizens of EU member states;
- Promoting admission of third nationals with the aim of working, according to the identified needs on the native labor force market;
- Encouraging admission with the aim of performing trade activities for certain categories of foreigners;
- Promoting an efficient system of selection for admission on the territory of Romania with the aim of studying;
- Projecting, developing and administrating efficient informational systems in the administration of immigration on the national territory.

6.4.PREVENTION AND COMBATING ILLEGAL IMMIGRATION

- Efficient informing of potential immigrants on the legal admission methods and on the measures taken by Romania for combating illegal immigration;
- Intensifying cooperation of Romanian authorities for combating illegal immigration and illegal employment;
- Intensifying measures of removing foreigners who entered on the territory of Romania illegally or who entered legally, but their stay has subsequently become illegal;
- Preparation for Romania's accession to Schengen area;
- Intensifying cooperation of Romanian authorities with similar institutions in the EU member states and with origin and transit countries.

6.5.ASYLUM

- Assuring free access to asylum procedure according to international standards that Romania assumed by means of the treaties and conventions it is part in;
- Developing the asylum system on the basis of efficiency criteria and the quality of procedures and adapting policies and practices in the mentioned domain in order to prevent, discourage and sanction abuses with relation to asylum procedure;
- Assuring and maintaining Romania's capacity to assume its responsibilities and obligations of EU member states in the domain of asylum;
- Assuming an active role within regional and international cooperation in the domain of asylum and contributing to the development of functional asylum systems in Eastern and South-Eastern Europe;
- Improving reception conditions for asylum seekers and improving analysis of the information in their origin countries by identifying adequate solutions of financing on behalf of the European Refugees Fund.

6.6.SOCIAL FOREIGNERS' INTEGRATION

- Supporting active participation of foreigners who live or have legal residence on the territory of Romania in the economic, social and cultural life, observing at the same time their cultural identity;

- Ensuring that those relevant categories of foreigners make all the necessary efforts to integrate sufficiently in the Romanian society, inclusively by participating in the programs organized by Romania with this scope.

7. CONCLUSIONS

With an active presence at EU level and in the Black Sea region, in the view of consulting the external partners regarding its initiative and also with the insurance of an internal political support for these initiatives and an efficient coordination between all the implicated national institutions, Romania can prove that it has a word to say and can impose migration related politics both at Brussels and in the Black Sea region.

This is a difficult and complex objective, but it's a highly necessary objective for Romania's registration as an important and active EU member state in the Black Sea region.

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