

MIGRATION DYNAMICS AND NEW TRENDS IN EUROPEAN (IN)SECURITY

OLD CHALLENGES IN A CHANGING WORLD



CLAUDIA ANAMARIA IOV
(EDITOR)



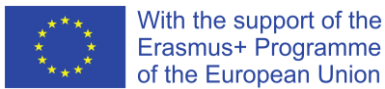
PRESA UNIVERSITARĂ CLUJEANĂ

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CLAUDIA ANAMARIA IOV (Ed.)



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CLAUDIA ANAMARIA IOV (Ed.)

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PREFACE

The year 2022 was a turning point in the history of Europe, a year of geopolitical crises, extremes, excesses, a test of solidarity and humanitarian aid. When the European economies were showing the first signs of economic recovery, after the COVID-19 pandemic, Russia launched a war of aggression against Ukraine, plunging the continent into the worst energy crisis since the 1970s, leading to a rise in prices and food insecurity around the world. Many voices even announced the possibility of a Third World War.

The war put Europe in front of a solidarity and unity test, in the context of the Ukrainian refugee crisis and the unprecedented humanitarian crisis. The firm and rapid mobilization of the member states and the institutions of the European Union in condemning the war, the activation of the Directive on temporary protection to safeguard millions of Ukrainian refugees, the adoption of the Strategic Compass on March 21st, 2022 and the imposition of unprecedented sanctions on Russia, with all the related costs, demonstrated the strength of the EU in acting as a factor of stability, a guarantor of security and democracy on the European continent. The Europeans witnessed a historical decision, when at the European Council on June 23rd, 2022, it was decided to grant candidate country status to Ukraine and the Republic of Moldova, marking a change in the paradigm of the enlargement of the European Union to the East.

In this complicated European context, the volume *Migration Dynamics and New Trends in European (In)Security – Old Challenges in a Changing World* highlights, through a multidisciplinary approach, the

interconnected relation between migration, security, economics and politics. The book offers a dynamic perspective on European migration patterns, defence and security policy, the integration process of Ukrainian refugees, the European enlargement policy, societal security and international legislation.

The volume includes the scientific works presented at the Ninth Edition of the International Conference “Migration Dynamics and New Trends in European (In)Security” organised at Babeş-Bolyai University, Cluj-Napoca, Faculty of History and Philosophy, Department of International Studies and Contemporary History, October, 27th-28th, 2022, within the Jean Monnet Module *Quo Vadis Europe? European Security, National and Ethnic Minority Issues: from Theory to Practice*, 2020-2023. The conference brings together world-class specialists, professors, young researchers and students, covering two separate, but interconnected topics: on one hand, migration issues and on the other hand, security studies. The scientific activity of this event is divided into three panels: *Intelligence and Governance for sustainable migration policies; Migration - (In)Security Nexus: International Migration and Security* and the third one, *Citizenship, Identity and Social Challenges*.

The book has twelve chapters. The first chapter is focusing on the influence of the international framework of regulations and directives in the field of migration and the role of discourse in societal security. The objective of the second chapter is to analyze how the European Union is managing the Ukrainian refugee crisis and how effective the policies adopted are. On the same register, the third chapter examines EU's response to the Ukrainian migrant crisis and the issue of “double standard”. The aim of the fourth chapter is to provide light on how Romania is facing the problem of Ukrainian migration following a domestic political lens of interpretation. The chapter entitled “Refugees, identity and social challenges at the level of Bihor County” aims to carry

out a brief analysis of the number of Ukrainian refugees (students) who have transited the territory of Bihor County as well as the school population registered at the level of educational institutions in Bihor. The sixth chapter is dedicated to the most important organization in the world dealing with refugee issues – the United Nations High Commissioner for Refugees (UNHCR) - and its activity in Chişinău since February 2022. The seventh chapter brings to the fore the integration process of migrants into French society - the limits of the monolingual French universalist model. In the eighth chapter the 2015 refugee crisis in Romania is analyzed. The ninth chapter addresses the issue of migrants' personal and professional safety, as well as agency in the endeavour of carrying out their migration projects. The tenth chapter examines the migration phenomenon in Romania, with a strong focus on illegal migration, by analyzing the importance of an efficient management of this topic, especially because Romania is one of the countries that are part of the Balkan transit route preferred by migrants. The eleventh chapter aims to follow the importance played by the status of the Kurdish minority in Turkish-European bilateral relations, based on a case study regarding the situation of the People's Democratic Party, the main actor which represents the minority rights in the republic. The last chapter of the volume is focusing on the importance of media and social media in today's world.

Migration Dynamics and New Trends in European (In)Security - Old Challenges in a Changing World is a volume dedicated to students, professors, researchers, stakeholders, politicians, specialists on international relations and security studies.

We would like to thank all those involved in the implementation of the Jean Monnet Module *Building Quo Vadis Europe? European Security, National and Ethnic Minority Issues: from Theory to Practice* and in the creation of this volume for the human and professional quality they

showed in the implementation of activities, for the support provided, their expertise and high scientific works.

Finally, we invite you to go through the pages of this volume, guaranteeing you an interesting and challenging reading of current topics from the fascinating world of international relations and security studies.

Senior Lecturer Claudia Anamaria Iov, PhD.

Cluj-Napoca, July, 2023

SECURITY ASPECTS AND PROMOTION OF THE SOCIETAL SECURITY WITHIN THE CONCEPT OF MIGRATION: THE MACEDONIAN MODEL VS. THE INTERNATIONAL LEGISLATION

Katerina VELJANOVSKA BLAZHEVSKA¹

Abstract. Assuming that social reality is intersubjectively constructed, thus can be changed by human agency, this perspective rejects the realist conceptualization of security that is argued to be fixed and given by geopolitical realities. Accordingly, securitization theory analyses the construction and deconstruction of threats as a social reality by using speech acts, images, tools and practices. Moreover, it considers security as a ‘speech act’, which is not given but constructed through a discursive process. Additionally, the Copenhagen School considers traditional approaches insufficient to understand post-Cold War security. This can be further analyzed in terms of fostering social security in the face of changing global perspectives and national interests.

Explaining societal security in practice is a particular challenge. Within this paper, the process of migration, the migrant crisis, the rights of refugees and asylum seekers, are used as the main subject in relation to encouraging a positive scientific discussion about the impact of a wave of refugees and asylum seekers on the disruption of societal security. For this purpose, international documents and the role of international law as well as the observance of the same in this process are presented. In addition, societal security is considered through the concept of “mini-publics” in order to show the segmented influence of affected publics in connection with the explanation of this discourse. Finally, through the application of qualitative analysis, a case study, focus groups and media analysis are presented to

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explain how the withdrawal of US military troops from Afghanistan affects the threat or disruption of societal security in Southeast Europe within the migration process, with special reference to the Republic of North Macedonia.

Keywords: societal, security, migration, legislation, mini-publics.

Introduction

Social security within social frameworks is largely related to strengthening the social identity itself. It is a process of action and reaction between established social groups and rules of behavior. If incompatibility occurs in this ratio, in that case the security challenges and needs themselves may be perceived differently by the participating parties.

Societal security can be observed as an important component of state security, but also as a reference object of the international security system. If a society is unsafe within the state framework, instability is expected in the entire state. All of this can be a consequence of different goals set, a weak state, inadequate cooperation between the state and the international community, etc. In this context, the international legislative law, directives and regulations that refer to the rights of refugees and asylum seekers, who as a target group are most often “accused” of violating societal security, are discussed.

The legal standards and policy of the European Union in the field of migration, refugees and asylum are regulated in numerous directives, regulations, protocols, decisions, joint actions, political agendas and implementation programs. The policy of the European Commission is primarily based on Article 2, paragraph 4 of the Treaty establishing the European Union (TEU), as well as Article 63 of the European Constitution (EC), which establish EU competence in the areas of asylum, immigration and control of external borders.

In order for the public to be properly informed, the institutions need to exchange information, both locally and regionally, on a daily basis, in order to encourage seriousness in the procedure. This way of functioning especially comes to the fore during a migrant crisis, the possibility of a migrant wave, such as the sample that is analyzed and interpreted within the framework of this paper, that is, the impact of the withdrawal of US military troops from Afghanistan, on migration to Southeast Europe, with reference of North Macedonia.

This paper discusses the influence of the international framework of regulations and directives in the domain of migration and migration movements on the discourse of societal security, its understanding and respect. In addition to the display of relevant international documents that influence the maintenance of the integration process of migrants, refugees and asylum seekers in a given society, the share of the so-called mini publics in maintaining societal security. For a more specific explanation of the problem, the paper presents implemented qualitative research, in the context of media content analysis and focus groups, in order to draw appropriate conclusions about the impact of migrants on societal security, with special reference to the wave of migrants from Afghanistan, after the withdrawal of US military troops from Afghanistan.

International law and asylum

The way in which the international framework of rights and obligations functions in terms of respect for human rights and the rights of migrants, asylum seekers, is two-tiered.

A State can become a party to a treaty in one of two main ways. Firstly, it can sign the treaty, following which, according to the rules of international law, the State may not act contrary to the objects and purposes of the treaty. Signature is followed by ratification. In depositing an instrument of ratification, a State formally indicates its intention to be

bound by the treaty. Alternatively, a state can accede to a treaty. Accession, whereby a State that has not signed a treaty agrees to be bound by it, is equivalent to ratification. Typically, a short period of time is provided after the date of ratification or accession before the State is actually bound by the terms of the treaty.²

Based on the above, within international agreements and conventions, there is always a section that refers to material rights and fundamental freedoms, which should also be guaranteed. It is to this segment that individuals who claim that their rights have been violated are referred, according to which they can expect support in their interpretation and implementation.

Following the above, if a state party chooses to limit or restrict one of the rights within the limits prescribed, this is permissible and does not amount to a violation of the right in question. Mostly, other rights, notably those protecting against “arbitrary” action on the part of the State, implicitly recognize as permissible certain reasonable measures taken by the State.

When talking about universal instruments in the domain of human rights, they are divided into several areas, depending on the field they cover. In the domain of the main framework and problems that are analyzed and actualized within this paper, the following stand out:³

- 1) World conference on human rights and millennium assembly:
 - Vienna Declaration and Program of Action
 - United Nations Millennium Declaration.
- 2) Rights of indigenous peoples and minorities
 - Convention on the Rights of the Child (CRC)

² Human Rights Civil and Political Rights: *The Human Rights Committee*, Fact Sheet No. 15 (Rev.1), pg. 3. <https://www.ohchr.org/Documents/Publications/FactSheet15rev.1en.pdf> Accessed on 15.02.2023.

³ United Nations Human Rights Office of the High Commissioner, *Universal Human Rights Instruments*, https://www.ohchr.org/en/professionalinterest/pages/universalhumanrights_instruments.aspx Accessed on 05.02.2023

3) Rights of migrants

- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICPMW)
- Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime.

4) Nationality, statelessness, asylum and refugees

- Convention on the Reduction of Statelessness
- Convention relating to the Status of Stateless Persons
- Convention relating to the Status of Refugees
- Protocol relating to the Status of Refugees
- Declaration on the Human Rights of Individuals who are not nationals of the country in which they live.

The term “supervision” as such covers many different activities which range from the protection work UNHCR is carrying out on a daily basis in its field activities on the one hand to the public scrutiny of State practice and the supervision of violations by expert bodies or political organs on the other hand. This makes it necessary to clearly distinguish between supervision carried out by UNHCR itself, and monitoring by other bodies or organs.⁴

According with the above, Paragraph 1 of Article 35 CSR51 is directly linked to the sixth preambular paragraph of the Convention, noting “that the United Nations High Commissioner for Refugees is charged with the task of supervising international conventions providing for the protection of refugees, and recognizing that the effective co-ordination of measures taken to deal with this problem will depend upon the co-operation of States with the High Commissioner.” This in turn refers to the 1950 Statute of the Office of the United Nations High Commissioner for Refugees granting UNHCR the power “to assume the

⁴ Kalin, W. *Supervising the 1951 Convention on the Status of Refugees: Article 35 and Beyond*, pg. 1, <https://www.refworld.org/pdfid/3b3702384.pdf> Accessed on 05.02.2023

function of providing international protection, under the auspices of the United Nations, to refugees ..." and to exercise this function, inter alia, by "promoting the conclusion and ratification of international conventions for the protection of refugees, supervising their application and proposing amendments thereto" and by "[promoting the admission of refugees, not excluding those in the most destitute categories, to the territories of States". However, it is important to notice that the Article 35 is not limited to co-operation in the area of the application of treaties but, as the clear wording shows, refers to "any and all of the functions of the High Commissioner's office, irrespective of their legal basis".⁵

The primary purpose of Article 35(1) CSR51 and Article II(1) CSRP67, thus, is to link the duty of States Parties to apply the Convention and the Protocol with UNHCR's task of supervising their application by imposing a treaty obligation on States Parties to respect UNHCR's supervisory power and to not hinder UNHCR in carrying out this task, and to actively co-operate with UNHCR in this regard in order to achieve an optimal implementation and harmonized application of all provisions of the Convention and its Protocol. These duties have a highly dynamic and evaluative character.⁶ By establishing a duty of States parties to cooperate with UNHCR "in the exercise of its functions", Article 35(1) CSR51 does not refer to a specific and limited set of functions but to all tasks that UNHCR has under its mandate or might be entrusted with at a given time. Thus, the co-operation duties follow the changing role of UNHCR⁷

In current practice Articles 35 CSR51 and II CSRP67 have three main functions. They are (1) the legal basis for the obligation of States to accept UNHCR's role of providing international protection to asylum-seekers and refugees and (2) to respond to information requests by UNHCR, and

⁵ *Ibid*, pg. 2.

⁶ The Refugee Convention, 1951, Article 35, pp. 252-259 <https://www.unhcr.org/4ca34be29.pdf> Accessed on 05.02.2023.

⁷ *Ibid*. pg. 3.

(3) they support the authoritative character of certain UNHCR statements. Moreover, international protection denotes “the intercession of an international entity either at the behest of a victim or victims concerned, or by a person on their behalf, or on the volition of the international protecting agency itself to halt a violation of human rights” or “to keep safe, defend, guard” a person or a thing from or against a danger or injury. International protection on behalf of refugees is UNHCR’s core function. It can be defined as the totality of its activities aimed at „ensuring the basic rights of refugees, and increasingly their physical safety and security”, beginning “with securing admission, asylum, and respect for basic human rights, including the principle of non-refoulement, without which the safety and even survival of the refugee is in jeopardy” and ending “only with the attainment of a durable solution, ideally through the restoration of protection by the refugee's own country”.⁸

The international refugee law consists of the 1951 Convention and its 1967 Protocol, as and additional related regional instruments. However, it is important to mention that the international refugee law does not operate in isolation. It is complemented by other bodies of law, notably international human rights law, international humanitarian law, and international criminal law. In this regard, we cannot talk about hierarchical relationship between these bodies of law, still they are interconnected.

Namely, refugees and asylum-seekers are thus entitled to two partially overlapping sets of rights: those which States are obliged to respect, protect and fulfil under international human rights law, and the specific rights of refugees. In addition, there are UN human rights monitoring bodies, which work to protect asylum-seekers and refugees.

When we are talking about the Supervisory Practice, according to relevant criteria within the human rights conventions, there are some

⁸ *Ibid*, pg. 6

guarantees, under international human rights law. It can be included some prohibitions of torture and slavery, which cannot be restricted or suspended for any reason. Furthermore, some others may be derogated from under specific conditions, such as to uphold public order or health or protect the rights of others. Within this regard, important note is that the derogations must not be applied in a discriminatory manner, they must be officially proclaimed and in accordance with the law.⁹

As an addition, it is important to mention the mechanism of supervisory practice of the Convention against Torture, in the frame of how it protects the refugees. Namely, this several aspects are important to notice:¹⁰

- It defines and prohibits torture and other forms of ill-treatment that give rise to many refugees' applications for protection.
- It prohibits refoulement, or forced return, to situations where there are 'substantial grounds for believing' a person would be in danger of torture.
- Its non-refoulement provision is not limited to people who have been formally recognized as refugees. It can therefore help individuals who missed a deadline to apply for recognition as a refugee, or who were the subject of an erroneous decision, or who are in countries where no individual procedures exist for the determination of refugee status.
- Under the Convention, a Committee against Torture has been established. Individuals may bring complaints to this Committee against a State party, subject to that State's recognition of the competence of the Committee to receive and consider individual communications.

⁹ UNHCR, *A guide to international refugee protection and building state asylum systems, Handbook for Parliamentarians* N. 27, 2017, pp. 22-23 <https://www.unhcr.org/3d4aba564.pdf> Accessed on 05.02.2023.

¹⁰ *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Summary Overview* <https://www.refworld.org/docid/3ae6b3a94.html> Accessed on 05.02.2023.

However, it is important to point out provisions that are directly related to the rights of minor asylum seekers, especially in terms of supervisory practice: (1) Outlines a number of fundamental rights, including to protection from abuse, exploitation and neglect; to physical and intellectual development; and to education, adequate food and the highest attainable standard of health; (2) Contains provisions concerning the child's right not to be separated from his or her parents against their will, except when this is in the child's best interests (Article 9); (3) family reunification (Article 10); (4) the right to "special protection and assistance" by the State if the child is temporarily or permanently deprived of his or her family environment (Article 20); (5) Specifically states that every child seeking refugee status or who is a refugee has a right to appropriate protection and humanitarian assistance in the enjoyment of the rights in the Convention (Article 22).¹¹

A significant segment in the care for the rights of minor asylum seekers is, among other things, the principle of non-refoulement. Namely, Article 33(1) of the Convention relating to the Status of Refugees prohibits State parties from expelling or returning a refugee in any manner whatsoever to the frontiers of territories where his/her life or freedom would be threatened on account of his/her race, religion, nationality, membership of a particular social group or political opinion.

Furthermore, Article 14(1) of the Universal Declaration of Human Rights provides, "Everyone has the right to seek and to enjoy in other countries asylum from persecution". In addition, operative paragraph 2 of General Assembly Resolution 428(V) (adopting the Statute of the Office of the United Nations High Commissioner for Refugees) calls on States to cooperate with the High Commissioner in the performance of his/her functions, inter alia, by "admitting refugees to their territories". An understanding of the role of the UNHCR and cooperation with the

¹¹ *Ibid*, (Article 9; 10; 20; 22)

UNHCR are critical to any action with regard to refugees, including visiting camps.¹²

According to the Executive Committee of the UNHCR, asylum-seekers should be treated in accordance with certain minimum standards. The following standards form the basis and framework for action by the UNHCR and governments to ensure protection of refugees in an emergency situation:¹³

- asylum-seekers should not be penalized or exposed to any unfavourable treatment solely on the ground that their presence in the country is considered unlawful and they should not be subjected to restrictions on their movements other than those which are necessary in the interests of public health and order;
- they should enjoy the fundamental civil rights internationally recognized, in particular those set out in the Universal Declaration of Human Rights;
- they should receive all necessary assistance and they should not be subject to cruel, inhuman or degrading treatment;
- there should be no discrimination on the grounds of race, religion, political opinion, nationality or country of origin;
- they are persons before the law enjoying free access to courts of law and other competent administrative authorities;
- adequate provision should be made for the protection of minors and unaccompanied children;
- appropriate arrangements should be made, where possible, for the registration of births, deaths and marriages.

North Macedonia has acceded to all key international or regional instruments for the protection of refugees and foreigners, that is, the UN Convention relating to the Status of Refugees of 1951, and its Protocol of

¹² *Monitoring and protecting the human rights of refugees and/or internally displaced persons living in camps*. Chapter X, pg. 177. <https://www.ohchr.org/Documents/Publications/training7part10en.pdf> Accessed on 10.02.2023.

¹³ *Ibid.*, pp. 177-178.

1967, by way of succession on January 18, 1994, the United Nations Convention against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment (CAT), the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the United Nations Convention on the Elimination of All Forms of discrimination against women, the United Nations Convention on the Rights of the Child and its two optional protocols, the Geneva Conventions of 1949, including Protocols I and II of the European Convention on Human Rights and Fundamental Freedoms (ECHR), and its Protocols under number 1, 4, 6, 7, 11-14 and the European Convention against Torture and Inhuman or Degrading Treatment or Punishment taking. At the same time, in the direction of harmonizing the domestic legislation with the legislation of the European Union, North Macedonia transposed a large number of European directives in its newly adopted laws, which cover the issue of integration of the defined target group in the country.

The asylum system

National and supra-national legal and administrative structures for processing and assessing asylum claims, and controlling or deporting those who make them, have been portrayed on the one hand as increasingly important to the economic and social well-being, and even the physical safety, of citizens; and on the other, as grossly inadequate and inefficient, and in urgent need of root and branch reform.

In such circumstances it is remarkable that so little empirical research has been carried out into how these structures actually operate in practice. The great bulk of the research that has been done on administrative and legal systems of asylum determination falls under the

heading of legal studies rather than social science and is thus primarily normative rather than critical in its stance.¹⁴

Aside from monitoring and seeking the protection of specific human rights, it is of particular importance to focus on the overall situation of refugees. Namely, there is a large number of displaced populations in the world, whose rights are covered by a large number of conventions and agreements, the implementation of which requires continuous monitoring. At the same time, only in this way can the protection of the human rights of this target group be guaranteed to a certain extent.

It is of particular importance to point out that there would always be a violation of the rights of minor asylum seekers, should they feel that their basic value as a human being has been compromised. Namely, the situation of displacement itself can be traumatizing, on the basis of which it is necessary to make every effort to prevent the creation of a situation that detracts from the humanity and basic dignity of the displaced persons.

Mechanisms of participation of target publics to influence policies and maintain societal security

Societal and sustainable policy processes, with public participation, involve different levels of citizen participation in policy-making by legitimately elected representatives. According to Archon Fung, the process of creating policies that guarantee societal security and sustainability goes through “tectonic movements in political and social organization, giving space for increased civic participation.

If the aim is to create a public opinion that will be based on the real picture in the social action, for which it is affected, then it is better to set

¹⁴ Gill, N., Good, A. *Asylum determination in Europe – Ethnographic perspectives*. 2018. Edinburg. Palgrave Macmillan. Pg. 6 <https://link.springer.com/content/pdf/10.1007%2F978-3-319-94749-5.pdf> Accessed on 10.02.2023

an attempt to influence on a segmented level, that is, with respect to the smaller groups of public. In this way, the overall improvement of the public sphere is influenced. Although we are talking about small groups of the public, constructive efforts to influence such groups are especially promising in order to achieve civic engagement and public debate in contemporary politics. This especially comes to the fore in conditions when societal security can be called into question, due to an influx of migrants. Furthermore, given the fragmentation of cultural and political life, reforms of the large and effective public sphere consist more of increasing the number of mini-publics than improving the relationship with one large public. Finally, even those who believe in their visions of tectonic and macroscopic improvements still need to know something about the details of institutional design for effective public deliberation.¹⁵

What is the utility of this fragmentation of the public sphere? Initially, there is a greater opportunity to emphasize political education, social solidarity especially in the positive treatment of migrants and asylum seekers, political criticism, or the so-called popular control. Second, although many theorists focus on the relationship between the public sphere, public deliberation, and legitimacy, the democratic contributions of existing mini-publics are extended beyond legitimacy, that is, include public accountability, social justice, effective governance, and popular mobilization.¹⁶

The decision to improve the quality of civic engagement and public debate is most realistic through the creation of a mini-public, which targets citizens, but also the official representatives of policies, for consideration of some important issues of public interest, especially in terms of creating societal security, including the target groups of migrants or asylum seekers. This mini public will contribute to the

¹⁵ Button, M., Mattson, K. *Deliberative democracy in practice: challenges and prospects for civic deliberation*. Polity, 31, 1999, pp. 609 – 37

¹⁶ Gastil, J. *Popular Demand: Revitalizing Representative Democracy Through Deliberative Elections*. Berkeley: University of California Press, 2000, pp.137 - 64

creation of a democratic project with the involvement of the wider public sphere, by improving the quality of participation and discussion about a significant area of public life. These are exactly the benefits of a modern democratic society, where the public itself participates in the creation of societal policies.

In one respect, mini-public is an educational forum whose main goal is to create approximately ideal conditions in which citizens through mutual conversations are given the opportunity to form, articulate, and direct opinions on certain public issues, especially in conditions where they think that some of their rights are at risk, especially their societal security. While engaging in real public debate reflects many kinds of inequalities that exist in the background - wealth, gender, education, position, control over the means of communication and production, the mini public will try to include all these diverse voices. For the correct creation of public opinion, it is necessary to properly transmit quality information to the citizens. A public that cares about these problems of representation, reasonableness, as well as the transmission of information and conversations between citizens, will dramatically improve the quality of their public opinion.¹⁷

The second type of mini-audience can be called a participatory advisory panel that aims not only to improve the quality of opinion, but also to align societal policies with existing parameters. The Participatory Advisory Panel also develops a link with state decision makers to transfer parameters after they are properly articulated and combined into a societal choice. According to Gastil, one mechanism for achieving this coordination, in the direction of transparently informing public opinion, is the partnership between non-profit organizations dedicated to public discourse and government offices that need citizen input in order to improve their own legitimacy.

¹⁷ Fung, Archon. *Survey article: Recipes for Public Spheres: eight Institutional Design choices and their consequences*, Blackwell Publishing, 2003, p. 342

A third type of mini-public can be called collaboration for participatory problem solving. This type foresees a continuous and symbiotic relationship between the state and the public sphere in order to solve certain collective problems, such as: the degradation of the environment, the failure of the educational system, as a whole or for certain social groups, or unsafe streets or the movement of the same and similar. There are two broad justifications regarding the intimate relationship between the public and the state. Initially, some public problems are so difficult that they contradict even the best expert opinion and quality. For some of these problems, citizens and their representatives, through participatory exchange, can develop new solutions as a support of the resources and ingenuity of the civil and state sphere.¹⁸

Second, the state, as a whole, is often not to be trusted. Democratic skeptics who locate the central contribution of the improvement of the public sphere in its ability to bind state action and make it publicly accountable, will underpin arrangements in which members of the public can “keep an eye” on public officials.

The fourth vision of mine action - the public, is called participatory democratic governance. This approach is more ambitious than the previously mentioned three approaches. The goal is the direct participation of citizens' voices in determining the political agenda. Advocates of this approach often see the structure of representative legislation and administration as captured by, or at least biased towards, the wealthy and socially privileged strata of society. The introduction of direct, mobilized and thoughtful citizen participation in democratic governance can influence the improvement of the quality of legislation and the process of creating societal security policies.

¹⁸ Olson, M. *The Logic of Collective Action: Public Goods and the Theory of Groups*. Cambridge: Harvard University Press, 1971.

Archon Funk, also the creator of the term “mini-public” points out seven types of policy-making procedures with public participation, which include: recruitment selection, subject of reflection, public participation module, iteration, share, authorization and monitoring. All of them are in a mutual causal relationship.

Methodological approach

Within the scope of the research, a qualitative research framework, content analysis, comparative analysis, and synthesis and generalization analysis were implemented. In doing so, two target groups are included, in order to obtain relevant data: a target group of media and a target group of students who study problems in the domain of security, societal security, migrations and geostrategic challenges.

Focus Groups

The research conducted two focus groups with a total of 20 students who study topics related to security, public policy, migration and theories of peace and conflicts, based on which they are familiar with the issues that are the main focus of this research. Focus groups are realized on the 17th and 18th of May 2022, with a duration of two hours each. The way of realization of the activities is by encouraging a positive discussion among the students, who aim through personal knowledge and practice, previous research in the media, as well as the knowledge gained on a theoretical basis, to express their views on migration, migration movements, the rights of migrants but also their obligations to the host country.

According to the obtained results, directions and statements by both focus groups, it is seen that there is a certain level of knowledge and mastery of the issue with opportunities for further improvement. The members of the focus groups recognize and distinguish between the

terms “migration”, “migrants”, “refugee” “human migration”, “migration by rules”, as well as terminology that are in parallel to the main topic of analysis, i.e. migration, such as “international challenges”, “welfare of humanity”, but also “conventions”, “rights” for the protection of migrants.

In the opinion of the members of the focus groups, the International Organization for Migration in North Macedonia is especially relevant with the positive popularization of the migrant movement in the country, in order to find a way of understanding and acceptance by the domestic population. Additionally, the members of the focus groups believe that migration provides a series of positive benefits for the country, i.e. encouraging social and economic development through migration, and above all by meeting the operational challenges of this global phenomenon from which no country is left out. According to them, mobility in conditions of migration is especially needed in globalization and development of its benefits. However, there was an almost unified view that all countries needed to work together to ensure orderly, safe, regular and responsible migration and mobility. Only in this way it can be brought under control and realized in a way that will not allow human rights violations.

In addition to the above, according to the statements and opinions of the target group included in the focus groups, the Republic of North Macedonia, through its institutional capacity needs to be more seriously engaged in identifying good practices and improving existing migration management structures. They also believe that it is necessary to regularly measure the effectiveness of the results of migration policy, and especially of the institutions involved, in order to identify strategic measures that could be taken in the future in order to better manage migration.

Media content research

According to the overall analysis, it is concluded that most of the headlines in the social media presented in the central period of the withdrawal of troops from Afghanistan and the beginning of the wave of refugees are mostly positive. Most often, the connection with the Republic of North Macedonia arises through the affirmation of the news about the need for immediate acceptance of refugees from Afghanistan, but still, a target group that worked within international organizations. Namely, these are refugees who worked to encourage democratic change in Afghanistan, and most of them are women. In order to prevent an inappropriate reaction from the public, government officials often indicate that the means of caring for this group of migrants (refugees) from Afghanistan will be provided by the United States of America or by the international organizations. Also, the official statements in this domain indicate that the takeover of the local population is for a limited period of time, until their transfer to the USA or to third countries is ensured. An example of this type of news is in the following media:

- Radio Free Europe, August 16 2021, "Macedonia will accept refugees from Afghanistan who have worked for international organizations"
- Radio Free Europe, August 19, 2021. "The Balkan route in front of a new wave of refugees from Afghanistan?"
- Telma, September 1, 2021, "EU will stop mass" illegal migration"
- Truthometer, October 15, 2021, "Refugees from Afghanistan have encountered Macedonian humanity and hospitality, but also intolerance".

According to the above, hate speech has been noticed in a certain domain on social networks, but all this is due, above all, to the spread of misinformation. As an example of untruths are some claims that the new wave of refugees will bring to the country an increase in crime and rape rates, as well as that migrants are terrorists who will greatly endanger the

state and the security of the population. However, there are official statements from the Helsinki Committee for Human Rights calling for the Afghan crisis not to be used for political purposes in the country. Additionally, there are official sources from the Ministry of Interior of North Macedonia, the National Security Agency and the Intelligence Agency, regarding the fact that all security measures have been taken regarding the refugee wave from Afghanistan to the Macedonian society.

Conclusion

In conditions of frequent migration, transparent information by the competent security institutions is especially important, which would forward information regarding the current state of peace, stability and security. The public needs to be promptly notified of any type of security breach.

Migration is a problem that is closely related to security, regional cooperation of the country, as well as individual bilateral cooperation. The Ukrainian crisis additionally affects the need for timely intervention in conditions of the emergence of a migrant wave. In the implementation of common policies, North Macedonia, as well as the European Union and the NATO Alliance, have a large share, and above all in terms of strengthening cooperation and exchange of data and information. In fact, the fast and effective exchange of information is extremely important for timely dealing with all the additional effects of migration, which can be destabilizing for a society (fight against illegal migration, terrorism).

The existence of a clear framework between the existing legal regulations (domestic and international) that refer to migrants, asylum seekers, as well as a properly established system for valuing the rights of citizens, especially societal security, such as the application of the concept of “mini-publics”, gives hints of stability and relevance of the system.

The establishment of stability and effectiveness of the social security system in conditions of migration activity is directly related to the

strengthening of the capacities for the prevention of illegal migration. In that context, in North Macedonia, at the end of 2021, a reduction of about 35 percent in attempts to cross the border and a 33 percent reduction in smuggling of migrants was recorded.

Public opinion makers frequently change their position when it comes to analyzing the existing international and accepted framework for the rights and obligations of migrants and asylum seekers, especially from the perspective of insight into their impact on societal security. Namely, the focus of the research framework includes an analysis of the withdrawal of US military troops from Afghanistan, primarily from the aspect of impact on the migration crisis in Southeast Europe, with reference to the situation in North Macedonia.

It is of particular importance to emphasize the importance of the current regional policy, and especially the new trends occurring in the field of migration. Namely, any deterioration of human rights in a certain region creates conditions for a new wave of refugees, and thus the possibility of endangering societal security. In order to avoid the same, the correct and strong application of the international legislative framework, regulations and conventions related to refugees and asylum seekers is important.

On European soil, it is necessary to connect and strengthen the plans related to the common European defense policy. The events marking the one-year anniversary of Russia's so-called special war mission in Ukraine indicate that a process of redefinition of globalization is underway, where the line of established guarantees is shifting.

What is particularly important to consider is the analysis of the discourse of securitization, in order to see at what level it is necessary to target refugees and asylum seekers in a given space. More specifically, do they influence the deepening of economic problems, as well as whether they represent a threat to domestic stability and security. For this purpose, a regular control of the media and the space allocated for this

issue is needed, as well as a regular analysis of expert views and opinions. The concept of mini-publics, which is presented within this paper, aims to more easily show the integration process of a certain target public in the system, which may include a group of migrants, refugees, beneficiaries of the right to asylum.

What can be directly pointed out as an influence on the societal security process from the point of view of migration, is hate speech, intolerance of acceptance of migrants and refugees who leave their country fearing for their lives. Social networks, whose information reaches the public the easiest and fastest, are the focus of comments on discrimination and xenophobia, but also the spread of misinformation. From the point of view of disinformation, they are mostly related to endangering the state and the safety of the population, that is, societal security. In this direction, frequent reactions by the Helsinki Committee for Human Rights are evident in cases of exploitation of migrant crises, such as the case of the Afghan crisis and the influx of a migrant wave of refugees in North Macedonia.

Increased mass migration creates anxiety in society. This conclusion stems from the fact that the countries in South-Eastern Europe, most of the time, cannot cope with a larger refugee burden. Additionally, North Macedonia, as well as other countries in the region and beyond, took in refugees from Afghanistan in the first wave, initially at their own financial expense, which proved to be a heavy burden on the domestic economy. Although it is a question of refunds, however, it is all used in public to portray the refugee crisis in a negative connotation, and especially in terms of impacting societal security.

It is important to respect an integrative approach, in consultation with regional policy, primarily because migration is not an isolated process, nor does the impact in one society border on impacts in other societies.

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THE UKRAINIAN REFUGEE CRISIS – NEW MIGRATION CHALLENGE FOR THE EUROPEAN UNION

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Abstract. The European Union and its Member States are currently facing an unprecedented phenomenon, a refugee crisis in Ukraine triggered by the Russian federation's military invasion of Ukraine on 22 February 2022. This ongoing military conflict has created the greatest humanitarian crisis in Europe's history, generating many casualties and displacements of the population outside Ukraine's borders, although we could say that the European institutions managed to manage a similar and recent event in an effective way, the refugee crisis in Syria, which began at the end of 2014 and lasted about 2 years. These refugee crises demonstrate for the second time in the last 10 years that international migration can be seen and must be analyzed from the perspective of a threat to European security, it becomes one of the main problems and certainly among the most contested of the current times. The objective of our paper is to analyze how the European Union is securing this current phenomenon through the policies it adopts, but also how effective they are in managing the humanitarian crisis created by the impressive number of refugees who have arrived in the EU Member States.

Keywords: securitization, migration, refugees, politics, insecurity.

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Introduction

This article presents a very important topic in the current context, represented by a period of difficulties that the European Union is going through, namely ensuring European security in a new case of external migration, this time it was again generated by a military conflict and known as the Ukrainian refugee crisis of 2022. European security has also faced this type of threat over the past 8 years in the case of two phenomena identical to the current one, the Syrian refugee crisis in 2014 and the Afghan refugee crisis in 2021. All these three migration events can be considered identical if we were to classify them according to the causes that led to immigration into the European Union. At the same time, however, they are differentiated by the scale of the phenomenon, the number of people entering the EU and the way the phenomenon is managed by the European decision-making institutions.

The Syrian refugee crisis has highlighted the problems of the European Union with regard to migration and asylum policies. The EU institutions together with the Member States have been faced with a delicate situation where they have failed to reach a consensus on the implementation of actions in a unitary form across the Member States. The European Union faced, in particular, a lack of cooperation between Member States, many of which at that time failed to comply with the directive adopted in July 2001 by the common European Asylum System, which was based on the principle of common solidarity.

With the emergence of the new refugee crisis, migration remains one of the biggest challenges for the European Union. The large number of migrants that have taken place in the European area has required a new approach and, by extension, the adoption of policies to effectively manage this situation. The policies adopted by the European Union have mainly aimed at managing and fairly distributing the massive influx of people who want to reach the European Union, integrating asylum

seekers and eliminating the sense of insecurity and insecurity created among the citizens of European states.

Research methodology

Through this article, we aim to analyze the complexity of the process of securitization of the Ukrainian refugee crisis carried out by the European Union and the Member States through the adoption of policies and decisions and then to see how to make them more effective in managing the humanitarian crisis that is still ongoing. The body of our analysis consists of official documents of the representative institutions of the European Union with a decision-making role in the elaboration and implementation of policies on the research topic of this paper, together with the official press statements of the leaders of the European institutions. Using as a methodological process a qualitative analysis, focused on the analysis of the official documents of the European institutions, we aim to identify the main policies adopted and implemented by the European Union, to manage the refugee crisis and eliminate the feeling of insecurity created among European citizens. In view of the research objectives set out above, the main research question this document addresses is: How is the Ukrainian refugee crisis managed at political level by the European Union institutions with a decision-making role?

The European Union is facing irregular migration over the last decade, this paper aims to present in the first part the implications it has on security. In this regard, we consider this presentation essential, being relevant in the process of understanding the phenomenon of the Ukrainian refugee crisis and in the process of identifying and presenting the policies adopted by the European Union, to eliminate the feeling of insecurity created by the wave of immigrants generated mainly by the conflict in Ukraine.

Theoretical framework

International migration is one of the important issues in political developments and certainly among the most current topics. This has become a complex phenomenon, as it represents more than just a movement from a place of origin to a destination, involving several elements and facets, which have grown globally.

Migration has been characterized as an integral part of societies, which has aroused the interest of sociologists, the interest in society being the object and subject of sociological research. The attention that sociologists give to migration is to follow the regular and irregular movement of migrants and implicitly to their social and cultural integration processes. This interest in migration was stimulated by the effect that movements have on the political and economic environment of the country sending and receiving migrants, because both migration and society are not constant, and the generated effects evolve, too, implicitly. The social phenomenon of migration is a change which in turn leads to certain transformations in the societies from which migrants leave, as well as in the societies of destination, and the analysis of the phenomenon generally applies to external migration, when national borders are crossed³.

In order to understand the effects of migration in terms of security in the European Union, we will want to give a brief overview of the phenomenon within the European Union as well as on European immigration policies, although migration is one of the oldest social phenomena in the world. This remains one of the main topics for discussion and even the main security issue that states are facing in the current period. Buzan and Weaver state that, migration has been a security issue since ancient times when Greece and Rome emerged and

³ Alejandro Portes, "Migration and Social Change: Some conceptual Reflections", in *Center for Migration and Development*, Princeton University, 2008, p. 13.

disappeared as states due to it⁴. Migration through the various forms through which it can manifest itself: Illegal, mass, or irregular; it can be viewed as a threat to societal security and implicitly to the existential security of the individual, threatening the identity of a society by a change in its composition.

In this way migration has become one of the most debated topics of the moment in Europe, being constantly discussed in relation to the concept of security. The question that researchers constantly ask is: How did migration become a threat to the security of European states and societies? Migration has always been a constant of the European continent, whether regional or global. After the end of World War II, Europe began to develop a series of policies on immigration and the movement of people within the borders of national states. These policies were adapted to the economic needs perceived by the European states, and subsequently to the threats and dangers they began to consider as existing.

The first stage of the evolution of migration securitization in the European Union was in the period 1940-1960, in which immigration to Europe was perceived by the public and policymakers as a positive aspect, which had to be encouraged by appropriate immigration policies. Thus, European states adopted pro-immigration policies that favored in the first years after the second World War the immigration of ethnic Europeans from other states on the continent⁵. At this stage, immigration, and freedom of movement of persons were not seen in Western Europe as a security issue, but the contrary was used as a propaganda tool in the ideological war between the West and the communist regimes in Eastern Europe.

⁴ Barry Buzan, Ole Wæver, *Regions and powers. The structure of international security*, Cambridge University Press, Cambridge, 2003, p. 23.

⁵ Dietrich Thranhardt, "Europe – A New Immigration Continent: Policies and Politics" in *Comparative Perspective*, Lit Verlag, Munster, 1996, pp.30-33.

The second historical stage in the evolution of European immigration policies starts in the late 1960 and ends in the 1980 years. During this period, because of the economic recession caused by the 1973 oil crisis and monetary volatility caused by the inability of European financial systems to adapt to a volatile financial system, immigration is increasingly being perceived as an economic and budgetary issue for European states. Immigrants were perceived as a burden on the welfare systems of European states and as a threat to jobs. As a result of the social construction of immigrants as an economic problem, European states are starting to adopt restrictive immigration policies, banning lucrative immigration, and only allowing family reunification.

The third stage began during the years 1990 and especially after the events of 11 September 2001, when migration began to be built in the field of public policy as a threat to national security (in the military and public security understanding).

The last stage of the common migration policy in the EU is the one that started after the beginning of the Arab Spring, and which shows some pronounced changes in the management of migratory waves. On the one hand, there was a sharp increase in the labeling of refugee waves in the form of a humanitarian situation, especially in the states of Northern Europe, but at the same time as a security threat of several types. The construction of the securitization of migration as a national security issue being prominent, along with the practices of national and European security agencies (FRONTEX), which shows a continuation of the perception of migration as an act done in an illegal way – with emphasis on human traffickers, they become the targets of securitization, given the discursive construction of refugees as people in need of help and as a potential source of threats⁶.

⁶ Jef Huysmans, "The European Union and the securitization of migration", in *Journal of Common Market Studies*, Vol.38, no. 5, 2000, pp. 750-770.

Migration has been built over the past decades as a security threat to European states and societies. Whether we are talking about a traditional security threat, or as a threat of economic or cultural security - identity, migrants have been built in the perception of European societies as illegal and dangerous. The main securitization process began in Europe during the years 1990 and was deepened after the events of 11 September 2001. With the waves of refugees in recent years, Europe has seen more and more movements to securitization migration, especially from radical political actors, but also a continuation of securitization through the practices and policies of European and national institutions and agencies.

Based on its definition, international migration is a collective phenomenon of temporary or definitive transfer of a large mass of population from one country to another. Migration is essentially the expression of unbalanced social relations between less developed and developed areas of the world. The well-being of Western European countries, from a social perspective, represent one of the main factors of attraction for emigrants from states such as those in Eastern Europe and the Middle East.

In conclusion, international migration is not a new phenomenon, but appeared with the state, whose existence implies fixed relations between communities and territories, it is globalization that has accentuated it. International migration, although it can be seen as a useful issue for both economic, political, or even social reasons, has posed many problems related to national security, identity, cultural adaptation, and economic development. Migration has its impact on all dimensions of security⁷.

⁷ Alexandra Sarcinschi, *Migrație și securitate*, Editura Universității Naționale de Apărare "Carol I", București, 2008, pp. 10–11.

A new refugee crisis in the EU

The refugee crisis in Ukraine began with the Russian military invasion of Ukraine on February 24, 2022. The war carried out by the invaders on Ukrainian territory, together with the bombing of civilian targets and the violence of Russian soldiers on civilians, created one of the deepest and largest humanitarian crises of the 21st century, and certainly the most important of all. The largest foreign migration from European territory since World War II. From the beginning of the invasion to November, about 12.5 million Ukrainians crossed their borders into Europe, with the intention of escaping the war and finding a safe place to live, at least for a while. Of these, according to UNHCR statistics, 7.5 million returned to their own country once the conflict in western and central Ukraine improved.

Because of the ongoing conflict in Ukraine, although we can say that the situation has improved further in certain areas and the Ukrainian army has begun to recover the territories occupied in the spring of this year, about 4.7 million Ukrainians are registered with the refugee state in the Member States of the European Union. In addition to the refugee crisis generated by the war in Syria, Ukrainian immigrants have also set out to reach the more developed states of the European Union, most of them being registered as refugees and for temporary protection, according to statistics from Poland (1.4 million), Germany (1 million), the Czech Republic (460 thousand), Italy (160 thousand), Spain, Romania, Romania, France and the United Kingdom (about 110-120 thousand in each country).

Looking at the statistics, we can see that they are found in the majority of the Member States of the European Union, especially in the countries bordering Ukraine, which indicates a rather high tendency among them not to emigrate to more distant states, they hope to return as soon as possible to their own country and families they are left behind.

Although we tend to say that this phenomenon of migration to the European Union is in a significant decline, based on statistics, we must bear in mind that the conflict that created this humanitarian crisis is in full swing. In addition, based on relevant sources of information on the conflict in Ukraine, we can see that during this month, November, Russian attacks on critical infrastructure and civilian areas were resumed, which could lead to a further escalation of migration to Europe. In this regard, we believe that a multi-dimensional political and decision-making approach by the European Union is needed to achieve policies aimed at managing a future wave of refugees in an efficient and equitable way.

How does the EU securities this crisis?

The securitization process is the process in which a securitization agent or actor wishes to convince a public, which may be made up of the population, parliament, state apparatus bureaucrats, that a reference object represents a danger or threat to national security, requiring additional security measures. The phenomenon of securitization occurs when the public is convinced by the agent that adequate conduct is justified by taking out-of-order measures to deal with the threat and danger that might arise.

Securitization is defined as the action by which the policy violates the established rules of the game and designates a problem either as a special type of policy or as being above the policy. Securitization is also seen as the use of a threat or danger to acquire the right to use exceptional measures⁸.

⁸ Sandra Dungaciu, "Științele sociale și definiția securității", in *Geopolitică. Journal of Comparative Sociology, Geopolitics and Geohistory, Center of Geopolitics and Visual Anthropology, Universitatea din București, București, 2015, p.11.*

The stages of securitization are:

1. Securitization: This presents a problem as an existential threat or danger, depending on the actor requesting the securitization.
2. Public acceptance of the mission requiring securitization depends heavily on the public.
3. Extraordinary measures that are imposed and violate the rules⁹.

The European Union on migratory flows in the form of a threat to European security has developed a series of measures, actions, and policies which have as main objectives: ensuring migration from European territory, ensuring the security of member states, managing migration waves effectively and, ultimately, providing humanitarian aid.

The securitization of migration was carried out by the European Union through two distinct processes, the first at the discursive level, through the leaders of the Member States and sometimes through representatives of the European institutions, and the second process consisted in the implementation of common migration management policies, providing humanitarian aid and carrying out actions through security agencies to ensure the security of the external borders¹⁰.

Although migratory flows declined in the second half of 2022, the European Union still wants to establish a common and foreign security policy as effective as possible that will succeed in providing humanitarian and security support on European soil.

At the same time, we believe that it is essential for the European Union to ensure migration and adopt policies aimed at strengthening European security, because following the events of recent years: The Syrian refugee crisis, Brexit, and the COVID-19 pandemic; There has been a fragmentation within the European Union, politically and economically. For example, due to inefficient migration policies in recent

⁹ Barry, Buzan, Ole Waever, de Wilde, *Securitatea - un nou cadru de analiză*, Ed. Lynne Rienner Publishers, Londra, 1998, pp. 25-26.

¹⁰ Jeff Huysmans, *Politica insecurității: Teama de migrație și azil în UE*, Ed. Routledge, Londra, 2006, p.15.

years, nationalist parties in the Member States, which have opposed decisions taken by the European Union and implicitly the European project, have been able to take the necessary measures. They became increasingly visible on the political scene and attracted more and more support. This opposition to policies, being clearly stated by the Visegrád Group Member States, which opposed most policy makers.

One of the main policies that the European Union implemented at the beginning of the humanitarian crisis was the implementation of Directive 2001/55/EC, which provided for the way to provide temporary protection in the event of a massive influx of people. Given that in the first 48 hours after the outbreak of the military conflict, the number of Ukrainian immigrants in Europe was about 350,000, the European Union activated the temporary Protection Directive on 4 March 2022. This first action on granting temporary protection is an extraordinary instrument for persons coming from non-EU countries in the context of armed conflict, human rights violations, or other violence¹¹.

Through this directive, Ukrainian citizens were able to escape the war and enter the territory of any member state with which Ukraine borders, with only one passport, without having to present a visa. In addition to the right to request temporary protection or asylum, Ukrainians also had the right to continue their journey within the European Union to another country. This measure, adopted by the European institutions, managed to divide Ukrainian refugees into several states and to decongest the situation at border points in more developed countries, such as Poland or the Czech Republic.

Another action that the European Union has carried out since the first month of the migration phenomenon was an economic one toward the EU Member States bordering Ukraine and showing solidarity with

¹¹ Commission Communication, "Providing operational guidelines for external border management to facilitate border crossings at the EU-Ukraine borders", available online: https://eur-lex.europa.eu/legal-content/RO/TXT/?uri=OJ%3AJOC_2022_104_I_0001&qid=1646422292305, accessed on 13.11.2022.

the refugees from Ukraine by providing humanitarian aid. In this regard, the European Commission has redirected cohesion funds to Member States that have provided emergency support to Ukrainian refugees through the “Cohesion Action for Refugees in Europe” (CARE), which provided 10 billion euros. The allocation of these funds increased the economic resources of states and strengthened their capacity to provide refugees with accommodation, food and access to health services. In addition, financial support for this action can be used to facilitate the integration process of refugees¹².

In addition to the financial support distributed to the states through this action, the European Union has provided additional assistance to the Member States neighboring Ukraine, consisting of medical products, drug stocks and first aid infrastructure, together with 400 million to implement urgent measures to manage migration and border security in the most efficient way.

Among the most important actions, promoted by the EU, with the aim of securing the external borders of the European Union and managing migration flows, was carried out with the help of the European Agency, the European border and Coast Guard (FRONTEX), which aims to improve the management and security of the external borders of the member states and to provide support to national authorities for the decongestion of border crossing points, at which endless queues were formed in the first weeks after the start of the invasions, at which hours were expected to enter the country. Two other actions coordinated by FRONTEX to manage the external borders of the European Union and provide humanitarian aid were: the creation of humanitarian corridors to facilitate access to aid convoys and the opening of new border crossing points, separated from normal and normally used. Frontex has also

¹² European Commission, “Cohesion's Action for Refugees in Europe (CARE)”, available online: https://ec.europa.eu/commission/presscorner/detail/ro/ip_22_1607, accessed on 13.11.2022.

carried out a series of actions to support the Moldovan authorities in the effective management of refugees at the border with Ukraine¹³.

Another action, which I consider essential in the context of migration, adopted in the new Pact on Migration and Asylum, is related to the process of integration and inclusion of migrants. It is important for the efficient and successful management of people emigrating to the EU, but also for social cohesion. Its aim is to provide targeted and tailored support to people of migratory origin, for whom integration and social inclusion in general tend to be a challenge. Through its integration and inclusion policy, the European Union provides economic support to Member State governments to implement programs and form partnerships in:

1. The field of inclusive education and training, with a focus on rapid recognition of qualifications and language learning.

2. Creating and improving employment opportunities for migrant communities based on skills recognition.

3. Ensuring access to health services for people born outside the European Union, as well as opportunities for Member States to exchange experience and good practices¹⁴.

The measures and policies outlined above were the main actions that the European Union took internally to exploit this phenomenon. We consider them relevant because they regulate and manage the migration process throughout it, from its entry into the European Community area to its integration into society.

To effectively manage migration from European territory, the EU has also adopted a set of external policies. Certainly, these measures do

¹³ European Parliament, "War in Ukraine: EP unblocks emergency funds for refugees", available online: <https://www.europarl.europa.eu/news/ro/press-room/20220321IPR25919/razboiul-din-ucraina-pe-deblocheaza-fonduri-de-urgenta-pentru-refugiati>, accessed on 14.11.2022.

¹⁴ European Commission, "Action Plan of Integration and Inclusion", available online: https://ec.europa.eu/home-affairs/what-we-do/policies/legal-migration/integration/action-plan-integration-third-country-nationals_en, accessed on 12.11.2022.

not directly aim to stop the migration wave to the European Union, but they can directly influence the conduct of the military conflict in Ukraine in a positive way, which will subsequently allow the repatriation of refugees and provide a safe environment for the population of Ukraine to live. In this respect, the European Union, through the European Peace Facility (EPF), has adopted a support package for Ukraine to support the defensive capabilities of the Ukrainian military forces. These extraordinary assistance measures consist in providing financial support of EUR 3.1 billion in six installments¹⁵.

In line with idea that it is necessary to manage this crisis to ensure European security, in addition to the plan to adopt specific actions/policies, there is also a process that takes place at a discursive level, supported by the President of the European Commission, Ursula von der Leyen, together with the High Representative of the Union for Foreign Affairs and Security Policy, Josep Borrell. They adopted a pro-European discourse in the case of this new refugee crisis. Their speech aims to motivate and urge the Member States of the European Union to act responsibly in crisis management, addressing solidarity with and implicitly with the Member States involved in their management as main themes and providing humanitarian aid to refugees.

By addressing these topics of discussion, in their speeches, the European Union, through the leaders of the representative institutions in the management of migration and asylum, wishes to promote the principle of European solidarity and to discourage the attitudes of certain Member States, which promote other visions and ideas on migration policies, such as nationalist policies that reject the waves of immigration to Europe.

¹⁵ European Council, "European Peace Facility", available online: <https://www.consilium.europa.eu/ro/policies/european-peace-facility/#establish>, accessed on 12.11.2022.

Conclusion

Following the qualitative analysis of the official documents of the European institutions, we managed to identify a set of policies and actions adopted by the European Union in the context of the Ukrainian refugee crisis. We can therefore say that the following internal actions implemented by the European institutions: The adoption of Directive 55/2001, the provision of financial support to the Member States involved in the management of cohesion action for refugees, the development of the process of social integration and inclusion and the actions coordinated by FRONTEX at European borders; Together with the promotion of pro-European speeches by the official leaders of the European institutions, in order to promote solidarity and responsibility, they managed to respond to the high and intense pressure exerted by migration from the external borders of the European Union.

In addition, we can say that all these policies carried out by the European Union have managed to ensure this migratory phenomenon, which has been in continuous decline for several months and to induce a sense of security at a societal level in most Member States.

As regards the effectiveness of the policies adopted, we can say that they have managed to respond effectively from the perspective of the distribution of refugees in several Member States in this distribution, much more effectively than in the case of the previous crisis, Member States at the border with Ukraine were not alone responsible for granting refugee status or temporary protection, even though there is a high tendency among Ukrainians seeking temporary protection to remain in neighboring countries of Ukraine.

Given the complexity of the Ukrainian refugee crisis and implicitly its evolution at this time, by using this qualitative methodology on European documents it is inevitable that some limits will emerge. In line with these identified limits, I propose to extend my research to the

analysis of the European Union's migration and asylum policies and practices.

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ROMANIA'S ROLE IN MANAGING UKRAINIAN MIGRATION IN THE WAKE OF THE CURRENT CONFLICT WITH THE RUSSIAN FEDERATION. A THREE-TIER APPROACH

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Abstract. The concept of *migration* is not new in today's society, but it serves as a potent instrument for accurately portraying the present world within a dynamic security context like the war in Ukraine. In the last decades, the problems that are directly associated with migration flows are more frequent and require a long attention span. In this context, it is important to talk about the security threats that forced people to migrate, the obstacles they encounter on the way, the challenges they face after they arrive in new countries, and the difficulties they face in the receiving communities. Taking into account the impact of the war towards the neighbouring countries, this study intends to provide light on how Romania faces the problem of Ukrainian migration following a domestic political lens of interpretation. It will be based on the theoretical background provided by *forced migration theory, critical discourse analysis and securitisation theory* from the perspectives of state institutions, mass media and public perception of the Romanian population. Considering the above-mentioned perspectives, is Romania dealing with a security threat regarding the war in Ukraine or has Romania been successful in mitigating the effects of conflict-driven migration waves? Our approach is focused on the dominant narratives in Romanian society that propose a de-escalation of the present conflict.

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Introduction

The Russian Federation's invasion of Ukraine is a crucial turning point in modern history. Since the end of World War II, Europe has not seen serious problems with insecurity brought on by wars of this magnitude. The conflict is an aggressive crime under international criminal law and is a terrible illustration of Russian revisionism in one of its most extreme forms. The Russian invasion, which caused numerous civilian casualties and the largest influx of refugees since World War II, resulted in 17.13 million² border crossings being recorded from Ukraine to other countries, 7.9 million refugees being registered across Europe, and more than 6.54 million being internally displaced³.

In this current environment the European Union, together with the unanimous support of member states, has triggered the Temporary Protection Directive⁴. This mechanism completes the visa liberalisation dialogue, established within the Schengen Area in June 2017, through which Ukrainians are exempt from visa requirements, establishing a favourable legal climate for the migration flows to be handled in a coordinated manner. Having all these measures in place, the European Union managed to avoid a new humanitarian crisis, like the one in 2015-

² Number of border crossing from Ukraine to other countries as of January 3, 2023, URL: <https://www.statista.com/statistics/1293403/cee-ukrainian-refugees-by-country/>

³ Internally Displaced People (IDP) according to the most recent report of the International Organization for Migration (IOM), Ukraine Internal Displacement Report, October 2022, URL: <https://displacement.iom.int/reports/ukraine-internal-displacement-report-general-population-survey-round-10-17-27-october-2022>

⁴ Although the Council Directive 2001/55/EC was first introduced more than two decades ago, it was only activated on March 3rd, 2022, by a unanimous decision of the Council. The Directive established the minimum standards for giving temporary protection in case of massive migration waves of displaced persons, acting mainly as a solidarity mechanism between EU member states.

2016, which was poorly addressed, mainly because of the public resentment, fuelled by Islamophobia.⁵

Moreover, the contentious phenomenon of migration has encouraged cooperation among EU countries because it is often treated as a security issue. However, the coordinating process has encountered difficulties that have highlighted the gap between European goals and actual accomplishments. Additionally, the security framework for migration policies has demonstrated how cooperation can increase a state's resilience rather than reduce it.

When addressing the topic of migration, we also emphasize how national and international stakeholders advance solutions to target this phenomenon, very much portrayed as a "wicked problem" of the contemporary security agenda. The securitisation of migration has gained attention from academics, policymakers, and international institutions, particularly in the wake of 9/11, which broadened perceptions of what constitutes a security issue. This is applicable also today, considering that Romania is in a proximity area of the war. Therefore, it would be interesting to investigate the role of Romania in managing Ukrainian migration by analyzing the perspectives embraced by state institutions, mass media and the Romanian population, which provide a stable focal ground for depicting the domestic way forward to manage the effects of this current crisis in Ukraine.

Still, there appear some pertinent questions regarding this situation: is Romania dealing with a security threat regarding the war in Ukraine has Romania been successful in mitigating the effects of conflict-driven migration waves? For answering these questions, it is important to tackle first the theoretical background, comprising the nexus *forced migration*

⁵ Düvell, F. & Lapshyna, I. (2022) On the war in Ukraine, double standards and the epistemological ignoring of the global east. *International Migration*, 60, p. 210. URL: <https://doi.org/10.1111/imig.13038>

theory-critical discourse analysis-securitisation theory, which lies at the basis of our analysis.

1. Forced migration theory within the Russo-Ukrainian war

One of the most contentious topics of discussion nowadays is the concept of *migration*. Migration is a very complicated phenomenon and in this sense, many different and evolving factors influence migration. Furthermore, because migrants fall into several categories, it is difficult to categorise them into scenarios, from various settings, and with various specific characteristics. As a result, understanding the core causes and consequences of the need for migration and developing effective policies to protect immigrants are implemented.

The overall concept of migration depicts a dynamic, ever-evolving reality. Since its origin, the phenomenon of migration has taken on a global dimension, with benefits and drawbacks, and it stands as an undeniable aspect of our time that affects the social and economic life of the states. As a consequence, to protect the migrants, governments worldwide must pursue the most efficient means of interstate cooperation, considering their security and welfare in times of crisis.

Another significant factor that should be considered is the fact that, in our rapidly evolving society, migration has a significant impact on the economic, political, and social agendas of sovereign governments, multilateral organizations, and civil society groups. The regulations governing migration have an impact on each state's character, ideology, and political philosophy since they are increasingly considered the last bastion of sovereignty in the era of modern globalization.

To understand the migration phenomenon, it is important to understand the notion of migrants. The migrant is an individual whose migration goal and path are important to human growth in the migratory field, a construct in which different migratory processes may be viewed

to create a geographical and temporal continuity. Considering the current situation of the conflict in Ukraine, we speak about a large number of people who were forced to migrate to escape from the atrocities caused by the Russian Federation.⁶

The development of a theory addressing forced migration involves a protracted intellectual process in which the classification of migrants used in migration theory is explored and clarified, highlighting the most common typology. Forced migration has drawn many opinions and viewpoints from various academic fields and professional interests. Moreover, in the contemporary environment of globalisation and social transformation, forced migration should be viewed as an inherent component of the connection between rich and poor countries as it pertains to the interdisciplinary field of social sciences.⁷

1.1. The context of the conflict in Ukraine used to define the concept of forced migration and migrants

How can forced migrants be characterised? This is a key factor in understanding the theory of forced migration. Consequently, it is necessary a close attention span to pinpoint the causes of forced migration. According to pertinent literature, the following elements influence forced migration theory: war, genocide, rebel violence, official persecution, and economic, political, and demographic reasons are examples of non-violent forces.⁸

⁶ Romania hasn't always seen itself as a haven. War in Ukraine has changed that, April 12, 2022, URL: <https://www.npr.org/2022/04/12/1091916421/russia-ukraine-war-refugees-romania>, accessed 03.01.2023.

⁷ Castles, S., Introduction to the Study of Forced Migration in *Collection of Global Course Syllabi Relating to Internally Displaced Persons*. The Brookings-SA IS Project on Internally Displaced Persons, 2004.

⁸ Melander, E. & Oberg, M., *Forced Migration: The Effects of the Magnitude and Scope of Fighting*. Uppsala: Uppsala University Sweden, 2003.

However, the great number of migrant waves imposes on the receiving countries challenges in how they deal with this situation. The migration aspect is seen as a security issue requiring coordination and cooperation processes at higher levels and with more actors involved because it is defined as a strategic priority affecting overall stability. In this light, there are two situations in which migration might be viewed as a security concern: (a) the geopolitical upheaval brought on by the end of the Cold War; (b) the larger sociopolitical changes brought on by globalization.⁹ Since the attack on Ukraine by the Russian Federation, we speak about migrants who began arriving in Romania as early as February 24, 2022. Over 1.6 million Ukrainians have already arrived in Romania, with 83,748 currently living there. 74,000 Ukrainian migrants received temporary refuge. There has been a growing trend of Ukrainians crossing the border into their nation; there have been around 1,091,000 incidents so far.¹⁰

Should Romania be regarded to be seriously threatened by forced migration? The biggest risk associated with migration is that individuals who stay behind are unable to sustain an acceptable level of economic activity, even though the departing population is largely competent and educated. Even though this evaluation of the threat posed by migration is widely utilized in political and public debate, scientific research reveals that it is not always so simple: occasionally positive changes can occur (the so-called *brain gain* instead of *brain drain*). What is more, reverse migration can have significant positive impacts on recipient nations, even if they would be long-term.¹¹

⁹ Huysmans, J., *The politics of insecurity: Fear, migration and asylum in the EU*. London: Routledge, 2006.

¹⁰ UNICEF support in Romania for refugee children, women and families coming from Ukraine, March 9, 2022, updated October 2022, URL: <https://www.unicef.org/romania/stories/unicef-support-romania-refugee-children-women-and-families-coming-ukraine>.

¹¹ Docquier, F., *Brain Drain and Inequality Across Nations*. Bonn: The Institute for the Study of Labor (IZA), 2006.

Taking this into account, it can be observed that Ukrainian migrants apply for asylum in the EU mostly because they need security for themselves and their families. Undoubtedly, the perception that the EU member states provide a high level of peace and public order is attractive, and democratic institutions and the rule of law are especially appealing to people who have faced persecution from their governments or from individuals or groups that the government cannot or will not control. Even in cases where a person is legitimate.¹²

Therefore, this migration process raises certain concerns, such as whether Romania can manage it or if it would lead to instability within the country. Are there unfavourable outcomes from this situation?¹³ Up until now, Romania has demonstrated its ability to handle migrant waves. While these waves did not necessarily produce instability, they did cause some minor disruptions, notably in the social protection and assistance structures, as well as in the economic one.

From a historical perspective, modern states have tried a range of techniques to manage migration. Some methods are prohibited when migration is viewed as a threat to the local labour market or even to national security. In this case, public authorities try to control, limit, or even stop migration. Usually, the general attitude of governments is to encourage and support immigration from other countries under more flexible migration policy frameworks. Every circumstance seems to be different, thus it is important to consider migration while employing a range of study areas and developing integrated methodological approaches. The idea of migration studies as a distinct field of research aims to connect elements of contemporary migration that initially appear

¹² Castles, S. Towards a sociology of forced migration and social transformation, *Sociology*, 37 (1): 13-34, 2003.

¹³ How many Ukrainian refugees are there and where have they gone?, July 4, 2022, URL: <https://www.bbc.com/news/world-60555472>, accessed 03.01.2023.

unrelated, to add new elements, and to assist the phenomena as a whole, as both interactive and dynamic.¹⁴

1.2. Romania's migratory waves from Ukraine: a three-layered perspective

As it was previously mentioned, the attention of our research goes towards the conflict in Ukraine. Even though the topic of the war in Ukraine did not alter the public's perception of migration, it did cause fear¹⁵. In this situation, Ukraine felt compelled to defend its domestic labour force¹⁶, which led to the establishment of several regulations in order not to destabilise the country's internal order. Within this unstable political environment, which is marked by shifts like political space and conflicts between managerial or technocratic policies and the politics of determining democratic values, migration and asylum policies have been placed under a common denominator and made more secure. The managerial explanations are primarily where the political ramifications of the Europeanization and securitization of asylum and migration policy emerge.

The multifaceted character of migration overlaps with concerns of commerce and development, human rights and democracy, demographic and labour market requirements, and foreign and security policy, among others, tackling these core causes is an ambitious effort. Zetter argues that the root causes of the discourse regarding migration are both imprecise and deceptive as an analytical tool and a foundation for policy-making due to the myriad root causes of forced migration

¹⁴ Williams, A. M. Lost in translation? International migration, learning and knowledge. *Progress in Human Geography*, 30(5), 588-607. doi:10.1177/0309132506070169, 2006.

¹⁵ How to Cope With Stress and Anxiety Caused by the War in Ukraine, March 7, 2022, URL: <https://www.verywellmind.com/anxiety-about-ukraine-and-the-threat-of-war-5221204>.

¹⁶ Blotevogel, H. H, U. M. Jung, and G. Wood. "From itinerant worker to immigrant? The geography of guest workers in Germany." King R.(ed.), 1993, p. 88.

which interplays with economically driven aspects¹⁷. Furthermore, it is said that its use to stop migration is unachievable because of the conflicting interests at the core of these issues, as well as the complexity and unpredictable nature of migratory forces and conditions leading to displacement.¹⁸ Additionally, a normative issue has arisen from the belief that additional controls and deterrents are necessary to prevent migration, which is not seen as a viable strategy for resolving security and stability problems inside the European Union.¹⁹

The Russian Federation's invasion of Ukraine brought to light the fact that forced migration raises important questions of state sovereignty as well as security and aspects of the global political economy. Worldwide politics have a significant role in the causes, consequences, and responses to forced migration in general and refugees in particular. Movements' effects have been linked to terrorism, transnationalism, conflict escalation, and security. Thus, migratory dynamics can undermine a nation's or region's security, either directly or indirectly. Numerous historical examples show how migration frequently led to important social, cultural, economic, and political events that either gave rise to new types of social organization, such as governments or resulted in existing forms of social organization changing significantly. In the context of the Ukrainian migration, we have to see if, throughout time the waves of Ukrainian migrants disturb the national equilibrium.

When considering the deciding variables of this migration theory, it is evident that in the instance of the Ukrainian exodus, the armed conflict that Russia started was the reason that drove the population to migrate. There were restrictions regarding migration too, since the

¹⁷ Zetter, R. 'Refugees, Repatriation, and Root Causes' in *Journal of Refugee Studies*, Volume 1(2):99-106, 1988.

¹⁸ Collinson, S., *Beyond Borders: West European Migration Policy Towards the 21st Century*, London: RIIA/Wyndham Place Trust, 1993.

¹⁹ Busch, N. "'Zero tolerance" policy on immigration is the real security threat', in *Fortress Europe Circular Letter*, No. 56, 1998b.

martial law that was imposed in Ukraine as of February 24, 2022, by Decree of the President of Ukraine No. 64/2022, was intended to ward off the enemy and protect the state's sovereignty and territorial integrity, therefore the men were not allowed to leave the country in time of war.

Long-lasting military conflict and population migration are mutually exclusive. This is made the clearest given what is now going on with the situation in Ukraine. And what is happening in the conflict in Ukraine is typical of all modern warfare: there has been a significant loss of life—among both civilians and combatants—as well as significant property destruction; the worst kinds of international crimes have been committed; and, of course, there has been significant forced displacement.

Therefore, by the outbreak of the war, Romania was open to receiving Ukrainian migrants throughout the country. The Romanian population was the first to offer its support, followed by mass media and state institutions. Volunteers and organisations from all across the nation have come together to support the Ukrainian migrants, and civic action groups have been formed to gather money and deliver aid to those who are still in Ukraine. The speed of mobilization, the contribution of youth to humanitarian relief, and the unprecedented level of civil society activity in Romania show solidarity for migrants, who are fleeing from the atrocities caused by the war.

Undoubtedly, the Russian invasion was condemned by all major Romanian media outlets, which expressed solidarity with the Ukrainian people. To offer genuine perspectives on what was occurring on the battlefield, several Romanian journalists were sent to Ukraine to conduct investigations and deliver precise updates on the situation. The media has a significant influence on the general public but in light of the current war, people are interested in learning more about how to protect vulnerable groups and provide them safety.

The Romanian authorities took action by setting up the facilities required to receive Ukrainian migrants. Romania has also taken several

steps to guarantee aid to Ukraine. Therefore, in addition to the contributions already made, which totalled EUR 100,000, including those made through the European Mechanism of Civil Protection, the authorities have decided to support the neighbouring country by donating more than EUR 3 million in ammunition, military protective equipment, fuel, food, water, and medicine. In terms of international law, Romania supports the establishment of a mechanism for holding those accountable for the crime of aggression committed in Russia's illegal war against Ukraine. Bucharest has actively participated in multilateral efforts to condemn Russian aggression, including the illegal annexation of Ukrainian territories²⁰.

After the help provided, is Romania putting itself in a position of security threat? Considering this question and the current situation, Romania finds itself in a position where the link between migration and security is becoming more and more tied since they appear together in the speeches given by politicians, the information shared by mass media and even among the citizens.

2. Critical Discourse Analysis (CDA): an integrationist discourse analysis of the Russo-Ukrainian war based on the notions of "discourse" and "power"

What does a *critical discourse analysis* mean in the context of war, particularly of the current conflict between Ukraine and Russia? It can be said that it serves as a vehicle for the reproduction, misuse, and domination of political power. Critical discourse analysis examines this process as well as the various kinds of counter-power and resistance to such forms of discursive supremacy.²¹ One of the fundamental objectives of CDA is to reveal the frequently opaque processes of power through

²⁰ Romania's Contribution to the Ukrainian Refugee Crisis, June 17 2022, URL: <https://www.oecd-forum.org/posts/romania-s-contribution-to-the-ukrainian-refugee-crisis>.

²¹ Fairclough, N., *Critical discourse analysis*. London: Longman., 1995.

speech. CDA is not, as one might presume, only a critique of discourse; rather, it is a critique of the current social reality which begins with a critique of discourse.

Critical discourse analysis applies to our approach since it provides a general framework for illustrating the effects of the different speech acts (politicians, mass media and civilians) within the managing migration issues supplied by Romania. A very interesting aspect that can be noticed here is the difference between speeches, meaning that “one is to do with the truth” (i.e., *epistemic modality*) and “the other with obligation” (i.e., *deontic modality*).²² This classification, however, leaves out several modal interpretations other than *truth* and *duty*, such as *willingness* or *capacity*, which are similarly crucial to political discourse in terms of persuasion.

Can we infer that the discourses are impacted by truth, duty, or both elements are given the circumstances of the war? Are there any specific interests driving the discourses? If we take a close look at our leaders’ speeches, we can see that they are focused on ensuring a stable position for Romania, as well as aiding Ukraine, while still not interfering excessively to avoid being embroiled in the war. What effect did the discourse have on controlling Ukrainian migration? Using a mono-dimensional domain is not satisfactory, therefore linguistics, rhetoric, and communication studies are just a few of the many fields that overlap to study war discourse and all share a common interest in language and social interaction. Therefore, we can easily speak about an integrationist model of discourse analysis as the hook needed to establish the connection between discourse and war²³. Because we wish to demonstrate the influence that discourses can have on the Russo-Ukrainian war, the applicability of critical discourse analysis is pertinent to our study.

²² Portner, P. (2009). *Modality*. London: Oxford University Press, 2009.

²³ van Leeuwen, Three models of interdisciplinarity in Chilton P and R. Wodak, *A New Agenda in (Critical) Discourse Analysis Theory, Methodology and Interdisciplinarity*, 2005.

2.1. The impact of the Russo-Ukrainian war intertwined with linguistic approaches represented in the discourses:

The finest demonstration of the applicability of our integrationist discourse analysis assumption is a detailed examination of the crisis in Ukraine. First off, there is a military battle that was sparked by the Russian Federation's call to arms. Vladimir Putin's declaration of war on Ukraine serves as an important case study in this regard. Second, rhetoric is employed to persuade the population to support a conflict once a leader has made that decision while suppressing opponents. In this sense, how the call to arms language disarms the critics to generate popular support for the war? Putin's narrative regarding his military action in Ukraine is seen as a logical consequence to rebuild Russia's empire, with the president emphasizing that he undertook this action to liberate the people from Ukrainian regions.²⁴

It is impossible to examine Russia's decision to invade Ukraine just in terms of geopolitics; it is also an opportunity for Putin himself to define his own goals, by returning Ukraine to Russian lands.²⁵ By doing this, Putin is more likely to be trusted, action is required to demonstrate strong opposition to the vilified West, the mission will be successful in the future, and the Russian people may be able to take pride in their accomplishments.²⁶

Over time, observing the discourses of politicians, use a variety of language strategies to advance their political objectives and interests,

²⁴ Article by Vladimir Putin "On the historical unity of Russians and Ukrainians", URL: <https://www.prlib.ru/en/article-vladimir-putin-historical-unity-russians-and-ukrainians>.

²⁵ Putin admits Ukraine invasion is an imperial war to "return" Russian land, June 10, 2022, URL: <https://www.atlanticcouncil.org/blogs/ukrainealert/putin-admits-ukraine-invasion-is-an-imperial-war-to-return-russian-land/>.

²⁶ Putin's narrative: The mobilisation of ontological security, April 2, 2022, URL: <https://www.unaa.org.au/2022/04/02/putins-narrative-the-mobilisation-of-ontological-security/>.

attacking other politicians, and faking or attempting to play out people's emotions to win their support. As a result, we need to be aware of the discursive techniques and how each word is employed. To have a clear perspective, there is a need for a close analysis of the discourses for a better grasp of a politician's use of language. Syntactic, lexical, and pragmatic characteristics are what set political languages apart from other registers of language²⁷. Each of these qualities is supposed to have a specific stylistic function. Depending on whether the text is spoken or written, these characteristics vary.²⁸

The Ukrainian conflict is the greatest modern example of an integrationist discourse analysis since it provides linguistic characteristics mixed with components of warfare. There is a very significant occurrence that must be noted to make light of the discourses surrounding the conflict in Ukraine since it perfectly fits our study of critical discourse. This is the NATO Foreign Ministers Meeting that took place in Bucharest on November 29–30, 2022, to debate ways to assist Ukraine following Russian strikes on its electrical infrastructure just before winter. The meeting location, Bucharest, is crucial given Russia's conflict in Ukraine. The unlawful war of aggression being carried out by the Russian Federation in Ukraine was a topic of discussion among NATO's foreign ministers as they looked at ways to strengthen defence and deterrence on the alliance's Eastern flank. The discussions also included how to deal with the long-term problems caused by China's actions, how to win over more allies and how to make the Euro-Atlantic security complex more resilient.

The political elite's discourses, therefore, seem to enhance our analysis. As Foreign Minister Bogdan Aurescu confirms Romania's participation in the Eastern flank of the military conflict in Ukraine, our

²⁷ Ainsworth, J. E. In a different register: The pragmatics of powerlessness in police interrogation. *The Yale Law Journal*, 103(2), 259-322, 1993.

²⁸ Trosborg, A. Text typology: Register, genre and text type. *Benjamins Translation Library*, 26, 3-24, 1997.

parliamentarians debate their positions on the issue.²⁹ The Romanian Foreign Minister emphasized the relevance and pivotal position of Romania in such regions, which include the Western Balkans and the Black Sea, two areas of strategic importance for the security of Europe and the Euro-Atlantic.

Within the NATO meeting held in Bucharest, it must be noted also the position of President Klaus Iohannis, who highlighted that ever since Romania joined NATO, it has been a responsible, active ally devoted to the principles of the Alliance.³⁰ Considering the current situation, the comment made by Iohannis is crucial to clarify two aspects. The first one relates to the fact that Romania is actively carrying out the sanctions against Ukraine that have been adopted by the EU and NATO, while the second one serves as a guarantee to the Romanian populace that even if our nation takes sanctions against Ukraine, this fact will not have any immediate repercussions for us and will not escalate the conflict.

Furthermore, as stated in the summit's concluding remarks, US Secretary of State Anthony Blinken emphasized the importance of the NATO meeting at Bucharest for assisting Ukraine in winning the conflict. By this, we aim to highlight the influence of top politicians, who are constantly providing information on the state of the conflict in Ukraine and their handling of this crisis.³¹

²⁹ Alina Stănuță, The NATO meeting in Bucharest “confirms Romania's role and profile in the North Atlantic Alliance”, URL: <https://www.romania-actualitati.ro/news-in-english/the-nato-meeting-in-bucharest-confirms-romania-s-role-and-profile-in-the-north-atlantic-alliance-id170820.html>.

³⁰ NATO Foreign Ministers' meeting in Bucharest. Iohannis: It is our responsibility to fully implement decision adopted at the NATO Summit in Madrid. URL: <https://www.nineoclock.ro/2022/11/29/nato-foreign-ministers-meeting-in-bucharest-iohannis-it-is-our-responsibility-to-fully-implement-decision-adopted-at-the-nato-summit-in-madrid/>.

³¹ Minister of Foreign Affairs Bogdan Aurescu Participated in the Conference “Romanian Military Thinking - Dynamics of Security Architecture in the Wider Black Sea Area in the Context of the Conflict in Ukraine and the New NATO Strategic Concept”, November 16 2022, URL: <https://www.mae.ro/en/node/60215>.

Therefore, discourses are used to highlight important operations. Instead of acting freely, language users function within a range of cultural, social, and psychological contexts. Critical discourse analysis recognises this social context, explores the links between textual structures, takes into account this social context, and looks at the relationships between textual structures and their function in social interaction in this way. Such an examination is difficult and multi-levelled given the obvious lack of a direct, one-to-one link between text structures and social functions, especially when it comes to building and maintaining imbalances of power. It is frequently and deliberately left unclear how the complex processes of discursive practice connect to their social purpose when it becomes essential to build and maintain power disparities.³²

However, a clearer observation is required here, with applicability to the war in Ukraine. To clarify this issue, Fairclough states that “Critical Discourse Analysis aims to systematically explore often opaque relationships of causality and determination between (a) discursive practice, events and texts, and (b) wider social and cultural structures, relations and processes; to investigate how such practices, events and texts arise out of and are ideologically shaped by relations of power and struggles over power; and to explore how the opacity of these relationships between discourse and society is itself a factor securing power and hegemony.”³³

Power is an explicit factor that is important in both the situation of war and when dealing with critical discourse analysis. On one side, we have the military might of both Ukraine and the Russian Federation, which has shown to be crucial ever since the conflict started. On the other side, there is the influence of discourses, not just among the parties

³² Fowler, R., Hodge, B., Kress, G. and Trew, T., *Language and control*. London: Routledge and Kegan Paul, 1979.

³³ Fairclough, N., Critical Discourse Analysis and the Marketization of Public Discourse: The Universities. *Discourse and Society*, 4, 2003, p. 133-168.

directly involved, but also for unengaged audiences concerned by the global spillover of the conflict itself. Given that our attention is primarily on the war-related discourses in Romania, we want to draw attention to the persuasiveness of the political language that politicians employ to support their positions on the conflict in Ukraine. Political figures including President Klaus Iohannis, Prime Minister Nicolae Ciucă, and Minister of Foreign Affairs Bogdan Aurescu were among those awaiting to provide explanations for the actions taking place at our country's border.

2.2. Interpretations of the Russo-Ukrainian war within the power component of the critical discourse analysis

To understand better the entire process of the critical discourse analysis applied to the current situation of the war, it is very important to identify where the practical part of the 3D model proposed by Fairclough, which states that the language must include three elements: (a) *the text* which includes any object of investigation, (b) *the practice* which describes the conditions under which a text is produced and received and (c) *the power* behind discourse which operates at the back end of the entire process and develops power dynamics in discourse.³⁴

Within our analysis, the text is the discourse delivered by the authorities and the object of investigation is the war in Ukraine. Regarding the practice, we have the sanctions alongside the aid provided by Romania to help Ukraine and particularly the migrants that fled to our country.

The notion of *power* is fundamental for our analysis since we speak about the power of war, the power of the migration process and the power of the discourses. However, what does power mean in this

³⁴ Fairclough, N., Critical Discourse Analysis and the Marketization of Public Discourse: The Universities. *Discourse and Society*, 4, 2003, p. 133-168.

context? We want to clarify this by illustrating that the discourse may be viewed as a dyadic interaction process between two interlocutors as a result of our examination of it, namely the authorities and the population concerning the same subject-the war in Ukraine. Our point here is that in fact, the discourse disrupts the notion that only the exercise of power can be pragmatically managed through rhetoric. Additionally, we may presume that the remarks on the crisis in Ukraine are appropriate for use as a scene of conflict including power struggles. Discourse may be seen as a language battle that is largely determined by power, especially in light of the armed conflict in Ukraine.

At a time when socioeconomic and political concerns are developing and late-modern identities are in significant difficulty, the concept of identity and the processes that contribute to the development of meaning have therefore acquired significance in academic research and discussion. We claim that discourse analysis can play a significant role in research focusing on conflicting ideologies by connecting identity processes to other components of socio-material reality to confront and eventually overcome barriers to emancipatory transformative action. In other words, by using discourse analysis techniques, we can offer pertinent descriptions of how speech is employed in the media to have a proper discourse analysis.

Since the Russian invasion of Ukraine, representatives of the state institutions in Romania from various political parties have made a range of remarks that may be examined using critical discourse analysis. They are seen as falling under both kinds of modalities, using the variety of speech they create to represent responsibility and truth. On one hand, expressing an official position is thought to be as honest as feasible, hence involving an epistemic modality. On the other hand, it may be argued that while discussing the help provided by our country together with all the measures taken to support migrants at all costs, we are addressing the

concept of obligation, particularly civil obligation, therefore expressing deontic modality.

We may infer from the speeches made by our state officials that they are especially interested in telling the truth about the assistance given to Ukraine, the plight of the refugees, and our country's stance on the war. It is crucial to take into account the discourses to get a clear view of a subject that is now becoming more and more prevalent. An example in this sense among many others is offered by president Iohannis who highlights the assistance provided by our country and specifically underlines the significance of international collaboration for increased support for Ukraine. As can be observed from Iohannis' speech at the general discussion of the 77th session of the UN General Assembly on September 20, 2022³⁵, the major topic on the agenda is Ukraine's need for assistance.

When addressing political discourses, we notice mixed discourse that includes components from Fairclough's 3D model, as we have previously shown, including text—in our case, discourse—practice, and power³⁶. Since the conflict in Ukraine affects all of these areas, it is essential to comprehend all of its facets. Additionally, we must evaluate the effectiveness of the actions undertaken to handle such a complex issue. Critical discourse analysis also covers a wide range of issues and examines how language and power interact in society. In other words, by figuring out the positions of the three key pillars of the current situation surrounding the management of Ukrainian migration, discourse and critical discourse analysis serve a purpose in the current study.

Mass media is responsible for disseminating all of this information sustaining a continuous dialogue between different layers of society. Such an attitude bares consequences in terms of building awareness and

³⁵ UN General Assembly: RO president says consequences of the war in Ukraine are global, calls for further solidarity, September 21, 2022 URL: <https://www.romania-insider.com/romania-president-un-general-assembly-sept-2022>.

³⁶ Fairclough, N., *Critical discourse analysis*. London: Longman., 1995.

also exerting some form of control over the problem. Given the power of the media to shape public opinion, it is crucial to carefully consider how journalists and reporters communicate both the facts and their perspectives regarding the war in Ukraine. Even though there are instances when we are confronted with a subjective rather than neutral portrayal of events that influence the people in some manner, what we are addressing here must be exactly the portrayal of the situation in Ukraine.

The media does more than just tell the facts; it also uses its ability to depict thoughts and ideas to provide meaning to society and to create social representations of various issues, people, and groups³⁷. Additionally, it is asserted that media organizations would include ideologies in discourses to explain the disparate ways in which events are portrayed across various media.³⁸

Since it reports on the speeches made by politicians, there is no question that the media is an active participant in this stage of the struggle in Ukraine. In this approach, political speeches frequently emphasize the importance of enacting laws and making changes to improve and protect society. Military media efforts have recently grown more significant and sophisticated, however military propaganda has been around for a long period. Special teams have been assembled to overcome the difficulties in giving information before, during, and following operations since this capacity building is based on a collective intelligence effort.

We want to underline the importance of the mainstream media in the war in Ukraine since the public must be informed about how the conflict is evolving. The major TV channels Antena 3, Digi24, and B1, as well as newspapers such as *Adevărul*, *Evenimentul Zilei*, *Libertatea*, and

³⁷ Roy, A., *Urban Informality: The Production of Space and Practice of Planning*. In *The Oxford Handbook of Urban Planning*. Edited by Randall Crane and Rachel Weber. London: Oxford University Press, pp. 691–705, 2012.

³⁸ Fowler, R., *Language in the News: Discourse and Ideology in the Press*. London: Routledge, 1991.

Agerpres, were instrumental in influencing public opinion regarding how Romanian authorities were handling the ongoing military conflict in Ukraine. In actuality, the main issue in war is power, and this is unquestionably true of the crisis in Ukraine. However, the outcomes of the conflict's first few months have astounded many observers and called into question several widely held beliefs about military and economic strength. Surprisingly, despite having greater military capabilities, Russia was unable to accomplish its initial objectives. Instead, the Ukrainian military has well defended itself and has even driven some Russian forces away. The reason is at least in part due to some changes in the nature and use of power, which seems to hold today's monopoly and also to strategic vision, with the capacity to make decisions effectively, through tactical and operational planning.

A significant element related to power which finds its importance within the conflict in Ukraine is the distinction between physical power and soft power which has also been obscured by the use of intelligence in the Ukraine war. However, an approach that does not neatly fit into either the soft or hard power categories is that the United States and its allies have used the disclosure of information that might have otherwise been labelled as intelligence not just for military or operational uses but also to serve wider influence activities such as discrediting the Russian narratives. Moreover, the dissemination of intelligence and data leaks has undoubtedly been weaponized before, but the situation in which it is being employed currently is completely different. In addition to being larger in scope and lasting longer, the campaign's objectives have expanded to include not only undermining Russian military operations with cutting-edge intelligence capabilities but also preventing Russian disinformation campaigns by saturating the information landscape and undermining the legitimacy of Russian leaders in the eyes of their people.

Last but not least, critical discourse analysis can also be applied to Romanian citizens, to see their reactions towards the war in Ukraine. Considering that the civilians were the first to help Ukrainian migrants,

their opinions regarding this topic are extremely important. On one hand, it aids to examine the Russian hostile attitude towards Ukraine. On the other hand, it takes an explicit stance with such dissident research and seeks to comprehend, expose, and ultimately combat social inequity.

Since the beginning of the war in Ukraine, the Romanian population was actively involved in helping the migrants who came to our country³⁹. The solidarity shown was unmeasurable. This fact is due to the media, which has been presenting all the information necessary regarding the military conflict in Ukraine. Moreover, their attitude was influenced also by the discourses held by the politicians who did not step back but rather undertook all the necessary measures to help as much as possible Ukraine. Politicians and important people within the diplomacy area have expressed their support for Ukraine. An important example in this sense is marked by the fact that Codruta Kovesi, the former director general of Romania's Anticorruption Office and now the European Chief Prosecutor, was one of the first EU representatives to travel to Ukraine following Russia's invasion. Kovesi's visit to Kyiv concentrated on discussions of how EU prosecutors and the Ukrainian prosecutor general office's special team can work together to find, apprehend, and seize the assets of war criminals. She also congratulated Ukrainians for the heroism they had displayed in the wake of Russia's invasion, underlying that this spirit will serve them well when the conflict is over.⁴⁰

Following Kovesi's position, president Klaus Iohannis together with the Romanian government has called for an investigation into the

³⁹ Preparing for the Unpredictable: Ensuring the Protection and Inclusion of Refugees from Ukraine in Romania and Moldova, October 6, 2022, URL: <https://www.refugeesinternational.org/reports/2022/10/5/preparing-for-the-unpredictable-ensuring-the-protection-and-inclusion-of-refugees-from-ukraine-in-romania-and-moldova>.

⁴⁰ EU chief prosecutor discusses confiscating war criminals' assets with Ukrainian prosecutor during Kyiv visit, March 18 2022, URL: <https://universul.net/eu-chief-prosecutor-discusses-confiscating-war-criminals-assets-with-ukrainian-prosecutor-during-kyiv-visit/>.

Bucha tragedy and the prosecution of all those responsible.⁴¹ The gravity of the situation is shared with the population too, as well as the sanctions proposed for the Bucha killers. As a result, all of these acts are based on the power of speech, which is emphasizing its significance in the current battle.

As we have attempted to demonstrate, discourse analysis may be conducted across disciplines, as van Leeuwen emphasize⁴² as well as the fact that there are common issues in interdisciplinary analysis that researchers from other disciplines face when attempting to interact with one another. This is caused in part by divergent theoretical assumptions as well as the mutual incomprehensibility of various specialized conceptual frameworks and vocabulary. We made use of all these aspects of the interconnected fields of history, linguistics, and international relations to help create a multi-layered picture of Ukraine, particularly on how Romania has been dealing with managing the Ukrainian migration.

3. Securitisation theory in the view of the Copenhagen School

Until now, we have dealt with the theoretical perspectives of forced migration theory and critical discourse analysis of the three pillars that come to illustrate the role played by Romania in the management of the Ukrainian migration. Still, another important aspect that helps us develop better this topic is the *securitisation theory*. Before describing its theoretical framework, also it would be helpful to define the idea of security. Security is generally correlated with upholding moral principles. Security is the absence of threats, risks, and hazards to the valuables or their prevention. It generates stability, peace, and healthy

⁴¹ Romania's Support for Ukraine deserves greater recognition, June 22, 2022, URL: <https://www.kyivpost.com/ukraine-politics/romanas-support-for-ukraine-deserves-greater-recognition.html>.

⁴² van Leeuwen, Three models of interdisciplinarity in Chilton P and R. Wodak, *A New Agenda in (Critical) Discourse Analysis Theory, Methodology and Interdisciplinarity*, 2005.

order that are wanted, but security threats are the things that contribute to or have the potential to worsen that condition. In the context of Ukrainian migration in Romania, security concepts and policies are frequently portrayed as a necessary response to the threats to domestic stability and public order posed by the increasing number of migrants.

A very important theory regarding the notion of security is the *securitisation theory* proposed by the Copenhagen School. The securitisation theory adopts an approach to criticise the introduction of irrelevant concerns into the security field while expressing an effort to broaden the conventional understanding of security that presents a military threat and a state-centred approach.⁴³ This theory emphasizes that when political issues are classified as dangerous, such as the situation of the war in Ukraine, they represent extreme security issues that need to be addressed immediately. The theory focuses on three main categories of performers: securitising actors, the audience and the functional actors—who either oppose or support the perception that a threat exists⁴⁴.

The idea of securitisation explores how security affects the way governments run and how crises are handled. It is believed that security is unquestionably a crucial component of human life and is required for its healthy development. Having a look at Romania's state institutions we can observe the changes that have occurred since the beginning of the war in Ukraine.

Securitisation is closely related to social constructivism and linguistic methodology, which hold that security is not a given idea and should instead be viewed as something that was produced by the social order as a byproduct of constructivism. In this sense, one of the most

⁴³ Huysmans, J. "Revisiting Copenhagen: Or, On the Creative Development of a Security Studies Agenda in Europe", *European Journal of International Relations*, 4 (4), 1998, p. 479-505.

⁴⁴ Buzan, B., Ole, W. and J. de Wilde, "Security: A Framework Analysis", London: Lynne Rienner, 1998, p.21.

crucial elements when applying the securitisation theory is to examine the discourses and power dynamics inside the spoken or written language⁴⁵. Securitisation is thus a method for examining the power dynamics in our case, within the war in Ukraine. First and foremost, when we talk about governmental institutions, there are unquestionably political speech acts that denounce the attack by the Russian Federation and reveal the policies that have been adopted to aid Ukrainian migration. Second, because mass media is consistently offering news from Ukraine, plays a certain role in securitisation theory. Additionally, given that they have a variety of perspectives on how the war is perceived, the media serves as a useful actor in this scenario, including both the audience—the people—and the securitizing actor—the Romanian state. Practically, there is a close connection between the three pillars and theoretical aspects discussed because the securitisation theory, which is concerned with power, threats and the message conveyed through discourses, encompasses the forced migration theory and is based on the migrants who involuntarily gave rise to critical discourse analysis about the situation from their country.

Processes of securitisation depend on how the public perceives both the political speeches and media, especially regarding the war. Therefore, the relationship between the three pillars is potentially strong, underlying also the existing similarities between them. Since the beginning of the war, Romania has shown collaboration between states, mass media and the population. If we consider that, as claimed by Cooper et al., media have a social-cultural position that allows them to legitimate specific narratives⁴⁶. Romania's vigorous encouragement of the Kyiv

⁴⁵ Buzan, B., Ole, W. and de Wilde, J., "Security: A Framework Analysis", London: Lynne Rienner, 1998, p.21-22.

⁴⁶ Cooper S. et al., "Media Coverage of Refugees and Asylum Seekers in Regional Australia: A Critical Discourse Analysis", in *Media International Australia*, Vol. 162, No. 1 (February 2017), p. 78-89.

authorities to carry out the required reforms in the European integration process serves to highlight this fact.

In the current case of the Ukrainian migration crisis, a collective securitization process is unfolding far greater in scale and magnitude, as opposed to the reaction of the International community after the annexation of Crimea. The securitization theory is thus suitable for analysis at both the domestic level, as well as in the regional security complex, because all elements of the theory are on the ground, and the threat is depicted by all securitizing actors involved. Furthermore, all important stakeholders agree and support the actions and measures taken to mitigate the crisis, from sanctions applied to the Russian Federation to military mobilization on the Eastern flank of NATO, as well as providing military and economic support to the Ukrainian state.

When dealing with humanitarian crises, it is the solidarity criterion that builds up support in the form of established relief actors or ad-hoc coalitions, but in this particular case preserving the normative rules that govern interstate relations, as well as their identity, represent the core impetus for the strategic alignment. Such a priority focus can only be achieved through a common effort that targets the systemic referent because the rules-based order itself is under attack. Ideational factors take the center stage and they push the securitization process towards the adoption of those extraordinary policies that are about to provide a desired outcome for this state of exception, which then leads to policy change.⁴⁷

Due to the transformative nature of the conflict in Ukraine, which has entered the protracted phase, it is still a challenge to correctly identify the stages of a securitization process, given the fact that national attitudes around initial reaction and mobilization varied a lot even across

⁴⁷ Christian Kaunert & Sarah Léonard (2021) Collective securitization and crisisification of EU policy change: two decades of EU counterterrorism policy, *Global Affairs*, 7:5, 687-693, DOI: 10.1080/23340460.2021.2002098.

neighbouring states, that were the first to experience the migration surge. Even more problematic was the speed at which the relief effort was organized and executed at the national level, given the fact that migration is a spiralling phenomenon and not a linear one.⁴⁸

Sperling and Webber have designed a six-stage model to study the process of collective securitization.⁴⁹ Within the first stage, corresponding with the status quo before the conflict, the Romanian authorities were more in favour to temper the public debates surrounding the mobilization of Russian troops at the border with Ukraine, although the Ministry of Foreign Affairs has raised the alert level for Ukraine to the maximum level in a press release 3 days before the military invasion. All relevant national media outlets shared the concern, but reactions from civil society groups and the population were limited and rather cautious. The second stage, involving the precipitating event, was represented by the announcement of Vladimir Putin on the morning of February 24th that started the military invasion, presented in a broadcasted speech as a "special military operation". This has led to a cascade of events, providing space for the state authorities to start the securitizing moves and to mobilize state institutions to support Ukrainians fleeing from conflict, in a dialogue with partners from the European Union and NATO.

On the first day of the conflict, the Romanian government established a Task Force, under the coordination of PM Nicolae Ciucă, followed by an operational one, called the "Ukraine Commission", led by the Chief of PMs Chancellor, as well as a Humanitarian Assistance Strategic Coordination Group, which was set up to provide support in

⁴⁸ Valeria Bello (2022) The spiralling of the securitisation of migration in the EU: from the management of a 'crisis' to a governance of human mobility, *Journal of Ethnic and Migration Studies*, 48:6, 1327-1344, DOI: 10.1080/1369183X.2020.1851464.

⁴⁹ James Sperling & Mark Webber (2019) The European Union: security governance and collective securitisation, *West European Politics*, 42:2, 228-260, DOI: 10.1080/01402382.2018.1510193.

the form of both emergencies, as well as protection response.⁵⁰ Several platforms were also launched to support the Ukrainian refugees, such as Dopomoha⁵¹, UA Support⁵², Refugees. ro and even Facebook Groups, such as “United for Ukraine”, with over 284.000 members.

The fourth stage, corresponding with the response of the audience, was brief and followed the initial shock wave when bordering villages and cities in Ukraine supported refugees, which also led to the mobilization of civil society groups and authorities alike. This calls into action also one of the core assumption of the securitization theory: the centrality of the audience⁵³, since the empowered population had a causal connection with the migrant pressures, as well as the ability to enable the securitizing actor (local and central governmental institutions) to adopt measures to control and manage the situation. Since the boundaries between the securitizing actor and the audience can sometimes be blurry, it is the role of security practices and policy tools to provide answers.

From a political rationale, the Romanian coalition government, which includes the Social Democratic Party (PSD), the National Liberal Party (PNL), and the Democratic Alliance of Hungarians in Romania (UDMR), proved very stable in managing the current migration crisis. Furthermore, voices from all major parties of opposition-aligned in this humanitarian effort. The same support was also extended to the Republic of Moldova, to prevent an energy crisis, with powerful implications for

⁵⁰ More information about this phase can be consulted on the Romanian Government page “Ukraine – Together we help more” at the following URL: <https://www.gov.ro/ro/pagina/ukraine-together-we-help-more>.

⁵¹ In partnership with the Romanian Government, the Department for Emergency Situations of the Ministry of Internal Affairs, the UN Refugee Agency, the International Organization for Migration, the Romanian National Council for Refugees, Code for Romania has created an integrated platform to support Ukrainian refugees. See more information about the platform at the URL: <https://dopomoha.ro/en>.

⁵² Linking Help, an NGO, together with a law firm, Holubová advokáti and COPS, have established UA.SUPPORT, an international pro bono platform, that provides legal counselling to refugees, URL: <https://www.ua.support/about-the-project/>.

⁵³ Thierry Balzacq, *Securitization Theory: how problems emerge and dissolve*, Milton Park Abingdon Oxon: Routledge; 2011, pp. 8-9.

the country's political stability. Backed by a stable majority, both in the government, as well as in the Parliament, Romania was able to increase its defence budget from 2.02% to 2,5% starting from January 2023, a decision shared also by other European states, like Belgium, Germany, Italy, Norway, Poland and Sweden. In June 2022, the Romanian Government adopted Emergency Ordinance no. 100/2022⁵⁴, which provided the legal basis for a National Plan of measures meant to provide protection and inclusion for Ukrainian displaced persons.

Thenceforth it created space for the formulation and execution of policies to address the migration crisis. The pattern of national mobilization follows closely the spill-over effect generated by the conflict itself, so the dynamics of the securitization process are dependent on who has the initiative on the battlefield, as well as the escalation matrix that follows. Since the appeasement or accommodation stance is very difficult to attain, given the fact that both belligerent sides avoid sitting at the negotiating table, so is the final stage proposed by Sperling and Webber. The conflict is far from entering the de-escalation phase, so the emergence of a new *status quo* can only be achieved once a diplomatic solution is placed on the agenda and agreed upon by both conflicting parties.

Conclusion

The migration-security nexus exposed in the case of the Ukrainian conflict is bound to have an impact not only on how we approach securitization theory in the future but also within the power relations spectrum that underpins the whole Western way of creating accountability mechanisms for international norms. The era of systemic rivalry, that stemmed from an ideological determinism, which seemed to fade after the Cold War, is today placed back on the agenda. The

⁵⁴ https://ec.europa.eu/migrant-integration/library-document/national-plan-measures-protection-displaced-persons-ukraine_en.

securitizing efforts should go back to the very roots of international institutions and their capacity to maintain rule of law and safeguard global order. What we see today, in the case of Ukraine, is not just a battle for state survival, it is a symbolic quest to maintain the current way of life, at least for democratic regimes, in a world where authoritarian regimes create pressures and cleavages within so many already turbulent regional complexes.

The demise of the current paradigm starts with discourse, a statement that is not considered a warning signal or is simply not perceived as such. Paying attention to the specific context, of the social and historical meanings of one's proposal can help us determine what types of actions, instruments and tools are to be used to address a potential threat until it does not develop into an open conflict. All 3 theoretical frameworks proposed to assess the Ukrainian migration crisis (*forced migration theory, critical discourse analysis and securitisation theory*) agree on the urgent need to take action, pleaded for collective mobilization and point to a better understanding of policy changes. The option to match these approaches proves its rationale, especially because the context itself is developing, and so is the perception of the solutions that are produced and employed to mitigate the effects of the current crisis.

Securitization theory does not admit double standards in solving pressing problems, although it is a frequent fact that it operates under a constant state of emergency. So, this logic of exceptionality is to be treated with caution while the speech acts themselves are included in routine practice, as both Bigo and Huysmans indicate. Managing Ukrainian migration goes beyond securitizing discourses into the realm of policy implementations, so the outcome of the process can only be determined if we obtain a correlation between power relations, the instruments used and the practices that are derived from the context and supported by audiences.

The current migration crisis in Ukraine expresses the need to transform collective solidarity mechanisms into a powerful norm of international society, but that can only be done if the audience, be it internal or external, is reconnected to the very basic practices of generating security. That might tilt the scale in favour of those who see the war in Ukraine more from the lenses of a global emergency, and far away from those that treat this situation as a remote vulnerability that is not worth the due attention given. It is very much the role of political communication to provide a blueprint on how media and civil society groups might support the rhetorics of state authorities.

Romania's involvement in managing the Ukrainian migration crisis one year after the war started is diligently following the lines and the positions framed by the EU and supported by dozens of states and international organizations, that not only share the same common values but there are also dedicated to protect and enforce them. This fact proves once again that claims for effective multilateralism which is a stepping stone for building resilience not only in local communities but also within the global governance system when confronted with adversity.

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THE WAR IN UKRAINE AND POSSIBLE CONSEQUENCES ON MIGRATION

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Abstract. The ongoing conflict in Ukraine has created not only a humanitarian crisis, but also a threat to global food security, especially in developing countries. The conflict in Ukraine has caused global prices of food, fertilizer and fuel to record levels. Worsening food security crisis could cause a dramatic wave of migration into Europe. We have shown so much solidarity with the Ukrainian refugees, will we do the same with the refugees who will run away from starvation? Recent history shows that there is a hostile treatment towards refugees from Africa or the Middle East. Ukrainians once they arrive in Europe are welcomed, in stark contrast to Europe's treatment of other migrants and refugees. The contrast between Ukrainian refugees and those from Africa or the Middle East demonstrates the double standards in the EU's behavior. The EU's restrictive approach to migration could be described as full of prejudices. The good Ukrainian refugees who are welcome in Europe and the racialized bad ones who are not. The EU's solidarity with displaced Ukrainians illustrates the deeply politicized nature of society. More than that, the problem of refugees arriving illegally in the European Union seems to create a crisis at the level of the Union. Europe has many challenges, but migration is one of the most significant.

Keywords: *double standard, food insecurity, Europe, Ukrainians, North Africa.*

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Introduction

“No one leaves home unless / home is the mouth of a shark. You only run for the border / when you see the whole city / running as well”². Problems such as poverty, instability in countries of origin, natural disasters, food insecurity and armed conflicts push people to seek safety away from their homeland. Migration researchers argue that this phenomenon is a normal and structural element of human society throughout history. Since ancient times, people have migrated in search of a safer and better life. Migration is also a social fact that influences human life. Recently, Europe had to respond to the most severe migratory challenge since the end of the Second World War³. Immigration has become an increasingly political issue in many European countries. International migration has emerged as a major divisive global political and societal issue during the 21st Century, with increasing expressions of anti-migration sentiment. Recently, a perception has developed negative, combined with a violent reaction, about mass immigration with distortions of the political framework that contributed to the formation of extremist parties or anti-system⁴. A European Commission report in 2006 noted that overall, “public perception of migration tends to be increasingly negative throughout Europe”⁵ and widespread feelings of insecurity associated with immigration have been highlighted.

² AliGunes, “Why do refugees to leave their sweet home unless home is the mouth of a shark? An analysis of Warsan Shire’s poem home”, *Journal of History and Art Research*, vol. 8, no. 4, 2019, p. 19.

³ European Parliament, “Europe’s migration crisis”, updated October 30, 2022, available online: <https://www.europarl.europa.eu/news/en/headlines/society/20170629STO78631/europe-s-migration-crisis>, accessed December 2, 2022.

⁴ Fabio Ratto Trabucco, “La risposta alla crisi migratoria degli Stati membri UE nel quadro dell’apparente immobile Trattato di Dublino”, *Amministrazione in Camino*, 2021, p.5, available online: <https://www.amministrazioneincammino.luiss.it/wp-content/uploads/2021/09/RATTO-TRABUCCO-1.pdf>, accessed December 2, 2022.

⁵ European Commission, “Migration and Public perception”, October 9, 2006, available online: [file:///C:/Users/apop/Downloads/docl_1265_856413891%20\(1\).pdf](file:///C:/Users/apop/Downloads/docl_1265_856413891%20(1).pdf), accessed on September 30, 2022.

The aim of the article is to examine the EU's response to the Ukrainian migrant crisis and the double standard. There are important differences between the refugee crisis emanating from the war in Ukraine and other refugee crises, and consequently, the humanitarian response is different. After the Russian attack the situation of the Ukrainian population changed radically. In the first seven days of the military conflict, almost two million Ukrainians fled their home country⁶. Beyond government responses, other societal actors in Europe and across the globe have signalled their support. On the other hand, in 2015 European Union governments were openly hostile to refugees. Across Eastern Europe, countries began to build and extend border barriers. History shows us that we have a double standard for receiving refugees. In addition to the hostility shown to the refugees in 2015, recently it seems that refugees arriving illegally in Europe from North Africa not only create distortions between nations, for example the discussions between Italy and France, but also create political crises at the level of the European Union. Austria's vote in the Justice and Home Affairs Council regarding Schengen proves that the migration point is back on the political agenda of the Union. Are death and suffering in Ukraine different than in Yemen or Afghanistan? Thousands of desperate people, many fleeing war and persecution, are dying in the Mediterranean. This represents a humanitarian tragedy. Differential treatments between white and non-white refugees fleeing Ukraine are reported. **Therefore, the research question is:** *What are the reasons for this difference in standard in receiving refugees?*

1. Theoretical Framework

Different theories try to explain the attitude towards migrants. I will analyze both economic and non-economic factors that shape the no-

⁶ Reinhard Weisser, "A near-real-time analysis of societal responses to Ukrainian refugee migration in Europe", *International Migration*, 2022, p. 2.

migrant attitude. A literature on attitudes immigration attributes anti-immigrant sentiment to multiple factors, including cultural concerns. There are also studies that involve material interest and in particular people's concerns about immigrants threatening their earning capacities and employment opportunities⁷. Opposition towards minority groups may be more pronounced if the size of the minority group increases, especially if the majority feels that it has to compete for limited resources or cultural hegemony⁸. Migrant groups with a different religion or language are perceived as undermining existing institutions and threatening the way of life. Blumer outlines four feelings among members of the dominant group that lead to racial prejudice: a feeling of superiority, a feeling that the subordinate race is intrinsically different and alien, a feeling of proprietary claim to certain areas of privilege and advantage, and a fear and suspicion that the subordinate race harbors designs on the prerogatives of the dominant race⁹.

Group threat theory predicts that members of a group will exhibit feelings of solidarity toward individuals that they consider to be part of their group and negative attitudes toward those who do not¹⁰. Group conflict theory posits that negative attitudes of majority group members toward outgroups could be perceived as a reaction to ethnic competition over scarce resources¹¹. The group conflict theory is: "an economic theory of inter-group attitudes and behavior, based on a more or less rational

⁷ Kenneth F. Scheve; Matthew J. Slaughter, "Labor market competition and individual preferences over immigration policy", *Review Economic of Statistics*, vol. 83, no. 1, 2001, p. 134.

⁸ Joachim VogtIsaksen, "The impact of the financial crisis on European attitudes toward immigration", *Comparative Migration Studies*, no. 24, 2019, p. 6.

⁹ Herbert Blumer, "Race Prejudice as a Sense of Group Position", *The Pacific Sociological Review*, vol. 1, no. 1, 1958, p. 4.

¹⁰ Francesca Borgonovi; Artur Pokropek, "Education and Attitudes Toward Migration in a Cross Country Perspective", *Frontiers in Psychology*, vol. 10, 2019, p. 2.

¹¹ Teresa Maria García-Muñoz; Juliette Milgram-Baleix, "Explaining Attitudes Towards Immigration: The Role of Economic Factors", *Politics and Governance*, 2021, vol. 9, no. 4, p. 160.

view of humankind.”¹² Realistic or material threat perceptions derive from anticipated competition between immigrants and the national majority for political power and for tangible, limited resources, such as jobs and housing as well as from suspicions that immigrants are taking unjustified advantage of welfare benefits and commit more crimes than the national majority. Blumer argues that the dominant group develops the view that certain resources belong exclusively to them, a sense of group position, in Blumer's terms¹³.

Symbolic threats relate to perceived negative consequences due to conflicting intergroup interests for non-tangible goods. Examples for symbolic threats include issues such as: language, religion, cultural values or the general social order of the group. According to the social psychological theory of group threat an in-group develops hostile attitudes when its members perceive an out-group as challenging their sense of collective status or boundaries¹⁴. Cultural marginality theory proposes that people will be more likely to have anti-immigrant attitudes when they cannot relate to the culture of the immigrants because they have nothing in common with them.

2. The Impact of the Russian war in Ukraine on global food security and consequences for the European Union.

The invasion of Ukraine by Russia caused not only the biggest challenge to Europe's security order since the end of the Second World War, but also the largest refugee crisis and is likely to cause a food crisis

¹² Marcel Coenders, *Nationalistic attitudes and ethnic exclusionism in a comparative perspective. An empirical study of attitudes toward the country and ethnic immigrants in 22 countries*, Amsterdam: Interuniversity Center for Social Science Theory and Methodology, 2001, p. 14, available online: file:///C:/Users/apop/Downloads/coenders_01_proefschrift%20(4).pdf, accessed January 7, 2023.

¹³ Herbert Blumer, *op.cit.*, p. 3.

¹⁴ Lawrence D. Bobo, "Prejudice as Group Position: Microfoundations of a Sociological Approach to Racism and Race Relations", *Journal of Social Issues*, vol. 55, no.3, 2002, p. 458.

as well. Food insecurity is: "when people do not have adequate physical, social or economic access to food"¹⁵. Blockades of Ukrainian grain exports have worsened hunger in some of the world's most vulnerable regions and countries¹⁶, and if the war continues, the problem will become more and more serious. The war in Ukraine risks sparking a food shortage crisis that would trigger a major migration wave into Europe from Africa and the Middle East¹⁷. This chapter responds to the concerns regarding some of the potential implications of the Russian invasion of Ukraine through an exploration of the relationship between food insecurity and international migration. Russia is the largest exporter of wheat, accounting for 20% of global exports, while Ukraine is the fifth largest exporter.¹⁸ Both countries play a key role in ensuring food security. Hundreds of millions of people are at risk of severe hunger in the coming months as poverty and insecurity rise in the wake of the Russian invasion¹⁹.

A devastating hunger is foreshadowed, up to 47 million more people are projected to experience acute hunger in 2022 unless urgent

¹⁵ Food and Agricultural Organization of the United States, *Impact of the Ukraine-Russia conflict on global food security and related matters under the mandate of the Food and Agriculture Organization of the United Nations*, CL 170/6, 2022, available online: <https://www.fao.org/3/nj164en/nj164en.pdf>, accessed on September 25, 2022.

¹⁶ Francesco Pistilli, "Ukraine war: What are the impacts on the world today?" *International Rescue Committee*, updated November 24, 2022, available online: <https://www.rescue.org/article/ukraine-war-what-are-impacts-world-today>, accessed December 18, 2022.

¹⁷ Natalia Drozdak, "Food Crisis Risks Messy Migration wave into Europe, EU Warns", *Bloomberg*, May 22, 2022, available online: <https://www.bnnbloomberg.ca/food-crisis-risks-messy-migration-wave-into-europe-eu-warns-1.1769994>, accessed January 7, 2023.

¹⁸ The Organization for Economic Co-operation and Development, *The impacts and Policy implications of Russia aggression against Ukraine on agricultural markets*, updated August 5, 2022, available online: <https://www.oecd.org/ukraine-hub/policy-responses/the-impacts-and-policy-implications-of-russia-s-aggression-against-ukraine-on-agricultural-markets-0030a4cd/>, accessed December 18, 2022.

¹⁹ Jennifer Bell, "Millions in Middle East face hunger crisis as Russia's war rages on: ICRC", *Al Arabiya*, October 23, 2021, available online: <https://english.alarabiya.net/News/middle-east/2022/07/12/Millions-in-Middle-East-face-hunger-crisis-as-Russia-s-war-rages-on-ICRC>, accessed September 25, 2022.

action is taken, up from 276 million people pre-conflict²⁰. As some of the most food insecure regions, Afghanistan, Yemen, the Horn of Africa and the Sahel are among the parts of the world that will be particularly impacted by increases in food prices and supply interruptions resulting from the war in Ukraine. More than seven years of protracted conflict, a devastated economy and a fractured political system have left 23.4 million Yemenis in need of humanitarian assistance, including 19.1 million currently requiring food assistance, an increase of 2.9 million since last year²¹. Afghanistan is one of the world's worst hunger crises. All 34 provinces of the country are experiencing acute food insecurity, and 90 percent of Afghan households in all regions report that food is prioritized above all other needs. Sahel is hit by its worst food crisis in a decade, with 41 million people expected to go hungry, a new historic level. The latest Global Report on Food Crises reports the number of children under five in the region suffering from acute malnutrition at over 7 million cases²².

All these people are looking for a solution, if their governments will not be able to provide food security, they will choose the path to Europe. European states have been informed of possible waves of migration, as people in North Africa and the Middle East face a severe food crisis²³. The limited availability of fertilizer has led to the depletion of residual fertilizer reserves in soils, which poses a serious threat to European food production. At the same time, European Union food supply will remain

²⁰ Food and Agriculture Organization of the United Nation, *The Importance of Ukraine and the Russian Federation for Global Agricultural Markets and the Risks Associated with the War in Ukraine*, June 10, 2022, available online: <https://www.fao.org/3/cb9013en/cb9013en.pdf>, accessed September 25, 2022.

²¹ International Rescue Committee, "Hunger fallout: How the G7 can prevent the war in Ukraine from escalating the global hunger crises", *Rescue International Committee*, 2022, p.7.

²² *Ibidem*, p. 9.

²³ ***, "EU Warned of New Migration Waves Due to Food Crisis Around the Globe", *Schengen Visa*, July 14, 2022, available online: <https://www.schengenvisa.info/news/eu-warned-of-new-migration-waves-due-to-food-crisis-around-the-globe/>, accessed November 2, 2022.

secure, just less accessible for Europe's poorest. The turmoil caused by the Russia-Ukraine war, with all its implications, comes after the Covid-19 pandemic, which has already put pressure on agriculture, prices and supply chains around the world. While the situation in Ukraine remains unpredictable, there is growing evidence that loss of income, supply chain disruptions, increasing prices and related dependency on food assistance is significantly affecting the access to and affordability of food.

3. Double standards: the Ukrainians and "others"

A double standard is a principle that is applied in a different way to similar things, without justification. Essentially, this means when two or more things, such as individuals or groups, are treated differently and they should be treated the same way²⁴. In the last decade, Europe has experienced two migratory waves. Over one million people crossed into Europe in 2015, fleeing Syria, Iraq and Afghanistan²⁵. The 2015 refugee crisis caused deep divisions among member states and the response was hostile. Instead, European countries have opened their borders in unprecedented solidarity towards Ukrainians. The public and political responses to this emergency were very different from what has been seen in the past. This chapter will analyze the reasons behind these different approaches.

The warmer reception given to people fleeing Ukraine compared to those seeking refuge in Europe from other parts of the world stems from various factors: one is Russian danger. Europeans identify with the Russian danger. Eastern Europeans know what it feels like to live under

²⁴ Itamar Shatz, "Double Standards: What They Are and How to Respond to Them" *Effectiviology*, available online: <https://effectiviology.com/double-standard/>, accessed January 3, 2023.

²⁵ International Organization for Migration, *Irregular migrant, refugee arrivals in Europe top one million in 2015: IOM*, December 22, 2015, available online: <https://www.iom.int/news/irregular-migrant-refugee-arrivals-europe-top-one-million-2015-iom>, accessed December 19, 2022.

Soviet aggression and occupation. At the end of World War II, the Soviet Union occupied Bulgaria, Romania, Hungary, Poland and eastern Germany. Europe and especially the Eastern European countries know the feeling of Soviet fear. Moreover, Ukraine's proximity to European states makes the danger perceived much closer and real. Recently, the war in Georgia and the annexation of Crimea have raised concerns especially in the former communist states. In this war Ukraine is seen not only as fighting the Russian danger, but defending European values. European people see Ukraine as part of Europe.

Secondly, Europeans' perception that Ukrainians are culturally and ethnically similar to Europeans caused the borders to open. At the same time the difference of "us" and "them" always causing refugees to feel different in the social, cultural, political and economic life of the host country. "Others" who do not share their physical attributes or cultural practices. Those who are not like us are not welcome. In a recent survey, 8 out of 10 respondents think cultural heritage is not only important to them personally, but also to their community, region, country and the EU as a whole²⁶.

Thirdly, in 2015 refugees from Syria and North Africa were mostly Muslim and faced higher levels of discrimination than Ukrainians, who are Christian. Religion is a key factor influencing attitudes toward refugees. Religious orientation often influences prejudicial attitudes. In recent years, not only has xenophobia been on the rise in Europe, but so has Islamophobia. In a survey of almost 20,000 Europeans across 15 countries in 2016 found a strong anti-Muslim feeling²⁷. The last but not the least, 85% of the Ukrainian refugees are women, this deviates from

²⁶ Eurobarometer, "Culture Heritage", December 2017, available online: <https://europa.eu/eurobarometer/surveys/detail/2150>, accessed October 24, 2022.

²⁷ Melissa De Witte, "Ukrainian refugees face a more accommodating Europe, says Stanford scholar" *Stanford*, March 24, 2022, available online: <https://news.stanford.edu/2022/03/24/ukrainian-refugees-face-accommodating-europe-says-stanford-scholar/>, accessed January 3, 2023.

the usual pattern that the majority of refugees are men, in 2015 among those arriving 73% were male²⁸. The material factor is present as well. According to the theory there is a realistic or material threat perceptions. In a special edition of Eurobarometer in 2018, four in ten respondents concur with the claim that immigrants take jobs away from indigenous workers²⁹. Even more importantly, they fear that immigrants will take away 'their' jobs or make it harder for unemployed persons to find work³⁰. But with the Ukrainian refugees the situation was different. Thousands of jobs are offered exclusively to Ukrainian refugees³¹. Above all, the entry of Ukrainians into the labor market is perceived as a benefit.

All these differences make us say that it is hard to believe that a future wave of African refugees will be received without hostility. The reception of Ukrainian refugees is the exception, not the rule. A Flash Eurobarometer survey shows large consensus among EU citizens in all EU Member States in favor of the EU's response to Russia's invasion of Ukraine. Respondents are widely in favor of the unwavering support to Ukraine and its people. "In particular, more than nine out of ten respondents 93% approve providing humanitarian support to the people affected by the war. 88% of Europeans approve the idea of welcoming in the EU people fleeing the war. 80% approve the financial support provided to Ukraine. 66% agree that Ukraine should join the EU when it is ready, 71% believe that Ukraine is part of the European family and 89%

²⁸ Franck Duvell; Iryna Lapshyna, „On war in Ukraine, double standards and the epistemological ignoring of the global east”, *International Migration*, June 17, 2022, available online: <https://onlinelibrary.wiley.com/doi/pdf/10.1111/imig.13038>, accessed January 4, 2022.

²⁹ ***, "They are taking our jobs-really?", *Social Europe*, available online: <https://social.europe.eu/theyre-taking-our-jobs-really>, accessed October 22, 2022.

³⁰ *Ibidem*.

³¹ Liz Alderman; Patricia Cohen, „Fleeing war in Ukraine, they are met with employers offering pay checks”, *The New York Times*, March 21, 2022, available online: <https://www.nytimes.com/2022/03/21/business/refugees-ukraine-jobs.html>, accessed October 20, 2022.

feel sympathy towards Ukrainians³². While a majority of Europeans want a ban on immigration from Muslim-majority countries³³.”

4. The politicians and their role in this “double standard”

Politicians play an important role in the attitudes towards migrants and refugees. In the last few decades, politicians’ discourses on immigration policies have played a central role in electoral debates. Politicians generally have a lot of influence on the public attitudes. This chapter explores the intersection between politics and media discourse through analysis of media representations of refugees. While some decades ago immigration was much less debated in public spheres, nowadays the topic has indeed become one of the most frequently debated and the most strongly politicized³⁴. The anti-immigrant narrative it has become a normal part of the public discourse of politicians. The arrival of immigrant in Europe, from the Middle East and Africa has left a deep mark on political discourse. In recent years many political parties have linked migration with economic, security and cultural issues³⁵. The political climate and especially the popularity of extreme right-wing nationalistic parties are conducive to the mobilization of anti-immigrant feelings against immigrants³⁶. The refugee crisis in Europe has fueled

³² Eurobarometer, “EU’s response to the war in Ukraine”, May 2022, available online: <https://europa.eu/eurobarometer/surveys/detail/2772>, accessed 20 October, 2022.

³³ Samuel Osborne, “Most Europeans want immigration ban from Muslim-majority countries, poll reveals”, *Independent*, February 7, 2017, available online: <https://www.independent.co.uk/news/world/europe/most-europeans-want-muslim-ban-immigration-control-middle-east-countries-syria-iran-iraq-poll-a7567301.html>, accessed October 19, 2022.

³⁴ Michal Krzyżanowski; Anna Triandafy Iliadou and Ruth Wodak, “The Mediatization and the Politicization of the “Refugee Crisis” in Europe”, *Journal of Immigrant and Refugee Studies*, vol. 16, 2018, p. 2.

³⁵ Maurice Mante, “Testing the Group threat theory in an European context”, Bachelor thesis, 2018, https://frw.studenttheses.ub.rug.nl/1337/1/Maurice_Mante_post-peer_review_1.pdf, accessed January 6, 2022.

³⁶ Eldad Davidov; Moshe Semyonov, „Attitudes toward immigrants in European societies”, *International Journal of Comparative Sociology*, vol. 58, no. 5, 2017, p. 359.

nationalist and xenophobic attitudes among citizens of the European Union. There are several examples of right-wing populist parties that have been electorally successful without mobilizing grievances about economic change or political elitism and corruption. Therefore, there are studies that comprehensively show that only the appeal of the immigration issue unites all successful populist right-wing parties³⁷. Today, the biggest victims of anti-immigration discourse and actions in Europe are Muslims. The Ukrainian have brought a paradigm shift in the discourse of European political leaders. Politicians known for their anti-migration views calling for support for those fleeing the conflict. Politicians who promised to stop illegal immigration changed their position and declared that it is natural to welcome refugees fleeing Russia's war in Ukraine because they are Christians and Europeans, who are different from Muslim refugees from Syria and Afghanistan. Leaders adopted a more determined and coherent approach on the refugee crisis in Ukraine. In Bulgaria, President Rumen Radev said that: "These are not the refugees we are used to, these people are Europeans. These people are intelligent, they are educated people. This is not the refugee wave we have been used to, people we were not sure about their identity, people with unclear pasts, who could have been even terrorists"³⁸. The Spanish leader of the far right Vox party Santiago Abascal said that his country should welcome Ukrainian refugees, but not Muslims. "Anyone can tell the difference between them Ukrainian refugees and the invasion of young military-aged men of Muslim origin who have launched themselves against European borders in an attempt to destabilize

³⁷ Elisabeth Ivarsson, "What Unites Right-Wing Populists in Western Europe? Re-Examining Grievance Mobilization Models in Seven Successful Cases", *Comparative Political Studies*, vol. 41, no. 1, 2008, p. 18.

³⁸ ***, "Europe welcomes Ukrainian refugees-others, no so much", *The Economic Times*, February 28, 2022, available online: <https://economictimes.indiatimes.com/news/international/world-news/europe-welcomes-ukrainian-refugees-others-not-so-much/articleshow/89892325.cms>, January 7, 2023.

it”³⁹. Danish Conservative politician Marcus Knuth said: “We will, of course, help all Ukrainians. But we say no to inviting 2,300 Afghans and Syrians, etc.”⁴⁰. The current prime minister of Italy, Giorgia Meloni had an anti-immigration background, while pleading for the support of Ukraine. Matteo Salvini, the leader of Italy’s populist radical right League, said that he would not accept Italy being the refugee camp for Europe, while he announced he would take a plane to the Ukrainian border to facilitate the travel of Ukrainian refugees to Italy⁴¹.

These are just a few examples of the remarkable changes in public statements and discourse we have seen about refugees in Europe since the start of the Russia-Ukraine war. Political leaders who are staunch opponents of liberal refugee policies are now openly supporting refugees. European citizens, including those who vote for radical right parties, have been supportive of the decision to welcome Ukrainian refugees. Several African leaders, including, Nigerian President Muhammadu Buhari criticized the discrimination⁴². The African Union stated that “reports that Africans are singled out for unacceptable dissimilar treatment would be shockingly racist and in breach of international law,” and called for all countries to show the same

³⁹ Alyssa McMurtry, “Spain Vox Party leader says Ukrainian refugees, not Muslims should be welcome”, *Anadolu Agency*, March 2, 2022, available online: <https://www.aa.com.tr/en/europe/spain-s-vox-party-leader-says-ukrainian-refugees-not-muslims-should-be-welcome/2521463>, accessed January 6, 2023.

⁴⁰ Rayhan Uddin, “Russia-Ukraine war: These European politicians welcome Ukrainian refugees - but not Muslim ones”, *Middle East Eye*, March 7, 2022, <https://www.middleeasteye.net/news/russia-ukraine-war-right-wing-welcome-refugees-not-muslims>, accessed January 6, 2022.

⁴¹ Leyla Hadj-Abdou, “Explaining the remarkable shift in European responses to refugees in following Russia invasion of Ukraine”, *Migration Policy Center*, available online: <https://migrationpolicycentre.eu/attitudes-towards-ukrainian-refugees/>, January 5, 2023.

⁴² ***, “Nigeria condemns treatment of Africans trying to flee Ukraine”, *The Guardian*, March 2, 2022, available online: <https://www.theguardian.com/world/2022/feb/28/nigeria-condemns-treatment-africans-trying-to-flee-ukraine-government-poland-discrimination>, accessed January 3, 2023.

treatment to people fleeing the war⁴³. A message in the same line was communicated by Antonio Guterres, the United Nation Secretary General: "I am grateful for the compassion, generosity and solidarity of Ukraine's neighbours who are taking in those seeking safety. It is important that this solidarity is extended without any discrimination based on race, religion or ethnicity."⁴⁴ The UN High Commissioner for Refugees also stated that that it is essential that countries accept all refugees regardless of race⁴⁵.

Conclusions

After this analysis, it is almost impossible that a new wave of refugees generated by the lack of grain as a result of the war in Ukraine will be received with less hostility than in 2015. The year 2015 showed us that Europeans are reluctant to accept non-European refugees. The hope that we have learned something from the Ukrainian refugee crisis seems to be on the verge of failure. Tensions between France and Italy have escalated since Italy's new government barred the Ocean Viking ship from docking with 230 migrants. Therefore, this recent event prove that suffering and solidarity is only for "ours". It reinforces the idea that solidarity has no universal meaning, but it builds on cultural and ethnical approach. Double standard is a cruel reality. All the above arguments in accordance with the theory demonstrate how important culture, ethnicity, religion and including economic factors are for Europeans. The hope that the crisis in Ukraine would have been a turning point in

⁴³ Renata Brito, "Europe Welcomes Ukrainian Refugees – Others Less So," *AP News*, 28 February 2022, available online: <https://apnews.com/article/russia-ukraine-war-refugees-diversity-230b0cc790820b9bf8883f918fc8e313>, accessed January 7, 2023.

⁴⁴ Antonio Guterres, Twitter, 28 February 2022, available online: <https://twitter.com/antonioguterres/status/1498369409437425667>, accessed November 28, 2022.

⁴⁵ NHCR, Twitter, 27 February 2022, available online: <https://twitter.com/Refugees/status/149804200263359693>, accessed November 28, 2022.

European migration policies did not materialize. Migrants and refugees from elsewhere trying to get to Europe are still dying, facing abuse and struggling to access essential services. More than 48,000 migrants have died or disappeared since 2014 trying to reach Europe by sea, while an unknown number is believed to have died or disappeared in the Sahara Desert and other land routes⁴⁶. Survey shows strong support for Ukrainian refugees in contrast to the overwhelming endorsement of the pushbacks of the mostly Muslim refugees.

The political attitudes, electoral choice prove that people especially choose parties that oppose migrants, recent example of Italy. These orientalist double standards can be shown by how political leaders have “explained” that Ukrainian refugees are “different,” as “they’re civilized.”⁴⁷ We see double standards being applied in our legal and political systems to those who are perceived as “others,” being treated differently. Nevertheless, the double standards that are also applied to those who are perceived as a threat, uncivilized or dangerous. According to xenophobic and neo-racist perspectives in Europe, if you are a native person, you deserve respect and a humane treatment, but if you have an immigrant background, you do not deserve respect and humane treatment. The same empathy and support rightly shown towards Ukrainian refugees has been absent when it comes to reporting on refugees from the global south. The bombs are no different when they fall in Kyiv than when they fall in Damascus. The war in Ukraine and the reception of refugees was not a moment when the Europeans changed their attitude. Both refugee groups are fleeing from violence, potentially

⁴⁶ ***, “Europe criticized over double standards on migrants”, *InfoMigrants*, 17 May 2017, available online: <https://www.infomigrants.net/en/post/40569/europe-criticized-over-double-standards-on-migrants>, accessed December 1, 2022.

⁴⁷ Azeem, Ameena, “A Political Inquiry into Double Standards and the Puzzle of Common Humanity”, M.A. Research Paper, The University of Western Ontario, 2022, https://ir.lib.uwo.ca/cgi/viewcontent.cgi?article=1015&context=politicalscience_maresearchpapers, accessed December 1, 2022.

even from Russian bombs, and living conditions that endanger their very survival. If there is one positive outcome of the war in Ukraine, it is how a humanitarian response to refugees can and should look. Incredible story of open borders, homes and hearts must not end.

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UKRAINIAN REFUGEES, IDENTITY AND SOCIAL CHALLENGES AT THE LEVEL OF BIHOR COUNTY

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Abstract. The context of the war in Ukraine has caused a number of major changes and created problems in several areas: supply to the global markets of food products and fertilizers, maintaining the price of crude oil at high levels, the reduced participation in global exports of the 2 countries in conflict, damage to the transport infrastructure in the war zone, the limitation of economic activity and the increase in prices, energy risks and last but not least the wave of refugees leaving the face of the war.

The work entitled “Refugees, identity and social challenges at the level of Bihor County” aims to carry out a brief analysis of the number of Ukrainian refugees (students) who have transited the territory of Bihor County as well as the school population registered at the level of educational institutions in Bihor.

In order to carry out this research, the centralizing situations existing at the level of the Bihor County school inspectorate regarding Ukrainian students will be analyzed.

Since the beginning of the war period, at the level of the Bihor County School Inspectorate, a commission was established consisting of the general school inspector, 3 inspectors, 2 school principals, the director of the County Resource Center and Educational Assistance. The duties of this commission are as follows: providing advice for Ukrainian parents and students,

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registering specific applications/documents for enrolling students in school, issuing decisions regarding enrolling students in schools in Bihor.

Keywords: refugees, migrants, education, social challenges.

Introduction

Unfortunately, today's society "...is witnessing unprecedented human mobility with a growing number of people fleeing every day from their home country to avoid being killed or used as a human shield by the extremists"³. A considerable proportion of those fleeing war are children.

In the work entitled *Education, war & peace*, James Tooley and David Longfield consider that: "...we can summarise the standard approach to education in conflict and post-conflict states as consisting of the following three propositions. Proposition 1: Government education is a cause of conflict. Much evidence suggests that government involvement in education may often have been one of the significant problems that caused conflict. Proposition 2: During conflict, private education emerges. Even when their nations are in civil war, parents' desire for education for their children does not go away. This leads to fee-paying 'community schools' – a type of private school – emerging during conflict. Proposition 3: As peace is restored, governments must 'normalise' education. Once peace is restored, the aim of governments in fragile states is to 'normalise' education as quickly as possible, by introducing proper ministries of education to do things normal governments do and by incorporating the 'community schools' into the state sector. International aid is required. This will now be the 'right kind'

³ Enakshi Sengupta, Patrick Blessinger, *Strategies, policies, and directions for refugee education*, Emerald Publishing Limited Howard House, UK, 2018, available online: <https://books.emeraldinsight.com/resources/pdfs/chapters/9781787147980-TYPE23-NR2.pdf>, p. 15-16, accessed on 25.10.2022.

of government involvement in education, unlike before. In several armed conflicts, education has been actively used to reinforce political domination, the subordination of marginalized groups and ethnic segregation. The use of education systems to foster hatred has contributed to the underlying causes of violence in conflicts from Rwanda to Sri Lanka. And in many countries, schools have become a flashpoint in wider conflicts over cultural identity"⁴.

The serious problems faced by the migrant population, in addition to the lack of education, are represented by finding a job, a stable residence, the language barrier, the economic crisis, urbanization, poverty, political instability, in some cases poor health and not infrequently conflict with the host community. Managing migrant populations and providing basic social and educational services to these people have become pressing concerns of both governmental and non-governmental bodies especially in countries facing this situation.

There are many key elements or factors that leave their mark on the education of refugees, among which we mention: support for early education, school entry age, children's abilities, the quality of the instructional-educational process, the conditions offered by the school, the methodological rigor, the diversity of the curriculum, the opening of the institution of education towards cultural and religious diversity. Also, support for foreign language learning was an essential component in ensuring the education of refugee children. At the same time, the emphasis must be placed on early education because early education contributes to the development of communication skills in a foreign language while helping to form reading and writing skills.

In this paper, I proposed to carry out an analysis of the situation of Ukrainian students who were registered in the educational units of the

⁴ James Tooley, David Longfield, *Education, war and peace. The Surprising Success of Private School in War-Torn Countries*, IEA Institute of Economic Affairs, 2017, p. 5.

Bihor County from the beginning of the war until January 2023. The methods used in the research are: document analysis and semi-structured interview with 23 questions. In carrying out this mini-research, we started by analyzing the existing documents at the level of the Bihor County School Inspectorate (documents of the committee that manages the situation of these students: enrollment requests, the register of Ukrainian students). At the same time, I designed a semi-structured interview that I administered to a number of 6 teaching staff (five of them coming from a special education unit and one from a mass education unit, a private kindergarten). The interview was applied to a number of 6 subjects, female teachers, aged between 35-45 years, of Romanian nationality, all coming from the urban environment, with a seniority in education between 13 and 21 years. The results of this mini-research are included in this paper.

Blessinger and Sengupta consider that "...in an era of increasing political instability, xenophobia, racism, religious and ethnic persecution, genocide and threats to democracy and human rights education, civic and other leaders should do more to ensure refugees have access to education, including higher education"⁵.

The United Nations is an international organization founded in 1945. On the website of that organization we find the definition of refugee as: "owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence, is unable or, owing to such fear, is unwilling to return to it"⁶.

⁵ Patrick Blessinger & Sengupta Enakshi *Inclusive higher education must cater for refugees*. University World News: The Global Window on Higher Education, 2017, 471, 1-2.

⁶ United Nation, "Pace dignity and equality on a healthy planet", available at <https://www.un.org/en/global-issues/refugees>, accessed on 26.10.2022.

According to the Cambridge dictionary, “refugee is defined as a person who has escaped from their own country for political, religious, or economic reasons or because of a war”⁷.

“Social challenges refer to **problems that people have interacting with people in society or engaging in normal social behaviors**. A person who cannot hold a job or have a conversation is an example of a person with social challenges”⁸.

In the opinion of Constantin Cuceș, in the work *Pedagogy*, 3rd edition revised and added, 2014, “Education, it is known, is a teleological endeavor par excellence oriented towards reaching a goal, which implies the determination of some stages in advance to reach to those desirable visions targeted by some or others (educators, educators, parents, society, etc.)”⁹. In the same work, author, presents the new educations, putting in the foreground “...the education for peace that aims at dialogue and cooperation, improving relations between communities, training people to defend and safeguard peace and tranquility”¹⁰.

In the work “Theoretical approach of critical thinking in education”, published in *Journal Plus Education*, 2022, Alina Felicia Roman and Carina Nădăban consider that: “Teaching is the activity through which the learning process is organized and conducted. It is based on didactic communication through which the relationship between teacher and student is achieved”¹¹.

During the educational process, at every moment of it, a multitude of social, psychological, biological and physical factors coexist and

⁷ *Cambridge dictionary*, available at <https://dictionary.cambridge.org/dictionary/english/refugee>, accessed 26.10.2022.

⁸ *Your dictionary*, available at, www.yourdictionary.com/social-challenges, accessed on 26.10.2022.

⁹ Constantin Cuceș, *Pedagogie, ediția a III-a revăzută și adăugită*, Editura Polirom, 2014, p 68.

¹⁰ *Ibid*, p 68.

¹¹ Roman Felicia Alina, Nădăban Carina, 2022, *Theoretical approach critical thinking in education*, published in *Journal Plus Education*, p 11, available online: <https://uav.ro/jour/index.php/jpe/article/view/1709/1703>, accessed on 28.10.2022.

interfere, more or less involved in the educational process and in different forms of mutual action. All these factors refer to the social and cultural context, to the education system, to its curricular requirements, to the pedagogical strategies and the entire training methodology, to the personality and psycho-intellectual potential of the student as well as to the personality of the teacher and not least turn to the results obtained.

The context of the war in Ukraine has caused a number of major changes and created problems in several areas: supply to the global markets of food products and fertilizers, maintaining the price of crude oil at high levels, the reduced participation in global exports of the 2 countries in conflict, damage to the transport infrastructure in the war zone, the limitation of economic activity and the increase in prices, energy risks and last but not least the wave of refugees leaving the face of the war.

“Human migration and mobility may well be age-old phenomena touching almost every society around the world. However, they have changed over time in important ways. Examining these shifts in scale, direction, demography and frequency can help us understand how migration is evolving, and can inform effective policies, programmes and operational responses on the ground. The current global estimate is that there were around 281 million international migrants in the world in 2020, which equates to 3.6 percent of the global population. 1 A first important point to note is that this is a very small minority of the world’s population, meaning that staying within one’s country of birth overwhelmingly remains the norm. The great majority of people do not migrate across borders; much larger numbers migrate within countries.2 That said, these estimates relate to migrant populations, rather than movement events. The COVID-19 pandemic has highlighted the interconnections between migration and mobility, with COVID-19 travel restrictions resulting in unprecedented immobility around the world”¹² .

¹² IOM *un migration, World migration report 2022*, available online at: <https://publications.iom.int/system/files/pdf/WMR-2022.pdf>, p 13-37, accessed on 11.01.2023.

“At the universal level, the most comprehensive legally binding international instrument, defining standards for the treatment of refugees is the United Nations Convention relating to the Status of Refugees of 28th July 1951. This Convention was adopted in the immediate post-World War II period, when the refugee problems confronting the international community, were mainly those of refugees of European origin. It was for this reason that the Convention contained a deadline which limited its application to the then known groups of refugees, i.e. persons who had become refugees as a result of events occurring before 1st January 1951 (...)After the adoption of the 1951 Convention, refugee situations began to arise in different regions of the world, which were not in any way related to pre-1951 events. This led to efforts to make the Convention fully applicable in all new refugee situations, based on the recognition that the 1951 Convention should become the universal international instrument for the protection of refugees. It resulted in the United Nations Refugee Protocol which removed the 1951 dateline in the Convention and which was opened for accession on 31st January 1967. To date, 114 States in all regions of the world have become parties to the 1951 Convention and/or to the 1967 Protocol”¹³.

“A migrant, on the other hand, or an immigrant is considered to be someone who chooses to move, motivated by the desire to seek better opportunities in life to avoid economic hardship and poor governance of their own country. Documented refugees are entitled to receive support from resettlement agencies in the form of economic support, employment services, education, and psychological services, while immigrants and undocumented refugees are largely left to fend for themselves, unless they are fortunate enough to find NGOs and other charitable organizations offering such assistance”¹⁴.

¹³ The Refugee Convention, 1951 The Travaux Préparatoires Analysed with a Commentary by Dr Paul Weis <https://www.unhcr.org/4ca34be29.pdf>, p 4, accessed on 11.01.2023.

¹⁴ Enakshi Sengupta, Patrick Blessinger, *Strategies, policies, and directions for refugee education*, Emerald Publishing Limited Howard House, UK, 2018, Available online: <https://books>.

The Convention relating to the status of refugees, confirmed on July 28, 1951 in Geneva, became effective on April 22, 1954, mentions in article 22 the following aspects regarding to the educational status of refugees: “1. The Contracting States shall accord to refugees the same treatment as is accorded to nationals with respect to elementary education. 2. The Contracting States shall accord to refugees’ treatment as favourable as possible, and, in any event, not less favourable than that accorded to aliens generally in the same circumstances, with respect to education other than elementary education and, in particular, as regards access to studies, the recognition of foreign school certificates, diplomas and degrees, the remission of fees and charges and the award of scholarships”¹⁵.

“The European governments have taken commendable steps toward improving the access to education for refugee and migrant children in order to minimize the legal and practical barriers and protocols. A notable progress can be measured in enrolment of refugee and migrant children into formal education – reaching up to 40% of stranded refugee and migrant children in Greece and the Balkans, but the daily surge of migrants makes this relief effort look insignificant. Studies conducted by UNICEF and other relief agencies have shown that less than half of unaccompanied children on the Central Mediterranean Route left home with the idea to come to Europe with the aim to access a better world comprised of opportunities for better education and human rights”¹⁶.

The provision of quality education for such deprived children depends upon recruiting and retaining skilled teachers.

emeraldinsight.com/resources/pdfs/chapters/9781787147980-TYPE23-NR2.pdf, p. 6, accessed on 25.10.2022.

¹⁵ CONVENTION RELATING TO THE STATUS OF REFUGEES PREAMBLE <https://www.unhcr.org/4d934f5f9.pdf>, article 22, p. 26 accessed on 11.01.2023.

¹⁶ *Ibid.*, p. 4, accessed on 25.10.2022.

“A substantial and growing body of international literature exists on the topics of education for refugee students and education for disabled students, and each can be regarded as a subfield of education. A number of studies focus on policy and practice in refugee education, with a focus on the challenges of educating refugees in national systems alongside their peers in the host society. The education of disabled students has been captured in the literature of special education, inclusive education, and disability studies in education, all of which offer different, sometimes competing, visions of where and how disabled students should be educated”¹⁷.

The work entitled “Refugees, identity and social challenges at the level of Bihor County” aims to carry out a brief analysis of the number of Ukrainian refugees (students) who have transited the territory of Bihor county as well as the school population registered at the level of educational institutions in Bihor.

In order to carry out this research, the centralizing situations existing at the level of the Bihor County school inspectorate regarding Ukrainian students will be analyzed.

The legislative framework that regulates the educational process for students in special situations, who come from the conflict zone, refugee children from Ukraine are as follows:

- ORDER No. 3363/2022, “regarding the approval of the coordination commission component of the activity of assigning preschoolers/students to the educational units where they can carry out educational activities, as well as in the institutions where they will benefit from psycho-pedagogical assistance and counseling, of the

¹⁷ Elizabeth Walton, Joanna McIntyre, Salome Joy Awidi, Nicole De Wet-Billings, Kerry Dixon, Roda Madziva, David Monk, Chamunogwa Nyoni, Juliet Thondhlana and Volker Wedekind, *Compounded Exclusion: Education for Disabled Refugees in Sub-Saharan Africa*, <https://nottingham-repository.worktribe.com/output/4332313/compounded-exclusion-education-for-disabled-refugees-in-sub-saharan-africa> p. 3, accessed on 20.01.2023.

organization and functioning procedure of it and for the approval of the Registration Procedure as students in the courses of the educational units of minors in special situations who come from the zone of armed conflict in Ukraine and enter the territory of Romania”¹⁸.

- APPENDIX 1: PROCEDURE regarding the organization and functioning of the Commission for coordinating the activity of assigning preschoolers/students to educational units where they can carry out educational activities, as well as in the institutions where they will benefit from psycho-pedagogical assistance and counseling
- APPENDIX 2: REGISTRATION PROCEDURE as listeners to the courses of the educational units of minors in special situations who come from the area of the armed conflict in Ukraine and enter the territory of Romania.

Since the beginning of the war period, at the level of the Bihor County School Inspectorate, a commission was established consisting of the general school inspector, 3 inspectors, 2 school principals, the director of the County Resource Center and Educational Assistance. The duties of this commission are as follows: providing advice for Ukrainian parents and students, registering specific applications/documents for enrolling students in school, release decisions regarding enrolling students in schools in Bihor.

Since the beginning of the war in Ukraine, a number of 103 students have been registered in the Bihor County database.

About student status at the level of Bihor County we have 80 active students (72 active students + 8 students in online), unfortunately 12 gone, 2 not presented and 9 retired.

¹⁸ Portal legislativ, <https://legislatie.just.ro/Public/DetaliuDocument/252569>, accessed on 09.10.2022.

Table no. 1. The situation and status of Ukrainian students registered at the level of Bihor county (January 2023)

Total number of registered children	active students	students in online	withdrawn students	outgoing students	absentee students
103	72	8	9	12	2

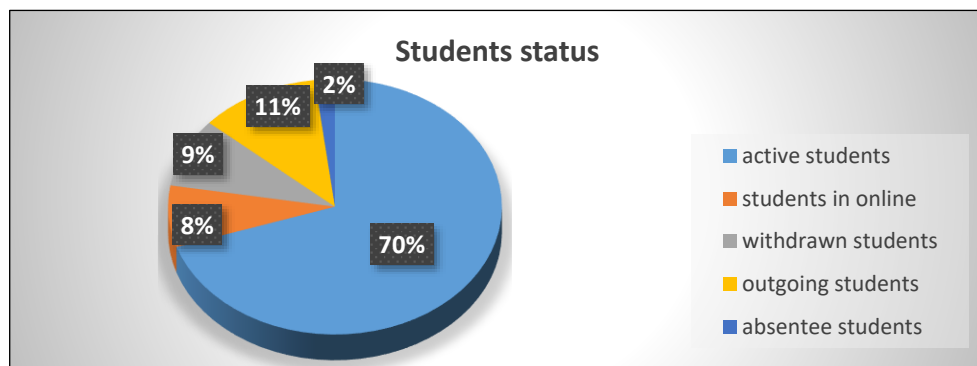


Chart 1. Students status

Classifying students according to gender (7 Romanian citizens, 96 Ukrainian).

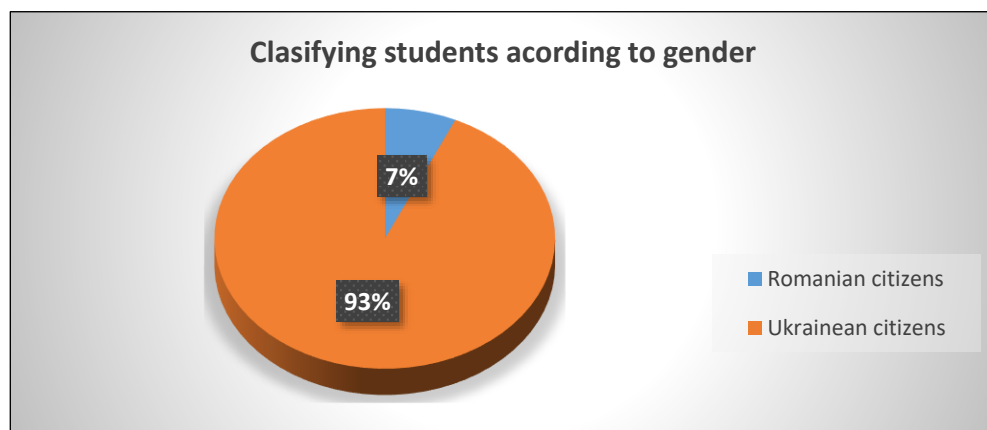


Chart 2. Students gender

From the total number of 103 students 66 are girls and 37 boys.

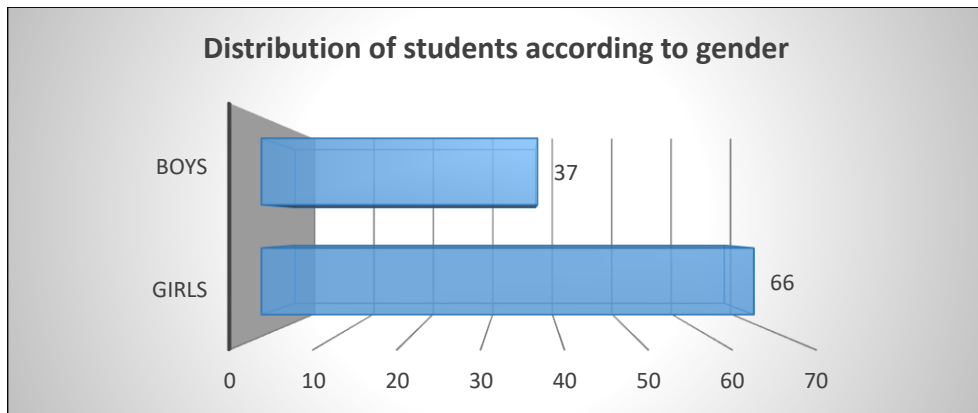


Chart 3. Percentage of girls/boys

Out of the total 80 applications registered and processed at the Bihor County School Inspectorate, 30 were preschool children, 23 for the primary school, 21 for the gymnasium cycle and 6 for the high school.

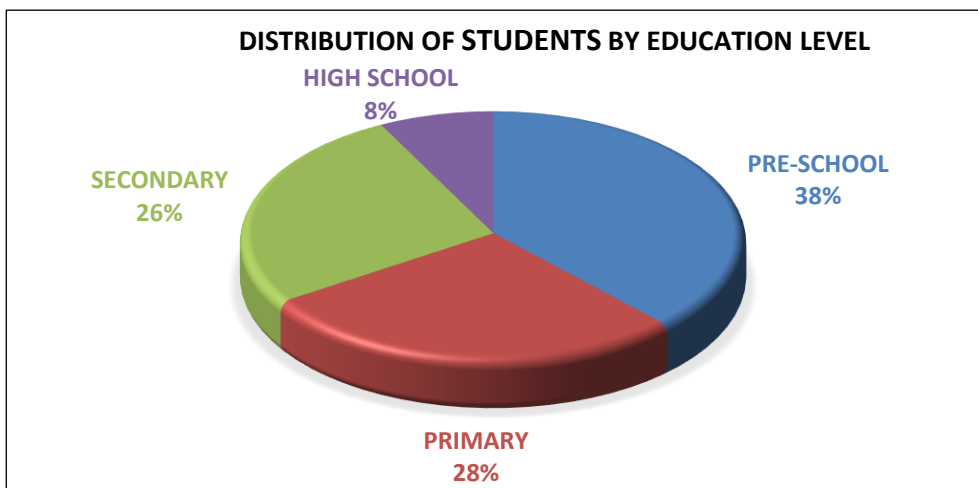


Chart 4. Percentage – distribution of students by schooling level

The educational institutions in Bihor County where Ukrainian students are registered and the number of students in each institution can be viewed in the table above:

Table no. 2. Educational institutions in Bihor
where Ukrainian students are enrolled

N o.	Institution	No. of students
1.	LICEUL DE ARTE ORADEA	4
2.	GRĂDINIȚA CU PROGRAM PRELUNGIT Nr. 1 ALEȘD	2
3.	CENTRUL ȘCOLAR DE EDUCAȚIE INCLUZIVĂ NR. 1 ORADEA	4
4.	GRĂDINIȚA CU PROGRAM PRELUNGIT "CASA MINUNATĂ" ORADEA	1
5.	GRĂDINIȚA CU PROGRAM PRELUNGIT NR. 54 ORADEA, STRUCTURA GPP NR.42	1
6.	COLEGIUL NAȚIONAL „IOSIF VULCAN” ORADEA	1
7.	GRĂDINIȚA CU PROGRAM PRELUNGIT NR.50 ORADEA - STRUCTURA GRĂDINIȚA CU PROGRAM PRELUNGIT NR. 27	7
8.	LICEUL TEORETIC GERMAN "FRIEDRICH SCHILLER" ORADEA	2
9.	LICEUL TEOLOGIC PENTICOSTAL „BETEL” ORADEA	2
10.	LICEUL TEHNOLOGIC NR.1 ȘUNCUIUȘ	7
11.	ȘCOALA GIMNAZIALĂ "OCTAVIAN GOGA" ORADEA	3
12.	COLEGIUL TEHNIC „ALEXANDRU ROMAN" ALEȘD	1
13.	LICEUL TEORETIC „CONSTANTIN ȘERBAN" ALEȘD	5
14.	ȘCOALA GIMNAZIALĂ „PUIU SEVER" INEU	1
15.	LICEUL TEHNOLOGIC „FELIX" SÂNMARTIN	2
16.	COLEGIUL NAȚIONAL „EMANUIL GOJDU" ORADEA	1
17.	GRĂDINIȚA CU PROGRAM PRELUNGIT NR. 52 ORADEA- STRUCTURA GPP NR.35 ORADEA	1
18.	GRĂDINIȚA CU PROGRAM PRELUNGIT NR. 25	1
19.	ȘCOALA GIMNAZIALĂ "NESTOR PORUMB" TULCA	1
20.	GRĂDINIȚA CU PROGRAM PRELUNGIT NR. 28	1
21.	GRĂDINIȚA CU PROGRAM PRELUNGIT NR. 1 MARGHITA	6
22.	COLEGIUL NAȚIONAL „OCTAVIAN GOGA" MARGHITA	11
23.	LICEUL TEORETIC „LUCIAN BLAGA" ORADEA	2
24.	ȘCOALA GIMNAZIALĂ „DUMITRU RADU POPESCU" NOJORID - STRUCTURA ȘCOALA GIMNAZIALĂ NR. 2 LIVADA	4
25.	LICEUL TEOLOGIC BAPTIST „EMANUEL" ORADEA	2
26.	GRĂDINIȚA CU PROGRAM NORMAL NR. 2 LIVADA	1
27.	LICEUL SPORTIV "BIHORUL" ORADEA	1
28.	GRĂDINIȚA CU PROGRAM PRELUNGIT NR. 50, structura GRĂDINIȚA CU PROGRAM PRELUNGIT NR. 44	1
29.	GRĂDINIȚA CU PROGRAM PRELUNGIT LUTHERANA	2

In this moment (10 January 2023), we have 80 active Ukrainian students and they are enrolled in 30 schools from Bihor County. As you can see in the table displayed, we have institutions that have 1,2,3,4,5, 6, 7 or even 11 Ukrainian students enrolled.

All children from the zone of armed conflict on the territory of Ukraine, preschoolers or pupils, benefit from educational activities, extracurricular activities - without obtaining the quality of audience, psycho-pedagogical assistance and counseling, the right to food allowance, depending on the needs and options expressed by their legal representatives.

All the educational units in Bihor County showed their willingness to enroll refugee children and could request to increase the number of places in the classes where Ukrainian students were assigned. Following the submission of the application for enrollment by the parent/legal guardian to the Bihor County School Inspectorate, the educational unit received an address and decision regarding the assignment of the student. The level/class to which the minor was assigned was determined by the educational institution following an evaluation and mutual agreement with the minor's parents/legal representatives.

In Bihor County there are no classes taught in Ukrainian or teachers with this specialization, as a result the minors attended courses taught in Romanian, most of them not being speakers/knowers of the Romanian language.

The Bihor County School Inspectorate initiated the steps to organize an INITIATION COURSE IN THE ROMANIAN LANGUAGE, as follows:

- the activities will be organized at the Pentecostal Theological High School "Betel" Oradea;
- the groups will be made up according to the requests received;
- the course will take place physically for students/preschoolers attending the educational units in Oradea, with the possibility of connecting online for participants from the county;
- the parent/legal representative of the minor will fill out a registration application which he will send signed and scanned to the secretariat of the Pentecostal Theological High School "Betel" Oradea;
- in the request, the following information regarding the minor is mentioned: date of birth, class to which he is assigned, name of the

institution, locality and level of knowledge of the Romanian language (not at all/medium).

The Bihor County School Inspectorate identified Ukrainian or Russian speakers in the system, given that, in Bihor County, there are no classes that study these languages. Their small number does not allow the organization of a study program with the competition of these teaching staff. We have not been approached for collaboration on this topic by other organizations. However, we were asked to disseminate some training activities addressed to teachers in the county who teach Ukrainian students on topics aimed at socio-emotional well-being, the development of refugee children's inclusion skills.

Based on the partnership agreement no. 1150/19.05.2022, carried out by the "Nicolae Popoviciu" Beiuș Secondary School and the "Carpathian New Horizons" Association Ukraine, the "Summer School - School for the Community" Program was implemented, project approved by ISJ Bihor and registered with no. 501/23.05.2022. Thus, 13 refugee children from Poroskovo - Ukraine, who in the 2021/2022 school year carried out their online activity with schools in Ukraine, benefited from the camp within the Summer School, between 27.06.2022 and 01.07.2022.

In this paper we will present the centralization of the answers received to some of these items, more precisely to 14 items. The interview was applied to a number of 6 teachers working with Ukrainian students. The interview included a set of 23 questions of which related to personal information about the respondent and the others 18 with direct reference to the issue of refugee students from Ukraine.

We applied the questionnaires to a number of 6 teaching staff from two educational units that educate students with special educational requirements. The centralized responses can be viewed in the table below:

Migration Dynamics and New Trends in European (In)Security...

The question	Person 1	Person 2	Person 3	Person 4	Person 5	Person 6
1. The name	D.G.A.	T.L.	V. A.	D.M.L.	M.A.M.	P.M.
2. The specialty	physical therapy	Romanian language	psycho-educator	special psychopedagogy	psychology	social assistance
3. Teaching degree	Didactic degree I	Didactic degree I	Definitive teaching degree	Didactic degree I	Didactic degree I	Didactic degree I
4. The position occupied	physical therapy teacher	Romanian language teacher	psycho-educator	teacher of special psychopedagogy	Teacher for preschool education	preschool special education teacher
5. Seniority in education	19	21	15	13	21	14
6. When were you notified that you will have Ukrainian children/students in your group/class?	during the school year	shortly time after school starts	last year at the end of March	last school year in March/April	2 months ago	April 2022
7. How did you react?	Naturally, I accepted the situation	That news aroused my curiosity, I took it as a challenge and I was happy that I could also contribute to the integration of those in need.	I was glad that we could help, being an institution with years of experience in educating and integrating children with SEN, Sonya came to the right place. At the time, I had the large group, a group in which children with CES were already integrated, and the other children received her with great openness and tried to offer her as much support as possible.	Slightly worried and preoccupied (there were many of us at the time, 11 students with his arrival) but in a good way, just like when welcoming any new child; that is, concerned with diagnosis, functionality and group integration with other children. Any new entry changes the dynamics of the group of children in general until things settle down.	I was receptive, I didn't have any negative reaction, just a little fear of how the activities will be carried out, the integration of the child with the rest and how I will be able to contribute to help him.	With emotions, I didn't know what it meant for the language barrier
8. Is this your first experience of this kind? I mean the first time you have refugee children/students in your group/class?	First experience of this kind	Yes, it is the first experience of its kind.	yes, it's the first time	yes	yes	yes

Ukrainian refugees, identity and social challenges at the level of Bihor county

The question	Person 1	Person 2	Person 3	Person 4	Person 5	Person 6
<p>9. How do they do in carrying out their activities and tasks?</p>	<p>with difficulty</p>	<p>helps to complete/ solve required tasks.</p>	<p>To begin with, we carried out Sonya's evaluation, adapted to her level of development. Following the detection of learning difficulties and the level of cognitive acquisitions, the intervention strategy was outlined. In carrying out the intervention plan, I used operational objectives and adapted learning activities, ensuring adequate support for her development. At first it was more difficult, she only wanted to do what she wanted, she did not stay in the group rooms, she had a tendency to escape from any task , from any activity either group activity or 1:1 activity. But with a lot of patience, consistency, support and openness of the children and last but not least the guardian-parent-shadow collaboration, after only a few months the progress is considerable both in terms of learning and communication skills as</p>	<p>He has not mastered the lexical and graphic act even in his mother tongue. Tasks received are on motor skills, matching, matching, pre-set patterns for gluing, modeling where he receives 1-1 support. He is not always cooperative and willing to do. He prefers to sit alone sometimes, sometimes he sits alone on the bench. But as such he does not sit on the bench; he does not like it.</p>	<p>Very difficult, she is very scared, has no rules, behaviors of anger and hysteria, etc.</p>	<p>very little, he loses interest extremely quickly</p>

The question	Person 1	Person 2	Person 3	Person 4	Person 5	Person 6
			well as social and personal autonomy. We manage to keep the routine and structure of activities in the kindergarten. The time spent in activities depends on their type. In the play activities, in the activities organized in small groups or 1:1, he manages to maintain his attention and stay for about 10-15 minutes while with the whole group he manages to spend less time.			
10. How did he adapt to the educational environment in Romania?	Pretty hard	He has settled in very well in our school, I can tell by the reactions and frequency.	He settled in very well, but this is also due to our flexible and child-centered approach.	I think good. Given their situation... foreign country, foreign language. It must be hard for them too.	Pretty hard	very well
11. How did the other parents react to the appearance of the child from Ukraine?	They reacted well, they showed tolerance and understanding	They were open, they empathized with the student's parents.	There was great openness and acceptance.	Good. There were no dissatisfactions and misunderstandings of any kind.	very ok	The parents of the other children warmly welcomed them into the collective of the group
12. What about the other students in the class?	The children are the ones who accepted the girl from the beginning	They were all curious at first, eager to come to school, glad to have a classmate from Ukraine, especially since the moderates	They all welcomed Sonya with joy, with openness and the desire to offer support when needed.	Very well. They knew and know that he is a foreign student and does not speak our language, but the children are welcoming and jumpy as far as he is concerned.	Good enough. And now they love it very much.	The other preschoolers in the group look forward to her every morning. The girl has daily periods.

Ukrainian refugees, identity and social challenges at the level of Bihor county

The question	Person 1	Person 2	Person 3	Person 4	Person 5	Person 6
		are aware (from TV) of the war issue				
13. Would you be willing to accept refugee students from Ukraine or other conflict zones in your group/class?	Yes	Yes, if that's the case, it's only human to help if you can.	Yes	Yes. But I don't think it's up to me. As long as the child is of age, the diagnosis and the number of the group/class can be completed with children, I think it is possible. Ideally, however, the level of functionality should also be taken into account, but this is not only the case for foreign children, but in general. I know this aspect is difficult but sometimes it matters.	Yes	One I think is enough
14. Do you think that something should be changed in the educational system referring to the issue of migrant children/students?	Yes. Special emphasis should be placed on teaching the language of the host country.	There should be special video materials for facilitating the learning of the Romanian language and should be made available to them. Perhaps it would be good for staff to have facilitating video materials for communicating with refugee students or free courses in this regard.	I don't know very well the case of children coming from other countries. I know, however, that our educational system would need more openness, understanding and preparation regarding atypical children and not only that, regarding integration and inclusion.	Unfortunately, I do not know many aspects related to these children regarding the educational environment, I only know that there is a problem with their documents at the moment, in order to be able to equate their studies here, they have the status of audience until this aspect is resolved.	At the moment I don't know if it's needed.	All must be accepted but no more than 1-2 Ukrainian children in a group because it is too difficult to work

Conclusion

As Alina Felicia Roman and Carina Nădăban consider in Theoretical approach critical thinking in education, "...teaching is done with the help of teaching strategies aimed at help of teaching achieving teaching objectives. Through teaching, the teacher aims to form specific skills, from the curriculum, to students. The teacher has the role of designer of the learning experiences as well as the role of leader of the instructive-educational-process"¹.

It is no coincidence that I wanted to highlight the previous idea related to the teacher, to his role and importance in the formation and development of the student's personality, in achieving the connection at the class level between all students and maintaining optimal collaborative relationships with their parents, relationships based on trust and mutual support. These aspects are also reflected in the centralized answers following the applied interviews.

Centralizing and analyzing the answers received during the semi-structured interview, we observe the following:

- the period of time during which the interviewed teachers were notified of the presence of a Ukrainian student in their class is March-April for 3 subjects, September-October for another 2 subjects and during the school year for one of the subjects who does not remember accuracy of the arrival date of the Ukrainian student;
- Regarding the teachers' reaction to learning the news and the way they celebrated, we find that three of the subjects reacted naturally, enjoying and accepting the situation, two of the respondents admit a certain fear/concern and concern for the new situation and one

¹ Roman Felicia Alina, Nădăban Carina, 2022, Theoretical approach to critical thinking in education, published in Journal Plus Education, p 11, Available online: <https://uav.ro/jour/index.php/jpe/article/view/1709/1703>, accessed on 28.10.2022.

received the news with emotion, as a challenge primarily because of the language barrier;

- for all 6 subjects the presence of a Ukrainian child in their classroom represented the first experience of this kind;
- regarding the accomplishment of the tasks and the involvement of the Ukrainian children in the activity, three of the subjects state that they manage quite hard, managing to make a succinct characterization of their behavior and attitudes in the school environment: he manages to accomplish the required tasks with help, at first he only did what he wanted, he didn't sit in the group room, he had a tendency to escape from any task, but with a lot of patience, consistency and collaboration with the family and the shadow, after only a few months, the progress is considerable, in the activities organized in small groups, or 1 to 1 manages to maintain attention and perform the task for 10-15 minutes; about another child we learn that he is not always cooperative and eager to do something, he prefers to be alone and the tasks are focused on motor skills, matching, associations, pre-set patterns for gluing or modeling;
- the accommodation of Ukrainian children to the educational environment in Romania is rated as very good by 3 teaching staff and argued by the frequency of the children, their reactions, the way of approach from the institution's staff. The other 3 teachers interviewed believe that Ukrainian students have had a hard time adjusting to the system in our country;
- the other children's parents reacted very well when they found out that there would be a Ukrainian child in the child's group/class, they showed tolerance, understanding, they were open, they empathized with the student and his parents;
- The other children in the groups/classes where a Ukrainian child was registered were extremely curious at first, they were happy to

have such a classmate (children with moderate mental retardation are aware of the news on TV), and- they showed the desire to support her and despite the fact that there is that language barrier, the children are welcoming, jumpy when needed;

- asked if they would be willing to accept more Ukrainian children in the classroom, five of the six teachers answered affirmatively, considering that it is humane to help, only one teacher affirming that: "one is enough";
- the recommendations of the interviewed teaching staff regarding the issue of Ukrainian students schooled in Romania are the following: "the social integration of all students should be encouraged by organizing work in small groups to do common learning activities and transcultural events", "refugee students would be well to be provided with adequate psychological counseling to overcome war stress/trauma' and language learning courses should be initiated.

As a conclusion, we can say that at the Bihor County level, all necessary measures have been taken to register and include Ukrainian children in educational institutions and ensure specific educational services for them. Thus, a total of 80 children (72 active students and another 8 online) are registered in 30 educational units (one of which is for special education, 7 from the rural environment and 23 from the urban environment). Most of these children are preschoolers and are enrolled in 11 kindergartens (9 in Oradea, 1 in Marghita, 1 in Alesd and 1 in Livada). All the Ukrainian refugee children were very well received among the other children, accepted, supported and encouraged by the staff of the educational institution, the other children, the parents of the other children and members of the local community. The language barrier is the only one that sometimes creates problems, but we hope that with the participation in the Romanian language learning program this obstacle will be removed.

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UNHCR SUPPORT TO MOLDOVA DURING THE UKRAINIAN REFUGEE CRISIS

Şabnam-Cristina PAKNEHAD¹

Abstract. This article is dedicated to the most important organization in the world dealing with refugee issues – the “United Nations High Commissioner for refugees” (UNHCR) – which protects not only refugees, but also asylum seekers, internally displaced people (idps), stateless persons and returnees. UNHCR operates in many countries and its staff is often located in dangerous places, due to wars, conflicts, or unstable situations in those territories.

It is indicated the differentiation between the terms migrant and refugee, as most people consider that they have the same meaning.

Briefly is introduced the actual high commissioner, who visited the Republic of Moldova and Ukraine in January 2023.

The Russian-Ukrainian war led to the emergence of many millions of Ukrainian refugees, mostly women and children, who were forced to abandon their homes, jobs, schools, kindergartens and flee the country to stay alive.

In the article are explained the activities of UNHCR office reopened at Chisinau in February 2022, which together with its main local and international partners, are bringing support to the refugees from Ukraine.

Also, are specified the forms of protection which could be received by a person who seeks asylum in the republic of Moldova.

And last but not least, is made a short summary of the interview of a Moldovan family with huge heart and soul, who hosted Ukrainians, including Veronika, who at 6 years old is refugee.

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Keywords: *crisis, Ukraine, asylum, protection, UNHCR.*

Introduction

“Our protection, shelter, health and education has been crucial, healing broken pasts and building brighter futures”².

Migrants and refugees find a more than favorable place on the European continent thanks to its location on the map and authority in terms of altruism and openness in the context of various conflicts, climate change and poverty.

Most people think that the above-mentioned terms represent the same category of people, which is wrong. To make the difference between a *migrant* and a *refugee*, it must be specified that the **migrant** is a person who is leaving somewhere (for family reunification, to work, to study, to open a business), but the **refugee** is a person who is running away from something (because of the: war, abuse – physical/mental/sexual –, discrimination and persecution based on belonging to religious/political/ethnic/racial/social groups).

“When the state fails to fulfill its obligation to ensure the protection of its citizen or resident, who is forced to leave his/her country, the primary responsibility for the protection of refugees rests with the hosting states, according to the obligations assumed under the 1951 United Nations Convention Relating to the Status of Refugees and/or complementary regional legal instruments to which they are party³”.

Initially, in 1950, the UNHCR was established for three years as an organization supposed to improve the difficult situation of the Europeans

² United Nations High Commissioner for Refugees, Who We Help, available online: <https://www.unhcr.org/who-we-help.html>, accessed on 13.01.2023.

³ Vergatti, Cristina Narcisa, *Statutul juridic al refugiatilor*, Bucuresti, Institutul Roman pentru Drepturile Omului, 2009, p. 14.

after the Second World War, however, after 72 years UNHCR is still working.

“With 18,879 women and men working in 137 countries”⁴, UNHCR staff is located in big cities, small villages or even dangerous locations, assisting the most in need persons.

UNHCR ensures that the United Nations Convention Relating to the Status of Refugees signed on July 28, 1951 at Geneva (further in the text Convention) and the United Nations Protocol Relating to the Status of Refugees signed on January 31, 1967 at New York (further in the text Protocol) are honoured by working closely with the governments.

“In view of the increasing recognition of the fundamental significance of the Convention and the Protocol for the protection of refugees and for the establishment of minimum standards for their treatment, it is important that their provisions be known as widely as possible, both by refugees and by all those concerned with refugee problems”⁵.

The bibliographic sources used in this article are mostly from Internet, as the data on this topic changes daily and must be constantly monitored.

People have always had (more or less) the possibility to move from one place to another. Today this possibility has become even more accessible. The right to free movement was recognized when the Universal Declaration of Human Rights was adopted on December 10,

⁴ United Nations High Commissioner for Refugees, Careers, Working together to build better futures for people forced to flee, available online: <https://www.unhcr.org/careers.html>, accessed on 13.01.2023.

⁵ United Nations High Commissioner for Refugees, Convention and Protocol Relating to the Status of Refugees, available online: <https://cms.emergency.unhcr.org/documents/11982/55726/Convention+relating+to+the+Status+of+Refugees+%28signed+28+July+1951%2C+entered+into+force+22+April+1954%29+189+UNTS+150+and+Protocol+relating+to+the+Status+of+Refugees+%28signed+31+January+1967%2C+entered+into+force+4+October+1967%29+606+UNTS+267/0bf3248a-cfa8-4a60-864d-65cdfce1d47>, p. 5, accessed on 13.01.2023.

1948, by the United Nations General Assembly, in the article 13 which states that: "1. Everyone has the right to freedom of movement and residence within the borders of each state. 2. Everyone has the right to leave any country, including his own, and to return to his country"⁶.

Below are defined all the categories of the UNHCR's beneficiaries, mentioned in the Abstract.

First of all, let us start by delimiting the terms asylum seeker and refugee, as they are very often confused. An asylum seeker is a person who claims to be a refugee and is seeking international protection. This means that, de facto, the asylum seeker is a person who has applied for asylum in a country other than his/her country of origin and is waiting for his/her application to be accepted or rejected. Asylum is not granted to those prosecuted for acts that fall under common criminal law.

Now, if his/her application is accepted by the national system of asylum (as a confirmation that he/she fled his/her country of origin because of conflict or persecution), the asylum seeker becomes a refugee with an official document granted to refugees. "They are defined and protected in international law, and must not be expelled or returned to situations where their life and freedom are at risk"⁷.

Under risk fall the: death sentence or execution, torture, degrading or inhuman treatment, serious and individual threat to life of a civilian during armed conflicts.

So, by explaining these two terms, we can conclude that every refugee is initially an asylum seeker, but not every asylum seeker will become a refugee.

The difference between refugees and **IDPs** is that the **IDPs** do not cross the border in order to escape the conflict or persecution – "they are on the run at home.

⁶ United Nations, Universal Declaration of Human Rights, available online: <https://www.un.org/en/about-us/universal-declaration-of-human-rights>, accessed on 14.01.2023.

⁷ United Nations High Commissioner for Refugees, Refugees, available online: <https://www.unhcr.org/refugees.html>, accessed on 12.01.2023.

IDPs stay within their own country and remain under the protection of its government, even if that government is the reason for their displacement”⁸.

Because the IDPs are searching for safety within their own country by moving (often) to areas difficult to be accessed, this makes problematic the delivery of humanitarian assistance. That is why the IDPs could be considered as one of the most vulnerable categories of persons in the world.

Usually, a child automatically acquires a nationality at birth, but sometimes, could happen that a person must apply to receive the nationality of a country, meantime being considered as a stateless person.

Nowadays, there are millions of people all around the world without a nationality, who have no rights absolutely required for the current life, for example: to see a doctor, to learn, to work, to get married, to purchase an apartment.

“Statelessness can occur for several reasons, including discrimination against particular ethnic or religious groups, or on the basis of gender; the emergence of new States and transfers of territory between existing States; and gaps in nationality laws. Whatever the cause, statelessness has serious consequences for people in almost every country and in all regions of the world”⁹.

The returnees are those persons who took by themselves the decision to be voluntarily repatriated.

“For many of the millions forced to flee, returning home concludes an often traumatic time in exile.

Over the years, UNHCR has managed numerous voluntary repatriation programmes that have brought millions of displaced people home.

⁸ United Nations High Commissioner for Refugees, Internally Displaced People, available online: <https://www.unhcr.org/internally-displaced-people.html>, accessed on 12.01.2023.

⁹ United Nations High Commissioner for Refugees, Ending Statelessness, available online: <https://www.unhcr.org/ending-statelessness.html>, accessed on 12.01.2023.

UNHCR plays a leading role, collaborating with States and other partners, to promote, facilitate, and coordinate voluntary repatriation in safety and dignity”¹⁰.

So, the main task of UNHCR is to protect and safeguard the rights of its beneficiaries.

In 2002, the Republic of Moldova acceded to the Convention and the Protocol.

In the first Law on the Status of Refugees of July 25, 2002, after 3 years, the national legislation introduced additionally to the refugee status one more form of protection, named humanitarian protection.

The article 20¹ states that:

“(1) Humanitarian protection is granted to the foreigner who:

- a) was forced to leave his/her country of origin due to dangers that threaten his/her life or freedom, as a result of violence arising in situations of national or international armed conflicts or external aggression;
- b) runs the risk of being subjected to torture, punishments or cruel, inhuman or degrading treatments in his/her country of origin.

(2) Humanitarian protection can also be granted for other humanitarian reasons, such as mass violations of human rights, or based on other reasons provided by the legislation of the Republic of Moldova, as well as based on the grounds set forth in the Conclusions of the United Nations High Commissioner for Refugees Executive Committee”¹¹.

The Law No. 270 of December 18, 2008, on Asylum in the Republic of Moldova was developed with the participation of UNHCR and civil society representatives, being considered a new step in the progressive development of the national asylum system. Although to a large extent,

¹⁰ United Nations High Commissioner for Refugees, Returnees, available online: <https://www.unhcr.org/returnees.html>, accessed on 12.01.2023.

¹¹ LEGE Nr. 1286 din 25-07-2002 cu privire la statutul refugiatilor, available online: https://www.legis.md/cautare/getResults?doc_id=29713&lang=ro, accessed on 12.01.2023.

the law complies with international standards, some subsequent amendments are still needed, especially regarding the provisions related to non-return and exclusion. The Government of the Republic of Moldova has expressed its intention to amend this Law by harmonizing it with the relevant legislation and European Union Directives. This initiative has been included in the National Plan for the Harmonization of Legislation, and UNHCR has received assurances that it will have the opportunity to provide comments and proposals for amendments to the Asylum Law.

According to it a person seeking asylum in the Republic of Moldova may receive one of the following forms of protection, as follows:

“Refugee status is recognized, upon request, to a foreigner who, by virtue of a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a certain social group or political opinion, is outside the country of whose citizenship he/she holds and who cannot or, because of this fear, does not wish to place himself/herself under the protection of this country; or who, not having any citizenship and being outside the country where he/she had his/her legal and habitual residence, as a result of such events, cannot or, due to the respective fear, does not want to return – article 17 paragraph (1).

Humanitarian protection is granted to the foreigner who does not meet the conditions for the recognition of refugee status and in respect of whom there are reasons to believe that, upon returning to the country of origin, he/she will be exposed to a serious risk and because of this risk he/she cannot or does not wish to obtain the protection of that country – article 19 paragraph (1).

Temporary protection is granted by the Government decision, at the proposal of the Ministry of Internal Affairs, based on a report presented by the Bureau of Migration and Asylum regarding the need to grant temporary protection. The measures and the period for which temporary protection is granted are established by the Government decision – article 21 paragraph (1).

Political asylum – in exceptional cases the persons who have held political, diplomatic, or public interest positions in other states or international bodies, persons who have demonstrated a special attachment, respect and interest to the Republic of Moldova, other outstanding personalities who are persecuted in the country of origin, could request to the President of the Republic of Moldova for the granting of political asylum – article 27 paragraph (1)¹².

According to the latest news, the persons who fled Ukraine after February 24, 2022 could receive the temporary protection of the Republic of Moldova, which will enter into force starting with March 1, 2023 for a period of one year, as this type of protection is granted in case of massive and spontaneous influx of displaced persons who cannot return to their country of origin.

The beneficiaries of international protection are almost equal in rights with the citizens of the Republic of Moldova, except of political and military rights.

The primary rights of asylum seekers are:

- ▶ to stay and not be returned until his/her asylum application is solved;
- ▶ to provide an interpreter free of charge at any stage of the asylum procedure;
- ▶ to legal assistance at any stage of the asylum procedure;
- ▶ to protection of his/her personal data;
- ▶ to the identity document;
- ▶ to access the compulsory education;
- ▶ to work;
- ▶ to primary and emergency medical assistance;
- ▶ to stay in The Temporary Accommodation Centre for asylum seekers.

¹² LEGE Nr. 270 din 18-12-2008 privind azilul in Republica Moldova, available online: https://www.legis.md/cautare/getResults?doc_id=130910&lang=ro#, accessed on 12.01.2023.

The central authority responsible for coordinating the Government's activities in the field of asylum was established in 2001, and since 2003 it has assumed responsibility for the refugee status determination procedure. The Asylum and Integration Directorate is currently a subdivision of the Bureau of Migration and Asylum within the Ministry of Internal Affairs. In addition to the functions of registration of asylum seekers and evaluation for the determination of refugee status, this Directorate is responsible for coordinating the activities of the State in the field of local integration of refugees and beneficiaries of humanitarian protection and for the administration of the Temporary Accommodation Center for asylum seekers.

The general principles of asylum in the Republic of Moldova are the: access to territory, non-discrimination, non-refoulement, family unity, confidentiality, protection of minors, and integration of beneficiaries of international protection.

For the first time, the UNHCR Office was opened at Chisinau in February 1997 at the invitation of the Government of the Republic of Moldova and was working till the of December 2019.

Before the beginning of the Russian-Ukrainian war, UNHCR had two strong and reliable partners in the Republic of Moldova: Law Center of Advocates and Charity Centre for Refugees.

Law Center of Advocates brings support in issues related to: seeking asylum and having a legal status in the country; family law; documents; birth certificates; integration into local communities; relocation to other countries; enrolment of children in schools. Also, it is monitoring the field of protection, border crossing points and detention facilities.

Charity Centre for Refugees includes diverse activities, as follows:

Social assistance:

- providing social lunches;
- granting financial assistance for newly arrived asylum seekers, elderly, large families, disabled persons, etc.;

- offering hygiene items for newly arrived asylum seekers;
- information, consultation and enrolment of children in schools and kindergartens;
- informing and offering help to register with a family doctor;
- maintenance of the second-hand stocks at the Temporary Accommodation Center for asylum seekers;
- monitoring of social houses in Mereni and Razeni villages;
- visiting refugees and asylum seekers.

Employment counselling:

- providing assistance in identifying a suitable job and employment;
- post-employment monitoring of beneficiaries;
- offering consultations regarding the initiation and administration of a business;
- providing support in writing the CVs;
- facilitating the access to all rights offered by state in employment;
- providing support for vocational training and higher education.

Romanian language learning:

- organizing Romanian language courses through the State Pedagogical University "Ion Creanga" for asylum seekers and refugees;
- providing students with necessary supplies.

Educational assistance:

- providing students and preschoolers with supplies (periodically);
- organizing informative sessions on education, sexual and gender-based violence, discrimination, digital security, entrepreneurship, etc.;
- providing support for the payment of tuition fees for university students (when possible).

Cultural orientation:

- involvement of beneficiaries in cultural-fun activities: trips through historical places, sports, handicrafts, exchange of recipes for dishes from countries of origin, etc.;

- participation in national and international holidays;
- organization of summer schools.

Raising awareness:

- participation at local events;
- establishing a permanent dialogue with mass media;
- collaboration with local universities (meetings and webinars for local students, internships at Charity Centre for Refugees);
- promotion among the beneficiaries and organizing them for blood donation.

Naturalization:

- providing support to beneficiaries of international protection in preparing for the exams for knowledge of the Romanian language and the Constitution of the Republic of Moldova in order to obtain citizenship;
- information and guidance on the procedure for obtaining citizenship.

Fundraising:

- initiation of collecting funds (beside the main donor UNHCR) from the: Union of European Football Associations, Football Association of Moldova, Football Against Racism in Europe network, United Arab Emirates Embassy in Kyiv, United Nations Women, Qatar State Embassy in Chisinau, etc.

Both non-governmental organizations brought a huge contribution to this exceptional situation, being the first who started to work intensively at the border, in Chisinau and in other districts of the Republic of Moldova.

The conflict in Ukraine which is not diminishing has caused a lot of victims and is still forcing people since the very first day of the war to run and abandon their homes. There are millions of Ukrainians who have crossed the borders into neighbouring countries, but also there are many IDPs.

UNHCR is working hard to provide humanitarian assistance to these people (especially the most vulnerable) and enroll them in its Cash

Assistance Programme. This takes place with the support of the Moldovan Authorities, other United Nations Agencies, and International Organizations.

“UNHCR is present at border areas and reception centres to help identify and provide dedicated care to the most vulnerable refugees and set up helplines and information materials. We are also coordinating a Regional Refugee Response Plan for the Ukraine refugee situation, bringing together 142 partners to support Governments’ responses”¹³.

The *Blue Dots* are safe spaces which provide free of charge the refugees with:

- professional assistance and relief;
- access to reliable information;
- orientation to services and legal support;
- referrals to health care, education;
- psychosocial support services;
- child friendly, breastfeeding and nursing spaces, etc.

The *Blue Dots* are prevalent under the Protection of UNHCR and UNICEF (United Nations International Children’s Emergency Fund).

At the moment of writing this article, the statistics shows that since February 24, 2022 are recorded next figures:

“Refugees from Ukraine across Europe – 7,977,980,
and

Border crossings from Ukraine – 17,688,845”¹⁴.

Mr. Filippo Grandi is the 11th United Nations High Commissioner for Refugees, first elected in 2016, and then re-elected by the General Assembly to serve five years more, which means that he will now complete his term on December 31, 2025.

¹³ United Nations High Commissioner for Refugees, Ukraine emergency, available online: <https://www.unhcr.org/ukraine-emergency.html>, accessed on 14.01.2023.

¹⁴ United Nations High Commissioner for Refugees, Operational Data Portal, Ukraine Refugee Situation, available online: https://data.unhcr.org/en/situations/ukraine#_ga=2.142682365.972833934.1674294327-1459737523.1674294327, accessed on 17.01.2023.

The High Commissioner, who has been working for almost 35 years in UNHCR, visited the Republic of Moldova on January 19-20, 2023, and after traveled to Ukraine to see the current situation there. He came to the UNHCR Office in Chisinau by bringing his gratitude to the international and local staff for the done job within the emergency situation, and he is very grateful to the host community who showed to be indeed a united population with big soul.

UNHCR strongly remains committed to protect and help all the affected populations in Ukraine and the involved countries. The response of donors and the neighbouring countries' welcome received by the refugees is extraordinary, but even so, more support is required to be provided to the increasing number of refugees.

UNHCR Office in Moldova has been closed since January 2020, but was re-opened at the end of February 2022 because of the current situation.

In order for people who fled Ukraine to have access to information about UNHCR's activities and its support offered in the Republic of Moldova, it was created a website (<https://help.unhcr.org/moldova/>), which looks like a guidebook for refugees and those who want to help them, available in Ukrainian, Russian, English, and Romanian.

Below are presented the Sections of this website.

- Welcome¹⁵ page– here are written the names of the website chapters, Refugee Response Green Line and emergency call phone numbers, and is indicated a link which can help refugees to find more detailed information on medical support, transportation, food, accommodation, clothes, etc.
- Latest News¹⁶– there are placed the news about some temporary or permanent changes regarding the refugee support.

¹⁵ United Nations High Commissioner for Refugees, Welcome, available online: <https://help.unhcr.org/moldova/>, accessed on 14.01.2023.

¹⁶ United Nations High Commissioner for Refugees, Lates news, available online: <https://help.unhcr.org/moldova/latest-news/>, accessed on 14.01.2023.

- Asylum in Moldova¹⁷– includes information about the stay of the Ukrainian citizens, foreign citizens with residence in Ukraine who had to take refuge in the Republic of Moldova, but do not have an entry visa and foreign citizens for which a visa is not required.
 - How to apply for asylum¹⁸– specifies that if someone is afraid to return to his/her country of origin, or country of previous residence, because he/she is in danger of suffering serious harm or he/she flees war, torture, or inhuman treatment, he/she can apply for asylum in the Republic of Moldova at the Bureau of Migration and Asylum, Border Crossing Points, Police Offices or at Detention Centres.
 - Legal aid¹⁹– specifies the contact details of the Bureau of Migration and Asylum, and Law Center of Advocates.
- Where to seek help in Moldova²⁰ –includes 4 subsections, as follows:
 - UNHCR in Moldova²¹–the organization which works to ensure that each of its beneficiaries can be protected and can rebuild his/her life in the Republic of Moldova, by helping all of them (in strong collaboration with other partner organizations) to have access to information, legal assistance, accommodation, transportation, mental health, psychosocial support, assistance with basic needs, etc.
 - Cash assistance for refugees in Moldova – is managed by UNHCR in coordination with the Ministry of Labour and Social Protection, through its implementing partners Catholic Relief

¹⁷ United Nations High Commissioner for Refugees, Asylum in Moldova, available online: <https://help.unhcr.org/moldova/asylum-in-moldova/>, accessed on 14.01.2023.

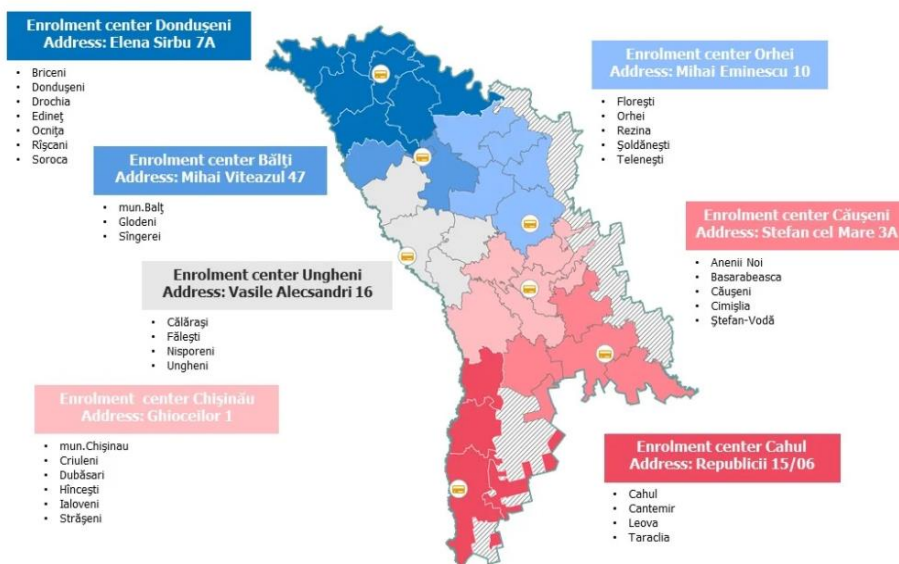
¹⁸ United Nations High Commissioner for Refugees, How to apply for asylum, available online: <https://help.unhcr.org/moldova/asylum-in-moldova/how-to-apply-for-asylum/>, accessed on 14.01.2023.

¹⁹ United Nations High Commissioner for Refugees, Legal aid, available online: <https://help.unhcr.org/moldova/asylum-in-moldova/legal-aid/>, accessed on 14.01.2023.

²⁰ United Nations High Commissioner for Refugees, Where to seek help in Moldova, available online: <https://help.unhcr.org/moldova/how-to-find/>, accessed on 14.01.2023.

²¹ United Nations High Commissioner for Refugees, UNHCR in Moldova, available online: <https://help.unhcr.org/moldova/how-to-find/unhcr-in-moldova/>, accessed on 14.01.2023.

Services, Caritas Moldova and Diaconia, to provide emergency cash assistance to people who fled Ukraine and are currently living in Moldova. The criteria of eligibility are the families: with one or more dependents; headed by a single parent; headed by a minor below 18 years old; with an unaccompanied or separated child; headed by an older person above 60 years old; with one or more persons with specific needs.



Map 1. The location of the 7 Cash Enrolment Centers within the UNHCR Programme in the Republic of Moldova²²

- Cash assistance for Moldovan households hosting refugees²³ – is managed by the World Food Programme together with its partner World Vision International, in coordination with the Ministry of Labour and Social Protection, People In Need,

²² United Nations High Commissioner for Refugees, Cash assistance for refugees in Moldova, available online: <https://help.unhcr.org/moldova/how-to-find/cash-assistance/>, accessed on 14.01.2023.

²³ United Nations High Commissioner for Refugees, Cash assistance for Moldovan households hosting refugees, available online: <https://help.unhcr.org/moldova/how-to-find/cash-assistance-host-families/>, accessed on 14.01.2023.

Catholic Relief Services and UNHCR, and it belongs to the local population, but with the condition that the locals are hosting in their homes or more refugees from Ukraine for a minimum of one week.

- Accommodation²⁴ – the Moldovan Authorities established all over the Republic of Moldova 69 Refugee Accommodation Centres, where people displaced from Ukraine can temporarily live free of charge.
- EU+Air Transfers – here is mentioned that the European Union Member States and associated countries could provide flights from the Republic of Moldova. With the common efforts of the International Organization for Migration, UNHCR and the Moldovan Government, in this programme (which is free of charge) can participate refugees who have family members in the European Union countries or vulnerable persons fleeing Ukraine who have specific needs, namely:



Figure 1. Vulnerable persons with specific needs²⁵

- Living in Moldova²⁶ – this section helps in finding information related to the rights in the Republic of Moldova of the refugees who fled Ukraine. They have the possibility to learn how to access health services, how to enroll children in school and how to access employment opportunities.

²⁴ United Nations High Commissioner for Refugees, Accommodation, available online: <https://help.unhcr.org/moldova/how-to-find/accommodation/>, accessed on 14.01.2023.

²⁵ United Nations High Commissioner for Refugees, EU+ Air Transfers, available online: <https://help.unhcr.org/moldova/eu-air-transfers/>, accessed on 14.01.2023.

²⁶ United Nations High Commissioner for Refugees, Living in Moldova, available online: <https://help.unhcr.org/moldova/living-in-moldova/>, accessed on 14.01.2023.

- Feedback and complaints²⁷ – is the way which allows refugees to share comments or report any problems/concerns/issues regarding UNHCR and its partners' work and/or staff behaviour.
 - Reporting Sexual Exploitation and Abuse²⁸ – one of the most important things for UNHCR is to prevent the sexual exploitation and abuse. So, that is why I would like to share more detailed the information which can be found by accessing this section in UNHCR's Moldova website. For all the United Nations Agencies and non-governmental partners' staff members is strictly prohibited any type of discrimination, harassment, abuse, and exploitation. There is ZERO TOLERANCE regarding this topic and any kind of violation must be reported.
 - In this section are written some questions to ease the reader in understanding what he/she should do in case he/she or any other person that he/she knows (including minors under 18 years old) was forced to have sex or maintain any activity of a sexual nature, in exchange for food, money, clothing, transportation, shelter, or any other support or assistance by a person working in a humanitarian organization, or providing services or assistance to refugees, including volunteers and government staff. Those questions help to identify the possible victims of sexual exploitation and abuse if there is at least one affirmative answer.
 - The personnel working in the refugee response, including humanitarian organizations and government staff and volunteers, is prohibited from: asking for any kind of favours in

²⁷ United Nations High Commissioner for Refugees, Feedback and complaints, available online: <https://help.unhcr.org/moldova/feedback-and-complaints/>, accessed on 14.01.2023.

²⁸ United Nations High Commissioner for Refugees, Reporting Sexual Exploitation and Abuse, available online: <https://help.unhcr.org/moldova/reportingsea/>, accessed on 14.01.2023.

exchange for services or assistance; engaging in sexual relationships with people they assist or aim to assist; all sexual activity with children (a person who is under 18 years old).

- Is mentioned that all the humanitarian assistance is free of charge. None of humanitarian worker should request and/or receive any payments or sexual favours in exchange for help and support.
- If someone experiences misconduct by a person working in the refugee response, he/she has the right to report it by submitting a complaint (which will be handled safely and confidentially) to UNHCR through one of the available channels:
 - by calling to UNHCR Helpline **0 800 800 11**;
 - by sending an e-mail (preferable to share as much as possible details of what, when and where it happened and who is the accused person) tomoldova.help@unhcr.org;
 - by filling the Online Sexual Exploitation and Abuse Complaint Form;
 - by sharing his/her complaint directly with one of the members of UNHCR workforce.
- This will not affect his/her rights nor his/her access to humanitarian assistance. Moreover, it is important to know that if he/she has been a victim of sexual exploitation and abuse he/she has the right to access safety, protection, psychosocial, medical, and legal support, and any other relevant services.
- The submitted complaints will be reviewed and an investigation may be launched by UNHCR (if it concerns one of its member workforces) or by the organization for which the alleged perpetrator works for. The alleged perpetrator is going to be investigated, and if proven guilty, held accountable, while respecting due process and confidentiality.

Of course, it cannot be left unnoticed the two important donations from the UNHCR Office which were received by the Ministry of Internal Affairs and the General Police Inspectorate of the Republic of Moldova.

The Minister of Internal Affairs of the Republic of Moldova, Mrs. Ana Revenco, the Ambassador of Italy in the Republic of Moldova, E.S. Mr. Lorenzo Tamasoni, and the UNHCR Representative in the Republic of Moldova, Mrs. Francesca Bonelli, attended in September 2022 the first donation of equipment from the UNHCR to the Bureau of Migration and Asylum, with a value more than 500,000 euros which included: cars, laptops, multifunction printers, Internet routers, 6 KW generators, air conditioners, small refrigerators, safes and surveillance cameras.

“This aid comes to support the efforts of the Ministry of Internal Affairs in the crisis generated by the intense flow of refugees from Ukraine and the development of an integrated migration management system, on the administrative line of the Republic of Moldova”²⁹.

The second donation of 32 vehicles from the UNHCR and the United States Government was received by the General Police Inspectorate in January 2023.

“We are set to improve the Interior Ministry’s capacities, in order to back those directly hit by the war in Ukraine. We commit to cooperate with the Chisinau government and the country’s citizens, in order to cope with the immediate challenges and edify a prosperous and safe future”³⁰, Mr. Kent Logsdon (the Ambassador of the United States of America in the Republic of Moldova) said.

While writing this article the most updated data for the Republic of Moldova is next:

²⁹ Ministry of Internal Affairs of the Republic of Moldova, BMA’s response capacity strengthened thanks to assistance from the UN Refugee Agency, available online: <http://bma.gov.md/ro/content/capacitatea-de-reac%C8%9Bie-bma-fortificat%C4%83-datorit%C4%83-asisten%C8%9Bei-din-partea-agen%C8%9Biei-onu-pentru>, accessed on 14.01.2023.

³⁰ General Police Inspectorate, Moldova’s General Police Inspectorate receives donation of vehicles on behalf of UN Refugee Agency, United States, available online: <https://www.moldpres.md/en/news/2023/01/13/23000241>, accessed on 14.01.2023.

“Entered on the MD-UA segment – 649,270 Ukrainian citizens and

Remained on the territory of the RM – 81,093 Ukrainian citizens.

In total, there are 87,089 foreign citizens on the territory of the Republic of Moldova, of which 43,960 are minors (Ukrainian citizens and other nationalities who entered the MD-UA segment).

Between 24.02-16.12.2022, by the Bureau of Migration and Asylum were received 11,532 asylum applications”³¹.

Usually, on the territory of the Republic of Moldova there are around 100-120 asylum applications per year, which means that the Bureau of Migration and Asylum received around 100 times more asylum applications in only 10 months.

Actually, the perception of the locals before February 24, 2022 regarding the refugee community was looking like this:

- intolerance, discrimination, marginalization;
 - prejudices about culture, mentality, and religion (before 2022 the refugees and asylum seekers were originally from such countries as Syria, Turkey, Afghanistan, Iraq, etc., so, most of them are Muslim);
- and
- poor knowledge and them is information of the local population via the social media.

For the first time in the history of its existence as an independent state, the Republic of Moldova is facing such a crisis, but its inhabitants have shown themselves to be extremely receptive and hospitable. It is very gratifying that thousands of locals were bringing their support during a long period of time to those people who have had to leave their country and who do not know if they will ever be able to return home.

³¹ Ministry of Internal Affairs of the Republic of Moldova, Summary of the Ministry of Internal Affairs for December 19, 2022, available online: <https://mai.gov.md/ro/node/7406>, accessed on 15.01.2023.

In this part, I want to share a great example of a Moldovan hosting family. The interview took place between the local family, a refugee family, and my international colleague from Communication Department, Mr. Kisut Gebre Egziabher from UNHCR Office in Ethiopia. I participated there as translator of Romanian-English-Russian.

The office space of business owners Nadejda Grosu and Vitalie Ovcearenco who are making wooden pallets in Ialoveni was converted into as comfortable as possible shelter for refugees fleeing war in Ukraine.

Nadejda Karpenko (Nadia) and her two minor daughters Oleksandra and Veronika were the first guests of that “office”, which was already looking like a real house. Thanks to the information shared by the volunteers on social networks, they got in touch with their new hosts. Nadia left behind in Odesa her husband and oldest son. The cute red-haired Veronika at her age of 6 likes to live there, one of the reasons being the nice big dog Bars, but even so, she wants to return to Odesa, as she is missing her father, brother, grandmother, and Maxim, Andal and Vishnurat, of course – her best playmates.

“Nadejda and Vitalie are the epitome of the warm-hearted welcome with which Moldovans have been receiving refugees from Ukraine right from day one. I would like to thank the government and people of Moldova for opening their borders, homes and hearts to people fleeing Ukraine”³², said Mrs. Francesca Bonelli.

Conclusion

Mrs. Francesca Bonelli is the UNHCR Representative in the Republic of Moldova with more than two decades in humanitarian field” in protection of refugees and displaced persons in protracted

³² United Nations High Commissioner for Refugees, Ukrainian family finds a home away from home in Moldova, available online: <https://www.unhcr.org/news/stories/2022/6/629a1cf14/ukrainian-family-finds-home-home-moldova.html>, accessed on 14.01.2023.

displacement situations and in management of emergency response. Experience in various operations in Africa, Asia, Europe and America.

Areas of Mrs. Bonelli's expertise include, inter alia, community-based protection, protection of unaccompanied children, support to economic and educational empowerment of refugees and the displaced populations, work with local communities to promote refugee integration, humanitarian interagency cooperation, emergency response coordination"³³.

Finally, I want to mention some important moments for me as the author of this article. My father is originally from Afghanistan and came to Chisinau almost 40 years ago, so, I am the daughter of a "former" refugee. Since being a kid, I understood the fact of being a bit different from the other children around me, because I knew what it means to be a refugee, as my father was forced to remain here for this incredibly long period of time, so far from his homeland – reason: the war without an end.

My dream was to grow up and to help people who have a similar fate to my father's. During 4 years I have been working at the Charity Centre for Refugees – the local non-governmental partner of UNHCR led by my father for more than 23 years –, which brings its support to refugees, beneficiaries of humanitarian protection and asylum seekers from different countries.

Since March 8, 2022, I am working at UNHCR Office in Moldova as Cash-Based Interventions Associate, being the responsible person who solves the problems and issues regarding the financial assistance on the bank cards of the Ukrainian refugees enrolled into UNHCR Cash Assistance Programme in the Republic of Moldova. My department consists of my supervisor (who comes from UNHCR Office in Turkey with 15 years of experience), my local colleague who knows the asylum

³³ United Nations Moldova, Our Team in Moldova, available online: <https://moldova.un.org/en/about/our-team>, accessed on 14.01.2023.

very well, as working for many years in this field, and me. I feel extremely proud to work together with them and, of course, with our other more than 80 colleagues (both internationals and locals), because we help and support these people who – overnight – became refugees.

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INTEGRATION OF MIGRANTS INTO FRENCH SOCIETY. THE LIMITS OF THE MONOLINGUAL FRENCH UNIVERSALIST MODEL

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Abstract. French is widely used as a criterion for identifying the national community. It has been a political and ideological instrument since the 1789 Revolution. The invention of the fiction of a common, unifying language that transcends divisions and cements the nation is at the heart of the construction of French national identity. In this respect, it is a force of resistance to otherness insofar as it rejects the use of a language other than French in private life. This concept can also be interpreted as a way of neutralising possible oppositions, which would be organised around a community of languages other than French.

The paper will hypothesise that these limits are partly due to the smoothing of linguistic and cultural diversity, linked to the republican conception of the Nation-State, based on the one country/one language model. The concealment of the visibility of diversity creates a deficit of legitimacy for the populations concerned and can lead to the emergence of hostile feelings towards the host society among certain categories of the population, or a feeling of self-hatred, anomie, loss of identity, insofar as it contributes to creating situations of latent linguistic and cultural conflicts.

The paper shows that the recurrent community tensions in the segregated urban spaces of the suburbs lead to question the models of contemporary linguistic policies by showing that abstract universalism, based on linguistic and cultural unity, which does not recognise difference, and which may have appeared to be a bulwark against these drifts, has found its limits.

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Introduction

French is widely used as a criterion for identifying the national community. It has been a political and ideological instrument since the Revolution of 1789. The invention of the fiction of a common, unifying language that transcends divisions and cements the nation is at the heart of the construction of national identity in France. In this respect, it is a force of resistance to otherness insofar as it rejects the use of a language other than French in private life. This conception can also be interpreted as a way of neutralising possible oppositions, which would be organised around a community of languages other than French.

The notion of a common language serves to construct a cultural identity that is intended to be homogeneous, based on the *myth of an original unity*², and which is founded on the principle, if not the myth, of the universality of *human nature*³. The proponents of this conception are opposed to a multicultural social vision, often denounced as a threat to the integrity of collective identity. However, it is questionable whether cultural homogeneity is not a myth.

One may also wonder whether the French universalist model does not contribute to establish a purely formal equality, whether the formal freedom and equality resulting from the Revolution do not have a potentially inegalitarian character, and finally whether it would not be

² Original text: "Le mythe d'une unité originaire", in Crépon, Marc, "Ce qu'on demande aux langues (autour du Monolinguisme de l'autre)", in *Raisons politiques, La République des langues*, Paris: Presses de Sciences Po, 2001a.

³ Original text: "La nature humaine", in Condorcet, Marie Jean Antoine Nicolas de Caritat, marquis de, *Esquisse d'un tableau historique des progrès de l'esprit humain. Fragment sur l'Atlantide*, Paris: Flammarion, 1998.

relevant to re-evaluate the real distinctions of class, gender, and ethnicity⁴, which are not reflected in the French system.

The paper will hypothesise that these limits are partly due to the smoothing of linguistic and cultural diversity, linked to the republican conception of the Nation-State, based on the one country/one language model. This conception obscures the expression of linguistic and cultural diversity, which it assimilates to manifestations of ethnicity, which the homogenising and unifying French republican model does not validate. The concealment of the visibility of diversity creates a deficit of legitimacy for the populations concerned and can lead to the development of hostile feelings towards the host society. We will first look at the republican conception of the Nation-State, then at the impact of migratory waves on the linguistic situation, the consequence of which is diglossia, and finally at the limits of the principle of the universality of values.

1. The republican conception of the nation-state. The one country/one language model

1.1. French as a national language

The Revolutionaries of 1789 made French the national language by giving it the function of the pivot of the nation⁵. The dissemination of French, a language common to the whole social body, was a political priority, as French became the language of freedom acquired thanks to the Revolution. Renée Balibar⁶ defines national French as a primary French, which refers only to itself, which is not a language practice among others (regional, popular, colloquial French, etc.) but the symbolic form that serves as a basis for all communication, for all stylistic work, and

⁴ Schnapper, Dominique, *Qu'est-ce que la citoyenneté ?* Paris: Gallimard, 2000.

⁵ Original text: "Le pivot de la Nation".

⁶ Balibar, Renée, *Le français national: politique et pratiques de la langue nationale sous la Révolution française*, (Dominique Laporte, collaboration), Paris: Hachette, 1974.

which can therefore be called national French⁷. This idea was widely shared and supported by many authors at the end of the 18th century. Thus Condorcet, in his last works of 1794, developed the idea of inventing a universal language, in order to achieve an ideal in which men could “form a single whole and work towards a single goal”⁸. The myth of lost unity, which could be reconstituted thanks to a monolingual and, moreover, universal context, supports the more political aim, developed by the Revolutionaries, of the nation-state based on the pairing of one country / one language⁹.

This status given to French is clearly explained in the manifesto constituted by the *Grégoire*¹⁰ report¹¹ presented to the Convention in 1794¹²:

The language of a great nation can be standardized in such a way that all its citizens can communicate their thoughts to each other without any obstacle. This undertaking, which has not been fully carried out among any people, is worthy of the French people, who centralise all the branches of social organisation, and who should be jealous of consecrating, in a single and indivisible Republic, the unique and invariable use of the language of liberty¹³.

⁷ Branca-Rosoff, Sonia, *L'institution des langues: Renée Balibar, du colinguisme à la grammatisation*, Paris: Éditions de la maison des sciences de l'homme, 2001, p. 8.

⁸ Original text: “Ne former qu'un seul tout et tendre à un but unique”, Condorcet, Nicolas de, in Todorov, Tzvetan, *Nous et les autres: la réflexion française sur la diversité humaine*, Paris: Seuil, 1989, p. 43.

⁹ Gadet, Françoise & Varro, Gabrielle (2006), “Le scandale du bilinguisme. Langues en contact et plurilinguismes”, in *Langage et société* n° 116, Paris: Maison des sciences de l'homme, 2006, p. 19.

¹⁰ Henri Grégoire known as abbé Grégoire.

¹¹ Grégoire, Henri, *Rapport sur la nécessité d'anéantir les patois et d'universaliser l'usage de la langue française*, Fac.simil, Nîmes: éd. C. Lacour, Arts et traditions rurales, 1995.

¹² In accordance with the revolutionary calendar: 16 prairial year 2 or 4 June 1794.

¹³ *Ibid.*, p. 4. Original text: “On peut uniformer le langage d'une grande nation de manière que tous les citoyens qui la composent puissent sans obstacle se communiquer leurs pensées. Cette entreprise, qui ne fut pleinement exécutée chez aucun peuple est digne du peuple français, qui centralise toutes les branches de l'organisation sociale, et qui doit être jaloux de consacrer au plutôt, dans une République une et indivisible, l'usage unique et invariable de la langue de la liberté” (*Ibid.*).

The first effect of the report was to establish a clear break between French and the other languages, sending them back into the camp of linguistic otherness. These languages undermine both the purity and the unity of French¹⁴ and pose a threat to Grégoire's homogenisation effort. In his report, Abbé Grégoire wrote: "With thirty different *patois*, we are still in the Tower of Babel as far as language is concerned, while as far as freedom is concerned we are the vanguard of the nations"¹⁵.

The extension of French does not only serve to express the Revolution, but also to contribute to it, with a prospective aim, which builds the future of another society¹⁶. The function assigned to the national language by the Revolution is to be the meeting place for all citizens so that they can form a linguistic community, a totally new idea that breaks with the previous regime. For the Revolutionaries, promoting French meant doing away with the other languages present in France, also called *patois* and nowadays regional languages, and favouring linguistic homogeneity to the detriment of diversity and otherness.

1.2. Political and identity-related functions of French

This conception of language is part of a vast political project in which French embodies and makes legible the national unity. The institution of French as a national language was based not only on the elimination of regional languages, but also on the acceptance of a standardised French, which corresponds to a concern to make the language conform to a common norm. This norm was later guaranteed by the teachers of the Third Republic¹⁷ and their successors, the so-called

¹⁴ *Ibid.*, p. 60.

¹⁵ *Ibid.*, p. 4. Original text: "Avec trente patois différents, nous sommes encore, pour le langage, à la tour de Babel, tandis que pour la liberté nous formons l'avant-garde des nations" (*Ibid.*).

¹⁶ Certeau, Michel de, Julia, Dominique & Revel, Jacques, *Une politique de la langue: la Révolution française et les patois: l'enquête de Grégoire*, Paris: Gallimard, 1794, p. 163.

¹⁷ September 1870 – July 1940.

*Messieurs*¹⁸, who are known to have been the architects of the dissemination of national French and the eviction of regional languages through the school system. This standardisation and the resulting linguistic homogenisation helped to forge national unity, which was cemented around French. This unity was possible because French, the embodiment of the national identity we have just been talking about, was amalgamated with another figure, that of the mother tongue, which could be said to have contributed to making French a holistic object, functioning as an independent system¹⁹. This fusion between the national language and the mother tongue contributes to the formation of linguistic identities and the symbolic production of subjects. The language, because of this incorporation, brings the subjective - the mother tongue - into social data and the State in a way takes charge of the construction of the subject by ensuring the transmission of the mother tongue. In this way, the language of citizens is created, it contributes to the construction of a collective identity around a common language and culture. This formal status is guaranteed by the fundamental texts that frame the government and organisation of the country. The *Constitution de la V^e République*²⁰ adopted in 1958, Article 2, Title One, states in principle that “The language of the Republic is French”²¹, as does Article L111-1, Chapter One, *General Provisions of the Education Code*²² established in 2004, Title One, *The Right*

¹⁸ Gentlemen. Boutan, Pierre, “*La langue des Messieurs*”. *Histoire de l’enseignement du français à l’école primaire*, Paris: Armand Colin, 1996.

¹⁹ Vermes, Geneviève, “La langue maternelle. Une figure holiste de l’identité individuelle et collective”, in Sonia Branca-Rosoff, *L’institution des langues : Renée Balibar, du colinguisme à la grammatisation*, Paris : Éditions de la maison des sciences de l’homme, 2001.

²⁰ *The Constitution of the Fifth Republic*. URL: <https://www.conseil-constitutionnel.fr/le-bloc-de-constitutionnalite/texte-integral-de-la-constitution-du-4-octobre-1958-en-vigueur>

²¹ Original text: “La langue de la République est le français”.

²² *Dispositions Générales du Code de l’Éducation*. URL: <https://www.legifrance.gouv.fr/affichTexteArticle.do?idArticle=LEGIARTI000019241104&cidTexte=LEGITEXT000006071194&dateTexte=20090810>.

to *Education*²³, which stipulates that “The school guarantees that all pupils learn and master the French language”²⁴.

2. The impact of migratory waves on the linguistic situation.

Setting up a diglossic situation

2.1. A *de facto* situation of plurilingualism that is largely hidden

The various waves of migration from the 1960s onwards modified the linguistic situation described above and destabilised the dominant model. Indeed, the arrival of multilingual migrants will contribute to the creation of a situation of *de facto* plurilingualism that is largely hidden, particularly in the school environment, and to give rise to a situation of diglossia, defined as the presence in the same linguistic landscape of at least two languages with different statuses, one or more of which are stigmatised. Diglossia puts languages in competition with each other, in the framework of a *real linguistic market*²⁵ and hierarchises them as well as their speakers. It is an inegalitarian social constituent, which leads to the stigmatisation of linguistic diversity, through the implementation of a process of minoritisation that gives rise to competitive interactions and asymmetry between languages and between groups of speakers. The negative representations that the majority group makes of the migrant minority group²⁶ contribute to stigmatising, undermining and insecuritying it in terms of both identity and language. Minorisation occurs when

²³ *Le Droit à l'Éducation*.

²⁴ Original text: “L'école garantit à tous les élèves l'apprentissage et la maîtrise de la langue française”.

²⁵ Bourdieu, Pierre, *Ce que parler veut dire. L'économie des échanges linguistiques*, Paris: Fayard, 1982.

²⁶ Taboada-Léonetti, Isabelle, “Stratégies identitaires et minorités: le point de vue du sociologue”, in Carmel Camilleri, Joseph Kasterztein, Edmond-Marc Lipianski, Hanna Malewska-Peyre, Isabelle Taboada-Leonetti & Ana Vasquez, *Stratégies identitaires*, Paris: PUF, 2002, p. 59.

negative traits are no longer perceived as externally assigned but internalised.

This plurilingual and intercultural situation places migrant speakers in a vulnerable situation. The more or less relative school failure of a number of migrant pupils whose families have experienced a more or less recent mobility situation attests to this.

2.2. A formal freedom and equality that places migrant speakers in otherness

Article 1 of the *Constitution of the Fifth Republic* states that: “France is an indivisible, secular, democratic and social Republic [that] ensures the equality before the law of all citizens without distinction of origin, race or religion [that] respects all beliefs [...]”²⁷. Given the existence of *de facto* inequalities that challenge the French concept of integration, it is assumed that the universalist model maintains a formal freedom and equality that obscures real distinctions of class, gender and ethnicity²⁸ and challenges the model of republican integration and the French concept of integration, which are based on an incentive to assimilate, mask manifestations of differentiation and deprive the individuals concerned of access to autonomy²⁹.

Described as *nationalist-republican*³⁰, this conception is the subject of a consensus, which does not favour the expression of otherness, makes it

²⁷ Original text: “La France est une République indivisible, laïque, démocratique et sociale [elle] assure l'égalité devant la loi de tous les citoyens sans distinction d'origine, de race ou de religion [elle] respecte toutes les croyances [...]”.

²⁸ Dominique Schnapper, *op. cit.*

²⁹ Rudder, Véronique de, “Banlieues et immigration. Le social, l'urbain et la politique. Entretien avec Véronique de Rudder”, in Gérard Baudin, Philippe Genestier, *Banlieues à problèmes: la construction d'un problème social et d'un thème d'action publique*, Paris: La Documentation française, 2002, p. 116.

³⁰ Original text: “Nationaliste-républicaine ». Lorcerie, Françoise, « Les sciences sociales au service de l'identité nationale: le débat sur l'intégration au début des années 1990”, in Denis-Constant Martin (dir.), *Cartes d'identité. Comment dit-on nous en politique?* Paris: Presses de la FNSP, 1994.

difficult to express a difference in relation to the common model, which may be perceived as dissidence and likely to carry the spectre of communitarianism³¹. At the ideological level, Crépon has shown that the “myth of an original unity and a constitutive homogeneity”³² is at the basis of a vision of collective identity, based on a sense of property, of land, of the possession of a common culture and language. Collective identity would be reinforced by a constantly reaffirmed appropriation of land, places of memory and language, analysed by Crépon as a form of political instrumentalisation of the feeling of ownership³³. It can be said that when a group is placed in a situation of dissimilarity - that it does not benefit from certain material and symbolic goods that are in principle accessible to all³⁴ – it is placed in otherness and is likely to become marginalised³⁵, or even radicalised in the most extreme cases. This otherness can lead to exclusion because otherness is the bearer of a heterogeneity that counteracts the tendency to homogenise that we have just discussed. This heterogeneity manifests itself through the minority positioning of the groups placed in otherness which excludes them from the majority group. Excluded because of the recent nature of their settlement in the host country, the migrants, at least some of them, cannot benefit from the material and symbolic goods mentioned by Crépon³⁶ which constitute the common identity, namely the ownership of the land, the sharing of places of memory, the common language and culture - at least initially. As a result, they have been placed in otherness for a long time. They embody an emblematic form of social, economic and political otherness in contemporary France from the late 1960s to the present day.

³¹ Baudin, Gérard, Philippe Genestier, *op.cit.*, 2002, p. 115.

³² Original text: “[le] mythe d’une unité originaire et d’une homogénéité constitutive”, in Marc Crépon, *op.cit.*, 2001a, p. 221.

³³ *Ibid.*

³⁴ *Ibid.*

³⁵ Elias, Norbert, Scotson, John L., *Logiques de l’exclusion: enquête sociologique au cœur des problèmes d’une communauté*, Paris: Fayard, 1997.

³⁶ *Ibid.*

3. The limits of the principle of universality of values

3.1 *Disaffiliation*

The limits of the principle of the universality of values can be seen here. We wonder whether these limits are not partly due to the smoothing out of linguistic diversity, linked to the republican conception of the Nation-State, based on the one country/one language model discussed above. This conception obscures the expression of linguistic diversity, which it assimilates to a manifestation of ethnicity, which runs counter to the homogenising and unifying French republican model. This obscuring of their visibility can contribute to a deficit of legitimacy among the populations concerned and can lead to hostile feelings towards the host society, or a feeling of self-hatred, anomie, loss of identity, insofar as it contributes to creating a situation of latent linguistic conflict.

These forms of disaffiliation can give rise to a spirit of split, particularly among certain young people, or even a counter-affiliation, which results in adherence to other value systems, fundamentalist ones for example. Without wishing to overstate the case, it must be noted that the primary solidarities based on community groupings, which were built up with successive waves of immigration and the settlement of families in social housing in precarious urban areas, may have contributed to the consolidation of local community forms, and may not have facilitated adherence to central norms³⁷. Sharing the languages and cultures of the countries of plays a central role in the formation of community groupings, which the common discourse refers to as visible minorities. Can we go so far as to say with Yazid and Yacine Sabeg that French society is in fact ethnicised and communitarised³⁸ ?

³⁷ Van Zanten, Agnès, 2001, *L'école de la périphérie: scolarité et ségrégation en banlieue*, Paris: PUF, 2001, p. 17.

³⁸ Sabeg, Yazid, Sabeg, Yacine, *Discrimination positive. Pourquoi la France ne peut y échapper*, Paris: Calmann-Lévy, 2004, p. 12.

3.2 Linguistic suffering

René Kaës, Olga Ruiz Correa, Olivier Douville, Alberto Eiguer and Marie-Rose Moro have shown that there is a linguistic suffering that results from language differences and that can lead to identity disorders³⁹. The indifference of the school institution for example to the home languages of pupils masks the crisis that may result, for them, if not from the loss, at least from the non-recognition of their mother tongue(s), from the obligation to speak the language of the host country which is neither entirely their own nor entirely a foreign language. This situation may result in learning difficulties in French, as in other subjects, which have not been studied or assessed and which are often denied. Faced with the otherness of the host country, the defence mechanisms are sometimes “recourse to the usual cultural references”⁴⁰, and sometimes the abandonment or denial of *identifying cultural references*⁴¹ in order to merge *with a new group of belonging*⁴². The experience of migration as an experience of otherness provokes an encounter of cultures that is violent because of its weight on the construction of the identity of the subjects, even if they are second generation. Migrant families live or can live in a cobbled-together cultural universe⁴³, which brings together elements of both cultural systems but with the erasure of whole sections of the cultural system of origin.

It will be assumed that learning French as the language of the host country is a point of vulnerability, particularly because the mechanisms of its acquisition are poorly understood. Partly at home, mainly at school,

³⁹ Kaës, René; Ruiz Correa, Olga; Douville, Olivier; Eiguer, Alberto; Moro, Marie-Rose, *Différence culturelle et souffrances de l'identité*. Paris: Dunod, 2001.

⁴⁰ *Ibid.* Original text: “Le recours [...] aux références culturelles habituelles”.

⁴¹ *Ibid.* Original text: “Repères culturels identificatoires”.

⁴² *Ibid.*, p. 56. Original text: “Se fondre dans un nouveau groupe d'appartenance”.

⁴³ Moro, Marie-Rose, *Psychothérapie transculturelle des enfants de migrants*, Paris: Dunod, 1998, p. 87.

we remain at the stage of suppositions. The intercultural situation limits the degree of predictability of the outside world because this world is not well known to the parents⁴⁴ and leads the speakers, and even the pupils, when we are interested in school situations, to have to assimilate a certain number of functions on their own, particularly language functions. The intercultural situation can therefore encourage a certain imbalance and make speakers, especially children, exposed⁴⁵ and in difficulty, especially at school.

It should be emphasised that the recurrent community tensions in the segregated urban spaces of the suburbs lead to questions about the models of contemporary language policies. If abstract universalism, based on linguistic unity, which does not recognise difference, may have appeared to be a bulwark, it seems to have found its limits, as current events in France have shown since the attacks in Paris in 2015 and Nice in 2016.

Multiculturalism is likely to lead to an aporia if it is limited to a conception of culture as patrimonial, inherited and homogeneous and to a social organisation where communities cohabit without dialogue with so many separate identities, competing with each other for the control of power and being susceptible to political instrumentalisation. There is a risk that one culture and language, explicitly or not, will dominate the others even in a multicultural society and even if institutions are supposed to prevent the hierarchisation of groups. On the theoretical level, however, it would be possible to find a way out if we admit that culture is heterogeneous, plural, and also unstable and variable, resulting from interactions with others and therefore dialogical, avoiding the withdrawal into identity-based homogeneity⁴⁶.

⁴⁴ *Ibid.*, p. 92.

⁴⁵ *Ibid.*, p. 94.

⁴⁶ Crépon, Marc, 2001b, *Les promesses du langage, Benjamin, Rosenzweig, Heidegger*, Paris: Vrin, 2001b, p. 224.

Conclusion. Otherness as a dimension of collective identity

Thinking about otherness in these conditions implies giving up seeing culture and language as closed, as closed systems, as properties of a group, which is rooted in a myth and gives itself a particular essence. Admitting otherness is perhaps a way of renewing cosmopolitanism in tolerance, or even the claim to heterogeneity and the welcome given to diversity. The figure of *hospitality*⁴⁷ becomes here the condition of a thought of otherness not as a radical exteriority but as a constitutive element of a system based on the circulation and the entanglement of heterogeneous elements, translatable and likely to lead to the elaboration of new forms of identity better adapted to the contemporary world. There is a closeness to the thought of Levinas, who, in terms of ethics, demands the passage from a “relationship without reciprocity to a relationship in which there is reciprocity, an equality between the members of society”⁴⁸, by positing an original otherness.

Alain Touraine, on a different note, opposes the assimilation-based approaches of Western countries such as France, arguing that integration is only possible if newcomers are given the opportunity to “modify the milieu into which they enter”⁴⁹. This confirms the importance of cultural or linguistic cross-fertilisation, as evidenced by the *vernacularisation* evoked by Manessy at the linguistic level, which refers to the reconfiguration and subversion of French by otherness⁵⁰. It can also be

⁴⁷ *Ibid.*, 2001b.

⁴⁸ Levinas, Emmanuel, 1995, *Noms Propres*, Montpellier: Éditions Fata Morgana, 1995, p. 112. Original text: “[D’une] relation sans réciprocité à une relation où entre les membres de la société, il y a une réciprocité, une égalité”.

⁴⁹ Touraine, Alain, *Critique de la modernité*, Paris: Le Livre de poche, 1992, p. 408. Original text: “Modifier le milieu dans lequel ils entrent”.

⁵⁰ Manessy, Gabriel, “De la subversion des langues importées: le français en Afrique noire”, in Robert Chaudenson, Didier de Robillard (éds.), *Langues, économie, développement*, Aix-en-Provence: IECF, Didier érudition, t.1, 1989.

Manessy, Gabriel, “Vernacularité, vernacularisation”, in Didier de Robillard, Michel Beniamino (dir.), *Le français dans l’espace francophone: description linguistique et sociolinguistique de la francophonie*, t. 1, Paris: Champion, 1993.

said that the mestizo languages prefigure these new forms of identity at the linguistic level.

In conclusion, it can be said that the contemporary situation, as a result of globalisation and migratory phenomena, leads us to ask this question and to envisage a form of collective identity that is able to take into account the diversity of individuals, otherness and, in particular, their languages, by positing heterogeneity as a principle.

These questions highlight, more generally, the challenge that the issue of immigration represents for European countries, and the need for new plurilingual and pluricultural directions to emerge.

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THE 2015 REFUGEE CRISIS IN ROMANIA: A NEED FOR BETTER POLICY COORDINATION

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Abstract. The 2015 refugee crisis was of great concern for the European union, in the context of a mandatory refugee integration quota and the fraudulent trespassing of an increasing number of undocumented migrants. Member states were differentially affected by the 2015 migrant crisis: in a Swedish study immigration was linked to an increase by 400% of the number of homicides. In Germany and Lithuania, the number of violent crimes decreased, although the number of resettled immigrants increased. In Bulgaria, the number of migrant trafficking networks increased. A significant statistical relationship was observed between the size of the Dutch accommodation centres and the number of foreign suspects involved in drug use and drug trafficking crimes. The present study developed two research questions and hypotheses in the case of Romania: immigration policy affects crime and crime influences the immigration policy. The national statistics for 2015-2020 showed no notable variation in the romanian crime rate correlated to the number of foreigners investigated by the police and the number of immigrants. However, border police statistics showed an increasing rate in illegal migration and migrant smuggling cases. Until now, immigration in Romania has known fragmented sectorial approaches. The current experience of the integration of Ukrainian refugees shows that an open migration and asylum policy does not determine a high crime rate, provided that effective social and security policies are in place. But additional efforts are now needed to ensure the protection of vulnerable categories of refugees and avoid their victimization.

Keywords: *immigration, refugees, policy, crime, victimization.*

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Introduction

The 2015 refugee crisis brought in Europe humanitarian concerns, caused by the high number of migrant deaths at sea, and also fear, considering the increased number of Jihadist or religious terrorism from 2015 until 2017. Most of radicalised individuals arrested for these terrorist acts have previously committed other crimes in the past or belonged to social environments with a high crime rate². According to Europol statistics³, 3264 convictions for terrorism offenses were recorded from 2015 to 2020 in the European Union Member States. The bomb terrorist attacks in Brussels, at Zaventem airport and at Maelbeek metro station, which resulted in 32 deaths and hundreds of injuries, the terrorist attacks in Nice and in Paris determined a rallying of the EU member states in the fight against terrorism⁴.

Although European citizens expressed concern about the flow of refugees in 2015, Member States were differentially affected by the immigration phenomenon. A study carried out in Germany at the Zurich University of Applied Sciences revealed a 10.4% increase in the number of violent crimes in 2015 and 2016 in Lower Saxony, the perpetrators being immigrants in over 90% of the cases that were included in the analysis of statistical data representing the increase. The authors of the study found that age and the lack of a family environment were two of

² Parlamentul European, *Terorismul jihadist în UE din 2015, 2020*, Available online: <https://www.europarl.europa.eu/news/ro/headlines/security/20180703STO07127/terrorism-ul-jihadist-in-ue-din-2015>, accessed on 07.08.2021.

³ Europol, *EU Terrorism Situation & Trend Report (Te-Sat)*, 2021, Available online: <https://www.europol.europa.eu/activities-services/main-reports/eu-terrorism-situation-and-trend-report#fndtn-tabs-0-bottom-2>, accessed on 07.08.2021.

⁴ Ylva Johansson, *Fighting Terrorism – Have Your Say!*, European Commission, 2021. Available online: https://ec.europa.eu/commission/commissioners/2019-2024/johansson/blog/fighting-terrorism-have-your-say_en, accessed on 08.08.2021.

the main factors that influenced the criminal behaviour of perpetrators⁵. In Sweden, the number of murders increased by 400%⁶, while a drastic increase also being observed regarding the number of crimes committed by migrants who were not registered at national level⁷. In Germany, the number of violent crimes decreased, but statistical data on crime rate was observed in a negative correlation with the number of citizens who expressed their worries on crime⁸.

A negative correlation between migration and crime was also obtained in a recent study in Lithuania carried out by Agoh in 2018⁹. Statistical data analysis showed that the number of homicides recorded nationally in 2017 decreased by 39% compared to 2016, although the number of resettled immigrants increased¹⁰. The data obtained by Stoyanova et al. and presented in 2017¹¹ suggested that the migrant smuggling phenomenon affected Bulgaria and Norway differently following the 2015 refugee crisis. While Norway did not register many migrant smuggling cases, the phenomenon being relatively recent, in Bulgaria both the number of migrant smuggling networks and the area of criminal specialization for the network members increased.

⁵ BBC News, *Germany: Migrants "May Have Fuelled Violent Crime Rise"*, 2018, Available online: <https://www.bbc.com/news/world-europe-42557828>, accessed on 08.08.2021.

⁶ Göran Adamson, "Migrants and Crime in Sweden in the Twenty-First Century", *Society*, 57.1 (2020), 9–21, p. 1, Available online: <https://doi.org/10.1007/s12115-019-00436-8>, accessed on 08.08.2021.

⁷ *Ibid.* p. 8.

⁸ Thomas Feltes, Katrin List, Maximilian Bertamini, "More Refugees, More Offenders, More Crime? Critical Comments with Data from Germany", *Refugees and Migrants in Law and Policy: Challenges and Opportunities for Global Civic Education*, Springer International Publishing, 2018, 599–624, p. 8, Available online: https://doi.org/10.1007/978-3-319-72159-0_26, accessed on 15.08.2021.

⁹ Eugene Agoh, *Refugees as a Security Threat: Case of Lithuania*, 2018, Available online: https://www.researchgate.net/publication/322830883_Refugees_as_a_security_threat_case_of_Lithuania, accessed on 10.03.2022.

¹⁰ *Ibid.*, p. 11.

¹¹ Nadya Stoyanova, Tihomir Bezlov, Johanne Yttri Dahl, Heidi Fischer Bjelland, *Cross-Border Organised Crime: Bulgaria and Norway in the Context of the Migrant Crisis*, Center for the Study of Democracy, 2017, Available online: <https://phs.brage.unit.no/phs-xmlui/handle/11250/2466059>, accessed on 15.06.2021.

The link between migration and crime was previously analysed under the social disorganization theory developed by Shaw and McKay¹², according to which the individuals' tendency towards a criminal behaviour is influenced by their response to the unfavourable conditions of the place where they live. The theory has been much debated and tested in the academic community. Sampson and Groves tested Shaw and McKay's theory by means of two applied studies in the UK in 1982 and in 1984. The research results confirmed Shaw and McKay's theory, finding that those communities with a low organizational participation, groups of unsupervised teenagers or with a small number of friend networks had a high crime rate¹³.

Sun et al.¹⁴ reanalysed both the model proposed by Shaw and McKay and the results obtained by Sampson and Groves on a group of 8155 people from 36 American neighbourhoods. The study highlighted certain shortcomings of Shaw and McKay's model, including the measurement and definition of the social disorganisation and neighbourhood disorganisation concepts. Additionally, regarding age as a variable for the operationalization of crime rate, Hirschi and Gottfredson¹⁵ have argued that juvenile delinquent behaviour cannot be foreseen in the future just by considering that a crime was committed by the perpetrator at the age of 10 or 15.

¹² Henry McKay, Clifford Shaw, *Juvenile Delinquency and Urban Areas*, University of Chicago Press, Chicago, 1969.

¹³ Robert Sampson, Byron Groves, "Community Structure and Crime: Testing Social-Disorganization Theory", *American Journal of Sociology*, 774–802, 1989, Available online: <https://doi.org/10.1086/229068>, accessed on 12.06.2021.

¹⁴ Ivan Sun, Ruth Triplett, Randy Gainey, "Neighborhood Characteristics and Crime: A Test of Sampson and Groves' Model of Social Disorganization", *Western Criminology Review*, 5, 2004, Available online: <https://heinonline.org/HOL/LandingPage?handle=hein.journals/wescrim5&div=4&id=&page=>, accessed on 10.06.2021.

¹⁵ Travis Hirschi, Michael Gottfredson, "Age and the explanation of crime". *American Journal of Sociology*, 89(3), 552–584, 1983, Available online: <https://doi.org/10.1086/227905>

The analysis carried out by Bernasco¹⁶ in the Netherlands showed that crimes were committed in locations that were similar to the perpetrators' original residence areas and where there found peers of the same ethnicity. The results were consistent with Gehrsitz and Ungerer's findings¹⁷ regarding a significant statistical relationship between the size of accommodation centres and the number of foreign suspects involved in drug use and trafficking crimes. Also, the research of Feltes et al. in Germany¹⁸ suggested that crimes committed by some immigrants was based on socioeconomic elements, such as age and gender, men being involved in crimes more than women.

Is the integration of migrants a cause for concern for European citizens in the future? Will national authorities facilitate a better life for migrants and thus avoid their involvement in crimes? Feltes et al. argued that migrants can be both perpetrators and victims of crimes¹⁹. From Tonry's perspective²⁰, the predisposition to crime of some groups of immigrants should not be generalized, given the individual economic or social characteristics as well as the diverse reasons for immigration. Moreover, there is strong consensus within the academic community on the need to integrate data and scientific results from several countries,

¹⁶ Wim Bernasco, Ethnic segregation and crime: are offenders ethnically biased when choosing target areas?, *The Economics of Cultural Diversity*, 2015, Available online: <https://www.elgaronline.com/display/edcoll/9781783476800/9781783476800.xml>, accessed on 10.06.2022.

¹⁷ Markus Gehrsitz, Martin Ungerer, *Jobs, Crime, and Votes: A Short-Run Evaluation of the Refugee Crisis in Germany*, Social Science Research Network, New York, 2017, Available online: <https://papers.ssrn.com/abstract=2903116>, accessed on 15.06.2021.

¹⁸ Thomas Feltes, Katrin List, Maximilian Bertamini, "More Refugees, More Offenders, More Crime? Critical Comments with Data from Germany", *Refugees and Migrants in Law and Policy: Challenges and Opportunities for Global Civic Education*, Springer International Publishing, 2018, pp. 599–624, Available online: https://doi.org/10.1007/978-3-319-72159-0_26

¹⁹ *Ibid.*, p. 19.

²⁰ Michael Tonry, "Ethnicity, Crime, and Immigration", *Crime and Justice*, 21 (1997), 1–29, Available online: <https://www.jstor.org/stable/1147629>, accessed on 15.06.2021.

given the temporal and geographical limitations in previous migration research studies²¹.

The 2015 migration crisis in Romania

The escalation of the immigration phenomenon in the recent years, the budgetary impact of the integration of migrants for national and local authorities, the fight against illegal migration and corruption, the increasing number of migrant smuggling cases and the need to develop clear public policies in the management of migration and borders are current problems faced by national and European authorities. The studies previously mentioned showed that an open immigration policy is not necessarily associated with an increase in the criminal rate. Yet, a weak immigration policy and the failure to ensure the inclusion and integration of immigrants could affect the national crime rate and favour anti-immigrant attitudes and violent behaviours towards immigrants.

The study addressed the general theme of migration and asylum, the main issue analysed being the bidirectional connection between immigration and crime. To that end, the correlation between the number of immigrants in Romania and the national criminal statistics from 1991 until 2020 was analysed. The results of the study were compared with

²¹ Ramiro Martinez, Matthew Lee, "On Immigration and Crime", *Criminal Justice*, Vol. 1, Issue 1, 2000, pp. 486–524, Available online: <https://www.ojp.gov/ncjrs/virtual-library/abstracts/immigration-and-crime>, accessed on 16.08.2021; Lesley William Reid, Harald Weiss, Robert Adelman, Charles Jaret, "The Immigration–Crime Relationship: Evidence across US Metropolitan Areas", *Social Science Research*, Vol. 34, Issue 4, 757–80, 2005, Available online: <https://www.sciencedirect.com/science/article/abs/pii/S0049089X05000104>, accessed on 17.08.2021; Robert Sampson, "Rethinking Crime and Immigration", *Contexts*, Vol. 7 Issue 1, 2008, pp. 28–33, Available online: <https://doi.org/10.1525/ctx.2008.7.1.28>; Jörg Spenkuch, "Understanding the Impact of Immigration on Crime", *American Law and Economics Review*, Vol. 16, Issue 1, 2014, pp. 177–219, Available online: <https://doi.org/10.1093/aler/aht017>; Michael Tonry, Scot Wortley, "Introduction. The Immigration–Crime Connection: Competing Theoretical Perspectives", *Journal of International Migration and Integration / Revue de l'integration et de La Migration Internationale*, Vol. 10, Issue 4, 2009, p. 349, Available online: <https://doi.org/10.1007/s12134-009-0117-9>, accessed on 15.06.2021.

those obtained in different studies carried in other EU member states, taking into account the specific national culture, socio-economic conditions and differences in legislation.

Open statistical data on refugees and asylum seekers were collected from international, European and national sources such as Eurostat²², the United Nations High Commissioner for Refugees (UNHCR) regarding the total number of asylum applications processed in Romania²³, the total number of favourable decisions on asylum applications from the Romanian authorities²⁴, the number of asylum seekers and refugees under UNHCR mandate in Romania²⁵ (Table 1) and the National Institute of Statistics in Romania on the total number of definitive²⁶ and temporary immigrants²⁷ in Romania. The data on crime rate, the number of convictions and the number of persons investigated by the police, both Romanian citizens and foreigners, were collected from the National Institute of Statistics database²⁸.

²² Statistical Office of the European Communities, *Asylum and First Time Asylum Applicants - Annual Aggregated Data*, Available online: <https://ec.europa.eu/eurostat/databrowser/view/tps00191/default/table?lang=en>, accessed on 14.01.2022.

²³ UNHCR, *Asylum Applications - Romania 1951 - 2021*, Available online: <https://www.unhcr.org/refugee-statistics/download/?url=qK2RXe>, accessed 19.12.2021.

²⁴ UNHCR, *Asylum Decisions - Romania 1951 - 2021*, Available online: <https://www.unhcr.org/refugee-statistics/download/?url=xZ82nH>, accessed on 14.01.2021.

²⁵ UNHCR, *Data on Displacement - Romania, 1952 - 2021*, Available online: <https://www.unhcr.org/refugee-statistics/download/?url=F61yir>, accessed on 12.01.2022.

²⁶ Institutul Național de Statistică, *Imigranți cu stabilirea domiciliului permanent*, Available online: <http://statistici.insse.ro:8077/tempo-online/#/pages/tables/insse-table>, accessed on 07.06.2022.

²⁷ Institutul Național de Statistică, *Imigranți cu stabilirea reședinței obișnuite*, Available online: <http://statistici.insse.ro:8077/tempo-online/#/pages/tables/insse-table>, accessed on 07.06.2022.

²⁸ Institutul Național de Statistică, *Justiție*, Available online: <http://statistici.insse.ro:8077/tempo-online/#/pages/tables/insse-table>, accessed on 07.06.2022.

Table 1. Data on refugees and asylum seekers in Romania for the period of time 1977 – 2020

Year	Refugee quota accepted by the Romanian government http://legislatie.just.ro/Public/DetaliuDocument/100146	Asylum applications - UNHCR statistics https://www.unhcr.org/refugee-statistics/download/?url=qK2RXe	Asylum and first time asylum applicants - annual aggregated data (rounded) Eurostat https://ec.europa.eu/eurostat/databrowser/view/tps00191/default/table?lang=en	No. of asylum seekers Romania Population figures UNHCR data on displacement. https://www.unhcr.org/refugee-statistics/download/?url=z0cZ1c	No of refugees Romania - UNHCR mandate https://www.unhcr.org/refugee-statistics/download/?url=z0cZ1c	No of favourable decisions asylum applications - statistică UNHCR - recognized https://www.unhcr.org/refugee-statistics/download/?url=4N3jji	No. of favourable decisions asylum applications UNHCR - complementary protection https://www.unhcr.org/refugee-statistics/download/?url=4N3jji	Final decisions on asylum applications in Romania - annual data - Geneva Convention https://ec.europa.eu/eurostat/databrowser/view/tps00193/default/table?lang=en
1977	0	0	0	0	1000	0	0	0
1978	0	0	0	0	1000	0	0	0
1979	0	0	0	0	1000	0	0	0
1980	0	0	0	0	1000	0	0	0
1981	0	0	0	0	1000	0	0	0
1982	0	0	0	0	1000	0	0	0
1983	0	0	0	0	1000	0	0	0
1984	0	0	0	0	1000	0	0	0
1985	0	0	0	0	0	0	0	0
1986	0	0	0	0	0	0	0	0
1987	0	0	0	0	0	0	0	0
1988	0	0	0	0	0	0	0	0
1989	0	0	0	0	0	0	0	0
1990	0	0	0	0	0	0	0	0
1991	0	0	0	0	651	0	0	0
1992	0	0	0	0	520	0	0	0
1993	0	0	0	0	1170	0	0	0
1994	0	0	0	0	1170	0	0	0
1995	0	0	0	0	192	0	0	0
1996	0	0	0	0	261	0	0	0
1997	0	0	0	0	631	0	0	0
1998	0	0	0	0	983	0	0	0
1999	0	0	0	0	1234	0	0	0
2000	0	1359	0	0	1677	82	80	0
2001	0	2416	0	0	1792	79	25	0
2002	0	1131	0	34	1839	29	5	0
2003	0	1054	0	302	1991	32	25	0
2004	0	639	0	188	1610	96	42	0
2005	0	572	0	263	2040	56	5	0
2006	0	432	0	165	1636	46	0	0
2007	0	641	0	158	1741	127	15	0
2008	40	1161	0	287	1586	109	0	0
2009	40	819	960	391	1065	66	18	65
2010	40	868	885	372	1019	85	32	85
2011	0	2054	1720	751	1003	61	27	75
2012	20	2477	2510	21	1263	154	115	160
2013	20	1732	1495	121	1747	404	537	390
2014	20	1616	1545	325	2171	372	361	5
2015	20	1334	1260	408	2581	235	276	10
2016	80*	1961	1880	72	2880	589	203	5
2017	0	4916	4815	1514	3911	861	447	5
2018	109*	2319	2135	1476	4134	306	337	15
2019	0	2750	2590	916	3860	332	281	25
2020	200*	6240	6155	2242	3581	305	466	30
2021	0							
2022	200*							
2023	0							

Regarding the total number of asylum applications in Romania, UNHCR statistical data level are available from 2000, being collected and reported by the Romanian General Inspectorate for Immigration. The resettlement and transfer of migrants in Romania was carried out in several stages, according to the European Refugee Resettlement Mechanism¹, in accordance with Romania's foreign policy and the international resettlement needs decided at the level of the United Nations High Commissioner for Refugees and the European Union.

The data regarding the number of temporary immigrants are missing for the period 1990-2011. The highest values regarding the foreigners investigated by the police were recorded in the period 1990-2001, with a gradual decrease in the number of foreign suspects starting from 2005. Between 1994 and 2020, increases in the number of immigrants permanently settled in Romania were observed. For the period 1990-1993, there is no available data on the number of permanent immigrants from Romania. Thus, the data demonstrate a negative correlation between the number of permanent registered immigrants and the number of foreigners investigated by the police for the period 2015-2020. The highest number of definitive immigrants was registered between 2017 and 2019, in the same period of reference being registered a decrease in the number of convictions and the number of foreigners investigated by the police.

¹ European Commission, *Commission Recommendation (EU) 2015/914 of 8 June 2015 on a European Resettlement Scheme*, O.J 148, 2015, <http://data.europa.eu/eli/reco/2015/914/oj/eng>, accessed on 14.01.2023.

Table 2. Number of crimes and number of convictions (to 100000 inhabitants) compared to the total number of persons investigated by the police /foreigners and the total temporary / definitive immigrants in Romania, between 1977 and 2020

An	Rata infractionalitatii pe macror regiuni, regiuni de dezvoltare si judete - UM: UM: NUMAR INFRACTIUNI LA 100000 LOCUITORI http://statistici.inse.ro:8077/tempo-online/#/pages/tables/inssse-table	Rata criminalitatii pe macror regiuni, regiuni de dezvoltare si judete - UM: NUMAR DE PERSOANE CONDAMNATE DEFINITIV LA 100000 LOCUITORI - TOTAL http://statistici.inse.ro:8077/tempo-online/#/pages/tables/inssse-table	JUS109C - Persoane cercetate de politie pe medii de rezidenta si persoane TOTAL http://statistici.inse.ro:8077/tempo-online/#/pages/tables/inssse-table	JUS109C - Persoane cercetate de politie pe medii de rezidenta si categorii de persoane STRAINI http://statistici.inse.ro:8077/tempo-online/#/pages/tables/inssse-table	POP310E - Imigranti definitivi pe judete si localitati de destinatie Total http://statistici.inse.ro:8077/tempo-online/#/pages/tables/inssse-table	POP321C - Imigranti temporari pe grupe de varsta, sexe, medii de rezidenta, macror regiuni, regiuni de dezvoltare si judete Total http://statistici.inse.ro:8077/tempo-online/#/pages/tables/inssse-table
1977	0	0	0	0	0	0
1978	0	0	0	0	0	0
1979	0	0	0	0	0	0
1980	0	0	0	0	0	0
1981	0	0	0	0	0	0
1982	0	0	0	0	0	0
1983	0	0	0	0	0	0
1984	0	0	0	0	0	0
1985	0	0	0	0	0	0
1986	0	0	0	0	0	0
1987	0	0	0	0	0	0
1988	0	0	0	0	0	0
1989	0	0	0	0	0	0
1990	422	160	56282	150	0	0
1991	601	263	97248	429	0	0
1992	635	303	106255	1052	0	0
1993	965	366	163367	2174	0	0
1994	1043	421	174765	2107	878	0
1995	1310	448	196876	2350	4458	0
1996	1423	460	211138	2371	2053	0
1997	1601	496	249779	2639	6600	0
1998	1774	472	263939	2281	11907	0
1999	1619	390	239346	2255	10078	0
2000	1577	336	240344	1777	11024	0
2001	1519	370	247727	1734	10350	0
2002	1432	375	230850	1137	6582	0
2003	1219	338	206766	1001	3267	0
2004	1022	306	185270	1219	2987	0
2005	921	290	170563	1416	3704	0
2006	1030	251	188786	1234	7714	0
2007	1247	204	228536	990	9575	0
2008	1284	163	230419	1000	10030	0
2009	1332	152	235611	860	8606	0
2010	1301	186	243035	707	7059	0
2011	1154	212	212875	671	15538	0
2012	1538	245	238434	615	21684	167266
2013	1555	236	239636	526	23897	153646
2014	2014	205	209022	439	36644	136035
2015	1726	213	184526	625	23093	132795
2016	1716	166	193790	611	27863	137455
2017	1711	181	189520	510	50199	177435
2018	1771	165	196461	509	65678	172578
2019	1821	174	199945	556	64479	202422
2020	1676	163	171046	333	32250	145519

The data provided on permanent immigrants were not individualized according to ethnicity but are available according to the country of origin (for the period 1994 – 2020), nationality (for the period 1991 – 2012), gender, macro-regions, development regions and arrival counties (for the period 1991-2020) and age groups, macro-regions, development regions and arrival counties (for the period 1992-2020). The data available in the National Statistical System were collected both from administrative sources, such as the General Directorate of Passports, the General Inspectorate for Immigration and the Directorate for the Records of Persons and the Administration of Databases, as well as from statistical sources such as the Population and Housing Census.

Foreigners who permanently immigrated to Romania mostly came from countries such as the Republic of Moldova, Ukraine, Germany and Italy. An increase in the number of permanent immigrants in Romania has been recorded since 1995 (Table 3).

Table 3. Definitive immigrants by country of origin 1994-2020

		Imigranți definitivi după țara de proveniență																											
Țara de proveniență	Anul	Ani																											
		Anul 1994	Anul 1995	Anul 1996	Anul 1997	Anul 1998	Anul 1999	Anul 2000	Anul 2001	Anul 2002	Anul 2003	Anul 2004	Anul 2005	Anul 2006	Anul 2007	Anul 2008	Anul 2009	Anul 2010	Anul 2011	Anul 2012	Anul 2013	Anul 2014	Anul 2015	Anul 2016	Anul 2017	Anul 2018	Anul 2019	Anul 2020	
		UM: Numar persoane																											
	Nr pers.	Nr pers.	Nr pers.	Nr pers.	Nr pers.	Nr pers.	Nr pers.	Nr pers.	Nr pers.	Nr pers.	Nr pers.	Nr pers.	Nr pers.	Nr pers.	Nr pers.	Nr pers.	Nr pers.	Nr pers.	Nr pers.	Nr pers.	Nr pers.	Nr pers.	Nr pers.	Nr pers.	Nr pers.	Nr pers.	Nr pers.	Nr pers.	Nr pers.
Austria	121	536	288	387	225	147	84	68	81	69	90	76	75	126	126	145	111	80	50	62	69	129	135	170	171	184	137		
Canada	12	74	56	132	96	89	60	93	131	181	175	153	187	271	334	296	230	224	132	153	202	299	308	336	300	398	223		
Franta	79	460	471	942	341	178	110	101	80	83	101	117	125	184	153	169	149	143	83	85	160	202	243	242	256	300	167		
Germania	229	739	318	539	480	330	227	207	224	231	296	238	252	423	526	496	438	357	280	669	269	465	596	682	815	984	709		
Israel	31	162	29	150	164	117	57	101	108	148	185	134	156	239	204	162	108	130	64	98	106	142	149	124	140	141	86		
Italia	19	133	47	111	106	73	70	81	91	112	163	216	313	844	1290	1233	1274	692	473	553	879	1315	1282	1130	1073	1123	715		
Republica Moldova	62	1019	372	3044	8908	7789	9146	8683	5214	1881	1254	1917	4349	4019	3476	2847	1973	8919	16931	20066	20125	14340	17727	30543	36810	38205	19912		
SUA	80	325	104	324	252	248	161	191	227	235	259	311	292	466	581	539	434	479	298	325	369	477	582	542	580	584	336		
Ucraina	1	24	10	95	418	446	649	396	66	39	19	27	38	75	63	63	39	1013	492	684	1090	1221	1157	4850	9040	6196	2438		
Ungaria	60	280	102	340	434	272	173	111	62	56	68	74	103	249	368	335	294	248	166	158	163	227	228	233	204	202	142		
Alte țări	184	706	256	536	473	389	287	319	298	232	377	441	1824	2679	2909	2321	2009	3253	2715	1044	13212	4276	5456	11347	16269	16162	7385		

Legenda: '1' - date lipsă; 'c' - date confidențiale; 9999,00 - normal - date definitive; 9999,00 - ingrosat subliniat - date semidefinite; 9999,00 - ingrosat - date revizuite; 9999,00 - subliniat - date provizorii

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Regarding the immigration situation in Romania by nationality, the information is provided only for the period 1991-2012 and only singles out four nationalities: Romanian, Hungarian, German and Jews (Table 4).

Table 4. Definitive immigrants by nationality 1991 – 2012

Nationalitati	Imigranti definitivi pe nationalitati																						
	Ani																						
	Anul 1991	Anul 1992	Anul 1993	Anul 1994	Anul 1995	Anul 1996	Anul 1997	Anul 1998	Anul 1999	Anul 2000	Anul 2001	Anul 2002	Anul 2003	Anul 2004	Anul 2005	Anul 2006	Anul 2007	Anul 2008	Anul 2009	Anul 2010	Anul 2011	Anul 2012	
	UM: Numar persoane																						
Nr. pers.	Nr. pers.	Nr. pers.	Nr. pers.	Nr. pers.	Nr. pers.	Nr. pers.	Nr. pers.	Nr. pers.	Nr. pers.	Nr. pers.	Nr. pers.	Nr. pers.	Nr. pers.	Nr. pers.	Nr. pers.	Nr. pers.	Nr. pers.	Nr. pers.	Nr. pers.	Nr. pers.	Nr. pers.	Nr. pers.	
De nationalitate romana	1196	1434	1041	723	3753	1797	6035	11241	9600	10753	10088	6353	3038	2673	3446	6042	6689	7111	6393	5334	:	:	
De nationalitate maghiara	89	61	53	52	325	131	320	406	274	163	125	102	88	107	97	95	237	301	280	236	:	:	
De nationalitate germani	118	105	81	23	162	42	87	80	56	37	34	33	30	55	41	38	99	108	98	102	:	:	
De nationalitate evrei	98	47	34	16	95	18	69	88	69	40	76	50	65	84	64	72	106	61	66	46	:	:	
De alte nationalitati	101	106	60	64	123	65	89	92	79	31	27	44	46	68	56	1467	2444	2449	1769	1341	15538	21684	
Legenda: ' ' - date lipsa; 'c' - date confidentiale; 9999,00 - normal - date definitive; 9999,00 - ingrosat subliniat - date semidefnitive; 9999,00 - ingrosat - date revizuite; 9999,00 - subliniat - date provizorii © 1998 - 2018 INSTITUTUL NATIONAL DE STATISTICA																							

The values show slight variations between the number of men and women who immigrated to Romania between 1992 and 2020, the highest difference being recorded in 1991, with 45% more men than women (Table 5).

Table 5. Definitive immigrants by gender, macro-regions, development regions and counties of arrival for the period 1991 – 2020

Sexe	Macroregiuni, regiuni de dezvoltare și județe	Imigranți definiți pe sexe, macroregiuni, regiuni de dezvoltare și județe de sosire																															
		Ani																															
		Anul 1991	Anul 1992	Anul 1993	Anul 1994	Anul 1995	Anul 1996	Anul 1997	Anul 1998	Anul 1999	Anul 2000	Anul 2001	Anul 2002	Anul 2003	Anul 2004	Anul 2005	Anul 2006	Anul 2007	Anul 2008	Anul 2009	Anul 2010	Anul 2011	Anul 2012	Anul 2013	Anul 2014	Anul 2015	Anul 2016	Anul 2017	Anul 2018	Anul 2019	Anul 2020		
		UMI: Numar persoane																															
Nr. pers.		Nr. pers.		Nr. pers.		Nr. pers.		Nr. pers.		Nr. pers.		Nr. pers.		Nr. pers.		Nr. pers.		Nr. pers.		Nr. pers.		Nr. pers.		Nr. pers.		Nr. pers.		Nr. pers.		Nr. pers.			
Masculin	Bihor	12	32	29	17	68	46	102	143	100	164	65	30	25	41	46	42	88	107	109	75	83	99	57	51	73	91	110	99	89	68		
	Bistrița-Năsăud	6	8	5	5	34	13	53	38	33	33	33	15	13	6	7	30	37	40	55	28	34	29	34	32	53	63	83	111	72	48		
	Cluj	24	28	34	16	91	93	241	429	215	203	180	65	40	50	56	107	185	214	162	139	155	184	158	113	113	218	281	324	285	175		
	Maramureș	10	15	21	10	96	85	122	121	137	163	68	20	25	29	23	46	86	91	70	66	75	50	45	65	75	85	106	106	177	91		
	Satu Mare	7	12	11	7	56	20	116	80	35	28	21	31	13	27	26	55	51	52	57	54	32	27	44	60	61	65	73	84	50			
	Salaj	5	7	1	3	11	13	31	31	20	11	14	4	2	10	9	14	25	29	24	41	16	24	8	20	24	24	30	47	16			
	Alba	4	4	4	6	32	6	31	41	15	20	17	17	4	6	12	26	35	50	66	47	43	53	50	61	47	65	61	60	30			
	Brașov	17	35	26	15	92	49	119	139	120	167	106	90	48	60	39	78	120	161	131	90	125	141	136	139	156	166	222	261	277	193		
	Covana	6	8	8	3	15	8	32	36	25	26	24	14	12	4	8	6	28	37	29	26	22	25	12	15	17	27	23	30	19			
	Harghita	3	8	10	7	35	13	38	36	42	34	54	19	22	23	18	20	52	78	61	53	49	52	53	43	45	61	40	47	43	22		
	Mureș	13	8	6	19	43	17	126	164	91	158	68	37	22	26	26	54	72	91	116	90	74	72	53	58	75	117	101	92	132	72		
	Sibiu	11	34	32	4	53	93	93	52	36	37	32	31	23	46	38	74	102	100	67	74	107	68	96	103	106	112	139	137	86	66		
	Bacău	13	11	12	3	32	18	61	138	68	72	126	94	30	30	22	32	60	91	90	77	172	453	480	1326	706	600	1345	1137	845	345		
	Botoșani	4	2	3	1	3	4	27	65	60	114	196	50	34	13	20	19	43	40	33	34	172	417	483	419	288	982	1286	3704	3134	1381		
	Iai	13	11	16	9	24	17	301	555	212	351	726	503	165	73	54	132	147	183	203	205	1067	3893	5012	7641	4809	3193	4296	4693	5785	3080		
	Neamț	5	6	13	7	19	9	63	113	110	142	211	142	140	53	34	31	44	116	96	117	126	139	165	129	180	241	232	673	917	346		
	Suceava	9	5	6	7	23	13	63	200	133	233	226	59	38	26	41	72	145	240	128	164	169	339	382	544	1367	993	1048	3966	4220	2209	71	
	Vaslui	6	4	3	1	5	12	27	66	31	36	249	102	26	19	7	33	45	42	22	41	506	1793	930	1407	2073	3535	5354	6215	6575	2005		
	Buzău	2	7	5	2	12	1	11	18	9	10	26	24	8	5	3	16	24	31	37	49	39	69	34	31	37	51	39	56	45	20		
	Batavia	2	1	1	1	1	19	47	33	9	19	12	13	18	5	6	28	33	40	35	61	43	28	37	35	52	39	126	83	40			
	Constanța	58	75	30	17	80	29	149	170	106	71	102	89	51	45	63	121	169	207	175	142	156	201	108	122	116	112	134	157	176	84		
	Galati	11	9	10	3	20	13	58	105	84	126	253	179	69	32	41	47	81	104	88	82	391	867	697	601	585	903	1564	2339	3535	2474		
	Tulcea	2	3	5	2	9	2	13	8	9	6	11	9	1	10	7	9	25	34	21	24	24	24	17	16	15	35	35	40	36	23		
	Vrancea	1	3	2	8	6	25	38	12	10	39	19	26	21	19	39	56	102	83	61	46	65	61	64	98	78	82	128	97	78			
	Arges	7	9	5	6	15	6	31	26	16	14	26	27	24	14	18	32	32	38	39	36	56	39	42	25	45	58	65	58	78	45		
	Calarasi	1	5	3	4	3	8	13	6	6	12	4	3	7	13	22	28	9	7	9	15	16	11	19	35	43	34	48	28				
	Dambovita	1	2	1	2	7	4	15	41	12	25	22	28	13	4	10	14	36	45	37	33	62	39	34	26	38	64	50	426	388	139		
	Giurgiu	1	5	1	7	2	9	2	10	10	8	7	6	2	8	23	23	9	13	16	13	10	22	31	31	35	35	39	27				
	Ialomitia	2	1	3	2	4	16	11	10	9	16	17	8	7	5	14	35	37	24	28	43	18	26	16	34	23	30	38	53	25			
	Prahova	12	21	12	39	18	54	88	83	76	64	23	22	22	28	54	86	107	112	89	75	113	92	59	73	84	112	116	121	78			
	Teleorman	1	1	2	2	1	12	6	7	19	10	6	2	7	4	6	12	12	21	9	20	12	17	20	24	35	61	58	90	54			
	Ifov	3	7	5	3	10	8	15	3	66	45	32	15	17	11	49	80	85	109	108	198	303	326	246	172	246	299	243	309	203			
Municipiul Bucuresti	205	353	203	165	1006	389	985	2844	2698	2780	1707	1330	648	761	1192	3082	3117	2743	2119	1595	4223	2730	1267	1737	1440	2977	7466	11952	8865	4832			
Dolj	7	12	19	6	25	15	43	56	33	21	23	19	28	24	28	56	71	77	67	64	78	66	38	70	77	71	108	87	119	41			
Gorj	3	2	4	9	21	12	14	13	14	10	8	5	6	15	14	20	21	6	16	11	11	10	16	21	11	10	16	21	23	29	17		
Mehedinti	1	10	5	4	15	7	23	35	21	10	16	9	6	13	6	15	29	34	26	24	17	12	14	18	25	37	44	36	49	25			
Olț	2	6	1	1	5	4	6	9	3	2	6	4	1	2	5	7	17	11	16	11	24	20	7	17	30	28	47	46	47	40			
Valcea	5	6	4	3	16	6	21	17	11	14	19	17	17	16	11	29	67	70	76	48	28	47	40	27	36	51	54	42	51	28			
Arad	32	44	33	37	145	80	159	124	142	91	40	37	32	39	26	57	75	105	80	78	113	74	56	65	61	95	106	98	101	63			
Caras-Severin	12	57	45	38	104	63	79	110	86	33	26	28	26	32	28	44	74	49	46	42	30	25	36	38	108	48	84	81	98	50			
Hunedoara	9	18	22	29	47	27	82	93	57	42	34	29	23	14	16	47	48	53	47	53	38	52	32	34	49	64	72	51	88	64			
Timis	41	133	72	51	226	170	315	291	183	144	110	93	72	83	90	150	250	265	228	174	212	171	136	172	182	232	255	292	264	209			
Bihor	14	13	10	6	36	14	44	108	78	137	59	26	14	24	27	24	46	44	69	55	58	47	66	55	59	61	83	97	80	51			
Bistrița-Năsăud	4	3	3	1	9	3	22	31	27	30	36	15	10	8	14	12	31	47	15	17	19	33	39	60	51	89	78	80	44				
Cluj	41	33	32	4	37	147	368	169	222	197	91	36	39	50	58	78	126	86	85	154	146	160	156	126	154	167	270	306	340	380			
Maramureș	11	13	12	3	29	18	36	116	132	162	60	17	11	15	8	21	35	48	51	45	55	45	42	55	60	87	144	146	80				
Satu Mare	18	5	10	8	27	21	106	96	56	28	21	17	11	12	10	12	38	48	36	30	33	29	24	44	63	75	76	74	68				
Salaj	2	3	1	11	1	7	27	12	13	5	4	9	3	12	12	12	21	20	8	29	18	13	19	20	21	26	33	29	17				
Alba	7	5	6	1	10	4	15	40	10	12	22	18	10	4	1	7	19	22	25	36	30	33	41	44	45	72	56	71	78	47			
Brașov	27	20	18	14	44	25	76	119	98	137	116	86	56	60	40	61	91	107	86	83	107	115	132	153	152	205	259	312	293	205			
Covana	10	2	1	3	9	5	20	25	26	28	21	10	7	4	5	4	19	23	24	20	20	11	12	14	17	26	25	2					

The counties where the largest number of permanent immigrants were registered were Bucharest, Iași, Botoșani, Vaslui, Neamț and Galați. The information on permanent immigrants available in the INS database was centralized according to 18 age categories, respectively 0-4 years, 5-9 years, 10-14 years, 15-19 years, 20-24 years, 25 -29 years, 30-34 years, 35-39 years, 40-44 years, 45-49 years, 50-54 years, 55-59 years, 60-64 years, 65-69 years, 70-74 years, 75 -79 years, 80-84 years and over 85 years. The data indicate an increase in the number of people aged between 20 and 59 who permanently settled in Romania between 1992 and 2020. However, an increase in the number of permanent immigrants from age category 60-64 years from 2011 until 2020 can be observed in comparison with 1992-2010 (Table 6).

Table 6. Definitive immigrants by age groups for the period 1992 – 2020

Varste si grupe de varsta		Macror regiuni, regiuni de dezvoltare si judete		Imigranti definitivi pe grupe de varsta																												
				Ani																												
				Anul 1992	Anul 1993	Anul 1994	Anul 1995	Anul 1996	Anul 1997	Anul 1998	Anul 1999	Anul 2000	Anul 2001	Anul 2002	Anul 2003	Anul 2004	Anul 2005	Anul 2006	Anul 2007	Anul 2008	Anul 2009	Anul 2010	Anul 2011	Anul 2012	Anul 2013	Anul 2014	Anul 2015	Anul 2016	Anul 2017	Anul 2018	Anul 2019	Anul 2020
				UM: Numar persoane																												
0-4 ani	TOTAL	2	18	28	141	47	123	204	258	322	329	127	69	77	95	201	432	526	414	296	388	546	505	479	364	376	1324	1716	2556	1754		
5-9 ani	TOTAL	30	43	48	172	63	170	285	376	567	527	241	117	100	137	256	311	338	318	234	333	423	454	525	579	597	1704	2121	2920	1641		
10-14 ani	TOTAL	21	44	36	163	53	150	283	350	627	694	355	170	135	190	315	377	310	316	240	333	422	409	497	444	533	1486	1787	2362	1459		
15-19 ani	TOTAL	43	47	30	181	81	341	617	612	664	625	421	197	196	236	516	540	492	436	376	764	1123	1117	1355	906	1045	2064	2534	3116	1873		
20-24 ani	TOTAL	152	163	100	581	282	1292	2097	1505	1331	1271	967	386	271	251	492	578	865	834	615	2388	3592	3755	5669	2889	3833	6718	9339	7581	3466		
25-29 ani	TOTAL	189	162	147	819	429	1183	1709	1254	1290	1286	902	421	314	456	916	1083	1202	1026	762	2976	4610	5341	8136	4438	5359	8811	11635	10141	4537		
30-34 ani	TOTAL	184	203	119	515	244	718	1449	1138	1150	1131	823	409	365	478	1150	1233	1301	990	799	2071	3069	3754	6079	3512	4370	8217	11307	10240	4699		
35-39 ani	TOTAL	221	150	110	514	249	671	1222	1017	1147	1039	683	327	359	470	1186	1423	1316	1083	838	1566	2043	2486	3975	2698	3141	5805	7699	7835	3809		
40-44 ani	TOTAL	201	122	69	406	181	573	1180	962	1114	1045	669	284	253	351	879	1018	1043	864	763	1429	1698	1802	2947	2086	2411	4453	5869	5958	2937		
45-49 ani	TOTAL	153	68	48	264	122	497	1032	897	959	789	525	275	239	325	650	909	767	637	543	989	1311	1413	2335	1683	2072	3394	4448	4357	2213		
50-54 ani	TOTAL	133	52	43	199	70	260	470	503	591	633	386	220	218	246	504	678	737	553	507	878	1209	1274	2050	1253	1489	2371	2977	3060	1613		
55-59 ani	TOTAL	122	60	29	154	74	220	389	371	357	261	157	103	148	154	325	439	508	454	412	574	773	821	1396	1061	1157	1867	2156	2101	973		
60-64 ani	TOTAL	91	42	24	124	56	142	394	339	356	275	141	99	113	94	144	221	266	278	295	407	470	413	717	631	713	1078	1116	1253	706		
65-69 ani	TOTAL	92	44	19	100	51	97	276	245	263	203	86	86	85	112	75	166	154	174	162	193	203	186	289	299	456	581	588	587	331		
70-74 ani	TOTAL	58	23	14	69	26	81	153	144	162	128	54	35	54	53	48	85	92	116	97	120	99	93	90	121	155	181	201	244	133		
75-79 ani	TOTAL	33	12	7	29	12	37	107	65	84	78	34	45	30	31	31	42	70	68	65	67	45	36	66	72	87	70	97	90	50		
80-84 ani	TOTAL	18	10	4	16	9	28	26	26	24	27	7	16	18	15	17	26	33	31	40	49	29	27	29	35	38	51	57	41	32		
85 ani si peste	TOTAL	10	6	3	11	4	17	14	16	16	9	4	8	12	10	9	14	10	14	15	13	19	11	10	22	31	24	31	37	24		

Legenda: '!' - date lipsa; 'c' - date confidentiale; 9999,00 - normal - date definitive; 9999,00 - ingrosat subliniat - date semidefinite; 9999,00 - ingrosat - date revizuite; 9999,00 - subliniat - date provizorii
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Following Ravenstein's gravity model, adapted and reinterpreted by the scientific community until now, the present study aims to investigate the relationship between the distance from accommodation centres for asylum seekers and counties in Romania (Table 7) and the crime rate recorded in each of the 41 counties in Romania recorded in the period 2011 - 2020 and provided by the National Institute of Statistics in

Romania. The distance between the accommodation centres and the county main residence cities was calculated by means of the Google Maps platform.

Table 7. Road distances between the six regional accommodation centres for asylum seekers in Romania (Bucureşti, Timișoara, Giurgiu, Maramureș, Rădăuți, Galați) and the 41 counties in Romania

Județ	Centrul Regional de Proceduri și Cazare pentru Solicitanții de Azil – București	Centrul Regional de Proceduri și Cazare pentru Solicitanții de Azil – Timișoara / Timiș	Centrul Regional de Proceduri și Cazare pentru Solicitanții de Azil – Giurgiu	Centrul Regional de Proceduri și Cazare pentru Solicitanții de Azil – Maramureș	Centrul Regional de Proceduri și Cazare pentru Solicitanții de Azil - Rădăuți / Suceava	Centrul Regional de Proceduri și Cazare pentru Solicitanții de Azil - Galați
Bihor	587	191	624	199	400	624
Bistrița-Nasaud	480	428	607	137	170	481
Cluj	457	315	494	147	262	495
Maramures	595	477	634	0	245	556
Satu Mare	629	307	666	74,9	324	609
Salaj	533	391	570	98,9	285	571
Alba	372	230	409	242	345	477
Brasov	185	409	246	377	300	280
Covasna	237	463	298	368	272	224
Harghita	305	484	366	327	205	263
Mures	360	341	422	216	265	388
Sibiu	279	265	317	318	338	399
Bacau	359	585	358	401	206	149
Botosani	441	639	505	325	122	335
Iasi	389	651	453	398	141	207
Neamt	364	526	428	350	117	226
Suceava	444	606	508	284	0	326
Vaslui	324	650	388	442	242	91,1
Braila	218	686	274	598	381	96,7
Buzau	108	552	172	517	370	158
Constanta	227	748	254	822	526	247
Galati	239	672	295	586	324	0
Tulcea	281	854	405	701	468	169
Vrancea	210	571	273	514	282	87,9
Arges	149	432	187	506	481	408
Calarasi	115	665	143	739	467	243
Dambovita	84,7	490	151	564	473	273
Giurgiu	62,7	582	0	634	500	323
Ialomita	55	574	185	753	437	164
Prahova	102	527	171	503	431	228
Teleorman	91,2	479	66,3	641	562	384
Mun. Bucuresti -incl. SAI	0	542	62,7	595	461	292
Dolj	253	357	228	589	720	516
Gorj	298	308	335	448	551	556
Mehedinti	335	252	302	535	638	584
Olt	184	362	221	557	632	457
Vâlcea	214	405	251	478	486	475
Arad	583	58,8	620	329	561	647
Caras-Severin	509	170	477	478	581	667
Hunedoara	407	165	445	306	408	494
Timis	546	0	583	477	559	645

Pentru calcularea distanțelor rutiere fost utilizată aplicația online Google Maps disponibilă la <https://maps.google.ro>
Unitatea de măsură este kilometrul (Km)

Starting from Newton's Law of Universal Gravitation, Ravenstein² applies the gravity model for the first time in explaining migratory trends, arguing that the population migrates to commercial and industrialized cities, located at a short distance from the place of origin. If the data available in the 19th century allow Ravenstein to study

² Ernst Georg Ravenstein, "The Laws of Migration", *Journal of the Royal Statistical Society*, Vol. 52, No. 2, June 1889, pp. 241–305, Available online: <https://doi.org/10.2307/2979333>, accessed on 12.06.2022.

migration as the movement of the population from the place of origin to the destination where the census was taken, modern approaches to migration differentiate the analysis of international migration from that of internal and even from inter- regional migration³.

Currently, Romania has six regional accommodation centres for asylum seekers, established in the vicinity of the main border crossing points, in Timișoara, Maramureș, Suceava, Galați, Giurgiu and Bucharest (Figure 1).

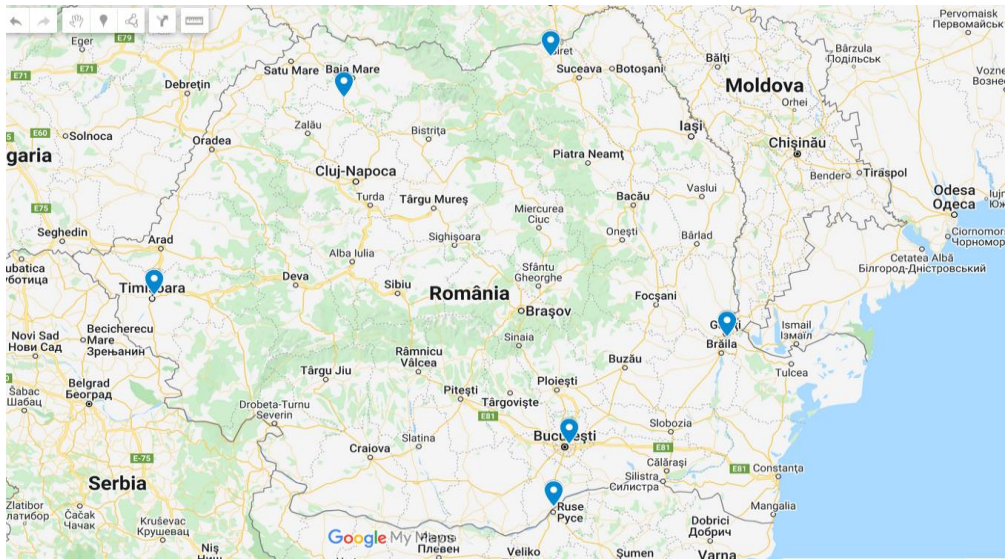


Figure 1. The six Regional Centres for Accommodation and Procedures for Asylum Seekers in Romania (created with Google Maps platform)

According to the Internal Order Regulation of the regional centres for procedures and accommodation of asylum seekers of the 25th of August 2016⁴, asylum seekers who have no means of support are accommodated in the centres until the termination of the right to remain

³ Philip Rees, Nik Lomax, “Ravenstein Revisited: The Analysis of Migration, Then and Now”, *Comparative Population Studies*, Vol. 44, 2019, Available online: <https://doi.org/10.12765/CPoS-2020-10>, accessed on 12.06.2022.

⁴ “Regulamentul din 25 August 2016 de ordine interioară al centrelor regionale de proceduri și cazare a solicitanților de azil”, *Monitorul Oficial*, nr. 680, 2 septembrie 2016, Available online: <https://legislatie.just.ro/Public/DetaliiDocumentAfis/181398>, accessed on 15.01.2022.

on the territory of Romania, or until the determination of the member state responsible for processing the asylum application. Also, the centres are intended to accommodate asylum seekers who have a court order to be placed in specially designed closed areas, beneficiaries of international protection and asylum seekers who have been issued a court order to reside in a centre.

Thus, applying the gravity model of migration, one could anticipate a greater interest of asylum seekers temporarily in accommodation centres to establish their residence in closer counties and a lower interest for counties located at a greater distance from the accommodation centre. If the asylum seekers in the accommodation centres have a high criminogenic potential, it could be expected that the crime rate in the counties close to the accommodation centres will be higher compared to other counties further away. Therefore, it would be expected that the migrants from Bucharest accommodation centre would like to settle in Bucharest, Ialomița, Giurgiu, Dâmbovița, Teleorman, Prahova and Călărași, those from Timișoara would prefer Timiș, Arad, Hunedoara and Caraș-Severin counties, migrants from Giurgiu centre to choose residence in Giurgiu, Bucharest and Teleorman, those from Maramureș center to settle in Maramureș, Satu Mare, Sălaj and Bistrița-Năsăud and those from Rădăuți to opt for residence in Suceava, Neamț, Botoșani and Iași. Similarly, it can be assumed that asylum seekers from the Galați Center will establish their residence or domicile in Galați, Vrancea, Vaslui and Brăila.

Comparing the values centralized by the National Institute of Statistics according to which the largest number of permanent immigrants was registered in Bucharest, Iași, Botoșani, Vaslui, Neamț and Galați (Table 5), with those regarding the crime rate recorded in the period 2011-2020 (Table 8), according to which the highest crime rate was recorded in Bucharest, Tulcea, Vaslui, Vâlcea, Constanța and Dolj, a superficial conclusion could be formulated that in Bucharest and Vaslui the increase of the crime rate could be related to the increase of the number of immigrants who have permanently settled in the county.

However, analysing the figures related to the number of foreigners investigated by the police in the period 2011-2020, a decrease in the involvement of foreign citizens in criminal activities is observed compared to the period 1992-2009. Moreover, comparing the data related to the total number of people investigated by the police in the period 2011-2020 with those regarding foreigners investigated by law enforcement authorities for the same period highlights an extremely low percentage of foreign nationals involved in crimes.

Table 8. Crime rate (number of crimes to 100,000 inhabitants) by county for the period 2011–2020

Macroregiuni, regiuni de dezvoltare si judete	Rata infractiunilor pe judete									
	Ani									
	Anul 2011	Anul 2012	Anul 2013	Anul 2014	Anul 2015	Anul 2016	Anul 2017	Anul 2018	Anul 2019	Anul 2020
	UM: Numar infractiuni la 100000 locuitori									
	Numar	Numar	Numar	Numar	Numar	Numar	Numar	Numar	Numar	Numar
Bihor	970	1057	968	1533	1448	1380	1346	1385	1554	1182
Bistrita-Nasaud	1244	1330	1172	1643	1394	1845	1751	1847	1859	1322
Cluj	1400	1654	1709	2064	2130	1543	1536	1463	1492	1186
Maramures	1119	1192	1249	1643	1181	1301	1223	1259	1334	1133
Satu Mare	967	1384	1210	1605	1246	996	1149	1294	1081	1101
Salaj	1191	1452	1437	1938	1390	1445	1551	1385	1215	1388
Alba	1648	1892	2074	2177	1969	2061	2218	1823	2031	1837
Brasov	1782	1921	1777	2551	2424	2048	1724	1887	2211	1942
Covasna	990	1200	1011	1010	1143	945	971	1107	1167	1288
Harghita	1686	1595	1586	1510	1047	1113	1167	1192	1115	1084
Mures	1208	1487	1606	2526	1438	1600	1579	1697	1554	1349
Sibiu	1026	1528	1487	1536	1278	1342	1384	1491	1517	1498
Bacau	1092	1578	1553	1770	1522	1680	1580	1467	1503	1243
Botosani	1119	1263	1313	1955	1422	1523	1765	1695	1822	1531
Iasi	875	1416	1396	2159	1620	1801	1758	2186	2029	1698
Neamt	956	1651	1785	1527	1450	1662	1677	1667	1899	1773
Suceava	1132	1476	1277	1492	1514	1426	1735	1660	1576	1345
Vaslui	1341	1841	2021	2466	2285	2492	2493	2624	3003	2704
Braila	1018	1363	1520	1944	1668	2062	1778	624	1755	1541
Buzau	994	1188	1271	1704	1728	1871	1819	1786	1740	1406
Constanta	961	1977	2240	2424	2310	2201	2206	2846	2554	2124
Galati	1024	1294	1135	1692	1403	1872	1666	1880	1621	1427
Tulcea	1542	2055	1859	1878	1748	1875	1921	1910	2320	2373
Vrancea	967	1232	1247	1571	1011	1262	1236	1297	1565	1688
Arges	1134	1288	1302	1994	1941	1695	1506	1491	1568	1514
Calarasi	877	1491	1567	2198	1990	1454	1561	1623	1802	2010
Dambovita	1082	1425	1550	1869	1454	1558	1222	1229	1405	1122
Giurgiu	1283	1328	1405	1649	1193	1262	1523	1878	1912	1828
Ialomita	1420	1382	1513	2323	1805	1670	1819	1871	2240	1479
Prahova	1217	1601	1512	2081	1815	1652	1418	1415	1454	1234
Teleorman	838	846	883	1378	1418	1386	1262	1329	1476	1425
Mun. Bucuresti -incl. SAI	1049	1861	1948	3070	2372	2312	2599	2747	2702	2560
Doj	1253	1575	1564	1861	1379	1393	1305	1163	1290	2345
Gorj	1328	1554	1635	1391	1804	1731	1644	1554	1660	1693
Mehedinti	1070	1765	1515	1654	1445	1916	1719	1736	1661	1467
Olt	1423	1588	1622	897	1151	1249	1195	1078	1226	920
Valcea	889	1351	1648	2014	1607	1710	1633	1772	1752	2280
Arad	1208	1449	1398	1430	1539	1349	1383	1600	1616	1298
Caras-Severin	1294	1580	1400	1710	1545	1670	1598	1616	1655	1596
Hunedoara	1776	2020	2083	2631	2009	1922	2074	2130	2186	2044
Timis	922	1407	1376	2062	2078	1785	1524	1633	1642	1382

Legenda: '-' - date lipsa; 'c' - date confidentiale; 9999,00 - normal - date definitive; 9999,00 - ingrosat subliniat - date semidefinite; 9999,00 - ingrosat - date revizuite; 9999,00 - subliniat - date provizorii

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Given the socio-political instabilities in Middle East and North Africa and the rising migration flow to Europe, illegal migration and migrant smuggling have become more and more worrying both for national law enforcement authorities and for refugee human rights organisations. The large-scale profits and the vulnerability of billions of people trying to escape war in their origin countries have incentivised illegal migration facilitators and carriers, acting alone or in organised groups. Additionally, illegal migration and migrant smuggling is often associated with identity document forgery, in an attempt to hide potential crimes that migrants committed in their country of origin or just because some migrants do not know the legal implications of such deeds. According to Frontex, the prices asked by migrant smugglers ranged initially between 500 Euros to 1,000 Euros per person, reaching in 2018 a value of 3,000 Euros for each migrant. The increasing profit allowed migrant smugglers to form organised criminal groups or to recruit more members if the group was already formed and also to engage in other related crimes, such as smuggling of goods, money laundering and corruption⁵.

In 2013, the Romanian Border Police reported 2,049 attempts to illegally cross the Romanian border, out of which 290 were groups of migrants and 190 migrant smugglers⁶. In 2014⁷ the border police discovered 339 migrant groups and 23 facilitators. In 2015, the number of

⁵ Frontex, *After the Money: Prices for People Smuggling on Central and Western Mediterranean Routes*, 2020, Available online: <https://frontex.europa.eu/media-centre/news/news-release/after-the-money-prices-for-people-smuggling-on-central-and-western-mediterranean-routes-EHDfJg>, accessed on 15.01.2023.

⁶ Romanian Border Police, *Activity Report*, 2013, Available online: <https://www.politiadefrontiera.ro:443/ro/main/i-analiza-activitatii-politiei-de-frontiera-romane-pe-anul-2013-6706.html>, accessed on 12.05.2022.

⁷ Romanian Border Police, *Activity Report*, 2014, Available online: <https://www.politiadefrontiera.ro:443/ro/main/i-analiza-activitatii-politiei-de-frontiera-romane-pe-anul-2014-6679.html>, accessed on 15.05.2022.

illegal migration cases rose by 2.1%, from 1,918 cases to 1,959 cases⁸, while in 2016 illegal migration rose by 23.2%, 140 facilitators being discovered by the police⁹. In 2017, illegal migration cases reached the highest peak, being registered a 578.3% rise compared to 2016, with 15,700 illegal crossings or attempts to cross illegally the Romanian border¹⁰. The Border Police report also highlighted a nine fold increase of the number of immigrants that tried to illegally leave the country as hidden in different vehicles. In 2018¹¹ the number of cases of illegal migration decreased by 61% and the number of persons attempting to illegally cross the border decreased by 41.90%.

Nevertheless, comparing the data provided for 2016 and 2017, the number of persons facilitating the illegal crossings of migrants increased to 185 and the number of migrants hidden in vehicles was also on the rise in 2018. In 2019¹² a number of 9,767 illegal migration cases were reported, with a 69.2% increase compared to 2018, 10,551 persons trying to illegally cross the border representing a 58.8% increase and also 256 facilitators were arrested. According to the Border Police report for 2020¹³, 46,143 migrants were caught while trying to cross the border illegally,

⁸ Romanian Border Police, *Activity Report, 2015*, Available online: <https://www.politiade frontiera.ro:443/ro/main/i-analiza-activitatii-politiei-de-frontiera-romane-pe-anul-2015-6678.html>, accessed on 15.01.2023.

⁹ Romanian Border Police, *Activity Report, 2016*, Available online: <https://www.politiade frontiera.ro:443/ro/main/i-analiza-activitatii-politiei-de-frontiera-romane-pe-anul-2016-10415.html>, accessed on 15.01.2023.

¹⁰ Romanian Border Police, *Activity Report, 2017*, Available online: <https://www.politiade frontiera.ro:443/ro/main/i-analiza-activitatii-politiei-de-frontiera-romane-pe-anul-2017-12474.html>, accessed on 15.06.2022.

¹¹ Romanian Border Police, *Activity Report, 2018*, Available online: <https://www.politiade frontiera.ro:443/ro/main/i-analiza-activitatii-politiei-de-frontiera-romane-pe-anul-2018-17199.html>, accessed on 15.03.2021.

¹² Romanian Border Police, *Activity Report, 2019*, Available online: <https://www.politiade frontiera.ro:443/ro/main/i-analiza-activitatii-politiei-de-frontiera-romane-pe-anul-2019-19983.html>, accessed on 20.01.2022.

¹³ Romanian Border Police, *Activity Report, 2020*, Available online: <https://www.politiade frontiera.ro:443/ro/main/i-analiza-activitatii-politiei-de-frontiera-romane-pe-anul-2020-22641.html>, accessed on 15.07.2022.

representing approximately 400% more cases than in 2019. The illegal migration cases also registered a 363.2% increase, with 45,252 illegal migrants discovered compared to the 9767 registered in 2019. Of the total number of illegal migrants, 30.6% originated from Afghanistan and 28.5% from Syria. The number of illegal migration facilitators discovered and arrested by the police increased from 256 in 2019 to 363 in 2020.

Illegal migration represented a great concern also in 2021, the border police authorities¹⁴ registering a 101.1% increase of the number of foreigners involved in illegal migration (91,014 persons) and an 85.7% increase of the number of migrants using fake or forged documents. Of the total migrants involved in illegal migration cases, 46% originated from Afghanistan and 12.5% from Syria. The number of illegal migration facilitators also increased from 363 in 2020 to 674 in 2021.

According to the UN Recommendations on International Migration Statistics, international migrants are people who change their country of habitual residence, where they live or spend their daily time, except in cases where the trip is made for recreational, holiday, business, medical or religious pilgrimages that do not involve changing the state where they habitually reside¹⁵. The same document provides a taxonomy of entries and exits used for the purpose of collecting statistical data on international migration as well as a definition of the categories of foreigners admitted for humanitarian reasons, such as refugees, asylum seekers, beneficiaries of temporary protection and persons admitted for other humanitarian reasons, each of these categories falling under separate legal norms¹⁶.

¹⁴ Romanian Border Police, Activity Report, 2021, Available online: <https://www.politiade-frontiera.ro:443/ro/main/i-analiza-activitatii-politiei-de-frontiera-romane-pe-anul-2021-28257.html>, accessed on 20.07.2022.

¹⁵ United Nations, *Recommendations on Statistics of International Migration*, Revision 1, 1998, p. 9, Available online: <https://www.migrationdataportal.org/resource/recommendations-statistics-international-migration-revision-1>, accessed on 13.05.2022.

¹⁶ *Ibid.*, p. 34.

However, not all persons granted refugee status according to the Geneva Convention apply for asylum in Romania, and not all asylum seekers are recognized as refugees. Regarding the Romanian legal framework in the field of asylum, Law no. 122 of the 4th of May 2006, as subsequently amended¹⁷, defines the terms associated with each category of displaced persons who request a form of international protection in Romania. Thus, the foreign citizen applying for international protection in Romania has the status of asylum seeker only until the end of the asylum procedure, through which he can be recognized as a refugee or granted subsidiary protection for an unlimited period. Refugees or beneficiaries of subsidiary protection cannot be returned to their countries of origin, except in cases where they represent a threat to national security or are definitively convicted of a serious crime.

The National Strategy on Immigration for 2015-2018 and its implementing Action Plan were approved by the Romanian Government in 2015¹⁸, aiming to simplify the procedures for the admission of immigrants, improve the inclusion of migrants and address national work shortages was finally approved in 2015 by the Romanian Government and published a month later in the Romanian Official Monitor. The Strategy and the Action Plan set the main objectives for national authorities, namely to promote legal migration for all parts involved, the Romanian society, immigrants and their countries of origin, controlling the legal status of third country nationals and enforcing the relevant restrictive and removal measures, improving the national asylum system in line with the applicable national, European and international legal framework and the active participation in the

¹⁷ "Legea nr. 122 din 4 mai 2006 privind azilul în România", *Monitorul Oficial*, nr. 428, 18 mai 2006, Available online: <https://legislatie.just.ro/Public/DetaliuDocumentAfis/252056>, accessed on 13.05.2022.

¹⁸ "Plan de actiune pentru implementarea Strategiei naționale privind imigrația pentru perioada 2015-2018", *Monitorul Oficial*, nr. 789 bis, 23 octombrie 2015, Available online: <https://legislatie.just.ro/Public/DetaliuDocumentAfis/173050>, accessed on 15.01.2023.

European and international efforts to identify durable solutions for persons in need of international protection and social integration of third country nationals.

An OECD report on migration and asylum in Romania for 2018 and 2019¹⁹ shows that Romania has indeed made important steps towards the integration and inclusion of migrants, but several shortcomings were also observed for the period of reference. Compared to 2017, in 2018, the Romanian authorities granted 17.1% more residence permits to immigrants to reside in Romania for a period longer than 12 months. Out of the 12,000 new immigrants, 38.2% were obtained for work reasons, 26.6% for family reunification, 25.2% for educational purposes and 10% for other reasons. Migrant students also benefitted from scholarships offered by Romanian educational institutions. The immigration policy framework was simplified. However, in 2018 the salary level of migrant employees dropped with the application of the minimum gross wage instead of the average gross wage, although the national minimum wage increased by 33%. The highly skilled non-EU migrant workers under the EU Blue Card scheme received higher wages, as the salary threshold was double the average gross salary.

The new National Immigration Strategy and its Action Plan were approved only in 2021 for the implementation period 2021-2024²⁰. The governmental approval decision also modified the name and structure of the National Coordination Group responsible for the implementation of the immigration strategy set up in 2018 at the same time with the

¹⁹ OECD, *International Migration Outlook*, 2020, Available online: <https://doi.org/10.1787/ec98f531-en>, accessed on 12.01.2022.

²⁰ Hotărâre nr. 884 din 19 August 2021 pentru aprobarea Strategiei naționale privind imigrația pentru perioada 2021-2024, a Planului de acțiune pe perioada 2021-2022 pentru implementarea Strategiei naționale privind imigrația pentru perioada 2021-2024, precum și pentru modificarea Hotărârii Guvernului nr. 572/2008 privind constituirea Grupului de coordonare a implementării Strategiei naționale privind imigrația, *Monitorul Oficial*, nr.839/02.09.2021, Available online: <https://legislatie.just.ro/Public/DetaliiDocumentAfis/245959>, accessed on 15.12.2022.

amendment of the National Immigration Strategy for 2015-2018, placing clear roles on all public institutions in Romania in immigration management and providing a more structured inter-agency cooperation mechanism under the umbrella of an „Immigration Management Commission“. The general objectives of this new strategy are the efficient management of the immigration phenomenon, consolidating the national asylum system in line with the European and international standards, enhancing the national response capacity in case of an immigration mass influx and ensuring the capabilities to implement migration and asylum policies and integrate foreigners. The data provided by the General Inspectorate for Immigration in its Activity Report for 2021²¹ indicate that progress was made in line with the objectives included in the National Immigration Strategy, in the sense that both the number of work visas issued for immigrants and the number of applications for international protection nearly doubled their values compared to the previous years. Compared to 2020, the Romanian immigration authority examined 161.2% more requests under Dublin Regulation.

Conclusion

The data collected by this study from the national, European and international open sources indicate a negative correlation between the number of immigrants that settled in Romania between 2015 and 2020 and the national crime rate compared with the previous years. Considering the vulnerability of the persons who have applied for international protection in Romania, on the one hand, and avoiding the criminalization of this category for the purpose of a better adaptation in the host state, the data on the number of refugees or asylum seekers involved in crimes, as suspects or victims, are missing from the national

²¹ Romanian General Inspectorate for Immigration, *Activity Report*, 2021, Available online: <https://igi.mai.gov.ro/wp-content/uploads/2022/04/Evaluare-activitate-IGI-2021.pdf>, accessed on 10.12.2022.

statistics. Moreover, the analysis of official documents shows that the integration of immigrants in Romania was carried out both for humanitarian reasons and for lucrative, family reunification or educational purposes and effective control was carried out by law enforcement authorities regarding the legal status of the registered immigrants.

However, the data provided by the border police shows that illegal immigration has become a worrying problem both for law enforcement authorities and for immigrants themselves. The rising number of organised criminal groups trying to lure vulnerable immigrants into accepting dangerous ways of travelling to Europe and the involvement of such criminal groups into various crimes, such as document forgery, drug and weapon trafficking, money laundering and corruption places illegal immigration on the top of the national and international agendas.

Another challenge in the implementation of immigration and asylum policies at the national level is represented by the lack of identity documents on the basis of which the identity of the person requesting international protection from the Romanian authorities can be established. In some cases, migrants deliberately declared the loss of identity documents to hide their nationality or certain crimes committed in their country of origin. In other cases, in the countries of origin there are no computerized systems with civil status data and population records, or the birth was not registered due to the lack of official certification of the parents' marriage.

The current experience of the integration of refugees shows that an effective migration and asylum policy does not determine a high crime rate, provided that effective social and security policies, with national and European funding. But additional efforts on the part of the authorities are needed to ensure the protection of vulnerable categories of refugees and avoid their victimization.

Building the conceptual framework for investigating the link between immigration and crime remains a challenge for the academic community. Firstly, because most previous studies that have addressed the relationship between immigration and crime have drawn conclusions based on data on foreign nationals, legal residents or not. Secondly, because there are still divergences regarding the terminology associated with migration, the concept of migrant being used generically. Migration is a rapidly changing phenomenon with different driving factors that acquires new dimensions and needs flexible analysis models. In a globalized world, migration is not just a change of residence, but a recreation of social identities and a way of evolution.

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MIGRATION PROJECTS VIA LABOUR MIGRATION FACILITATORS: RISKS AND ADAPTIVE STRATEGIES USED BY ROMANIAN WOMEN IN THE ENDEAVOUR OF WORKING IN THE ITALIAN DOMESTIC CARE SECTOR

Miruna I. HARABAGIU¹

Abstract. Labour migration among citizens from Romania to the European Union has steadily increased over the past decade and with it, a new area of business flourished: labour migration facilitators. Economic hardships and the search for higher living standards have led numerous Romanian women to seek employment on a permanent or seasonal basis in the European Union. The Italian domestic care sector offered a niche for many of these women.

This paper addresses the issue of migrants' personal and professional safety, as well as agency in the endeavour of carrying out their migration projects. In order to investigate this issue, each migration project is considered as being composed of four phases and each phase as a sum of activities and relationships. The analysis of migrants' recollection of events gradually captures the impact of every relationship developed throughout the project as well as their adaptive strategies.

For this purpose, I conducted 22 in depth semi-structured interviews with Romanian active care workers in the Italian domestic care sector, who migrated through the services of various labour migration facilitators.

The results of the analysis showed that for every phase of the migration project and for each relationship they entered, the Romanian migrants encountered certain risks. Some of them were stemming from the LMFs' modus operandi, while others originated from the relationship with the employer or cared person. Even the relationships with fellow care workers

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bore professional risks. In face of that, the women used various strategies in order to adapt, cope and carry on their migration projects.

Keywords: labour migration facilitators, risks, resistance against precariousness.

Labour migration: between risk and agency

Three macro-components created the coordinates for transnational labour in the domestic care sector: demographic aging created an immense need for geriatric care²; the emancipation of women in First World countries has led to the possibility of outsourcing the domestic chores³, and to that market gap the capitalist market reoriented towards services, which led in turn to the re-emergence of domestic work and a labour sector⁴. For that need, liberalized migration allowed a savvy economic solution: the attraction of cheap labour force from underdeveloped countries⁵. In Romania's case, as many scholars noted, emigration developed quickly after the country's accession to the European Union^{6 7}, as a means to ensuring the households financial well-being. The estimated number of people who emigrated temporarily between 2007 and 2020 are around 3.2 million citizens⁸. More even, the feminine temporary emigration quickly developed in the first five years

² Fedyuk Olena, *On the path to regularity: exploring the individual costs of regularization among Ukrainian ageing domestic care workers in Italy*, Urban People, 2016, pp. 203-229.

³ Cox Rosie, *Exploring the growth of paid domestic labour: a case study of London*, Geography 85, 2000, pp. 241-251.

⁴ Butler Tim and Paul Watt, *Ch. 7: New Work and New Workers*, in Understanding Social Inequality, London: Sage Publications LTD, 2006, pp. 135-164.

⁵ Cox Rosie, *The servant problem*. London: Tauris, 2006.

⁶ Șerban Monica and Melinda Stoica, *Politici și instituții în migrația internațională: migrația pentru muncă din România. 1990-2006*. București: Fundația pentru o Societate Deschisă, 2007.

⁷ Anghel Remus Gabriel and Istvan Horvath, *Sociologia migrației. Teorii și studii de caz românești*. Iasi: Polirom, 2009.

⁸ INSEE, Tempo-Online, 2023: [<http://statistici.insee.ro:8077/tempo-online/#/pages/tables/insee-table>], accessed January, 7th.

after Romania's accession to EU⁹, when it surpassed masculine emigration (see image 1) and was directed especially towards precarious sectors, such as geriatric care¹⁰¹¹.

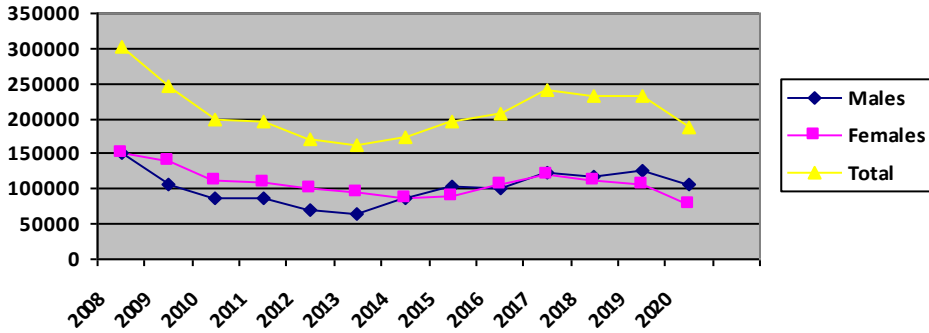


Image 1. Data source: INSEE-Tempo-online

In the southern part of Europe, together with Germany and Austria, geriatric care usually takes the form of cohabitation with the incapacitated person, which might also be the employer¹²¹³. The domestic care sector had a steady growth after 2006: according to OECD data, the number of international migrants involved in this sector increased by 20.2% between 2007 and 2012¹⁴. In the 2022 Annual Report on Domestic Work¹⁵ it is stated that the Italian care sector contains above 2 million care workers, of which 53.2% were still in an irregular work arrangement. Although the Italian state has taken measures over time to push for the regularization of immigrants and the reduction of undeclared work, in

⁹ *Idem.*

¹⁰ Anghel Remus Gabriel and Istvan Horvath, *op.cit.*, 2009.

¹¹ Sandu Dumitru, *Migrația temporară în străinătate (1990-2016)*, in Ghețău, Vasile. *Demografia României*. București: Editura Academiei Române, 2018, pp. 222-244.

¹² Williams Fiona, *Converging variations in migrant care work in Europe*, *Journal of European Social Policy*, 2012, pp. 363-376.

¹³ Fedjuk, Olena, *op.cit.*, 2016

¹⁴ OECD, *International Migration Outlook 2013*, OECD Publishing, 2013, 2017: [https://www.oecd-ilibrary.org/social-issues-migration-health/international-migration-outlook-2013_migr_outlook-2013-en] accessed May, 8th.

¹⁵ Domina, *Annual Report on Domestic Work*, *Observatorio Lavoro Domestico*, 2022, pp.2-3.

2018 only 40% of the almost 2 million workers in the domestic sector would have a contract registered with the local authorities, and in 2021 that number rose only up to 47%¹⁶.

The domestic care sector is one of the European established precarious and favourable environments for undeclared employment, forced or exploitative labour¹⁷¹⁸. Furthermore, in Italy's case, it is still between formal and informal, due to the fact that the family, as a potential employer, has the duty to ensure the migrant's process of regularization. The preparation of migrant's identification documents precedes the registration of the employment contract. Most of the time, living with the employer and integrating the migrant into the family leads to a postponement of the employment contract and its regularization process¹⁹²⁰. The time necessary for the regularization process puts the immigrant in a precarious position, while the power lies to the Italian family. In that period of time, in which the care worker does undeclared work, one doesn't have any real protection against ill treatment, pay cuts, being fired and evicted without notice or compensation, or not having the right to social protection measures, etc. All these risks were very difficult to manage, especially given that the labour market underwent processes of "deregulation and precariousness, a weakening of protection from the welfare state and a strong individualization"²¹. In face of that, migrants deployed strategies that sometimes equal self-exploitation, tolerating and enduring the conditions as much as humanly

¹⁶ The estimate comes from the Domina association, in the Annual Domestic Work Report 2019 and Domina, Annual Report on Domestic Work, 2022.

¹⁷ Lalani Mumtaz and Hilary Metcalf, *Forced labour in the UK: The business angle*, Homestead: JRF, 2012.

¹⁸ Skrivankova Klara, *Between decent work and forced labour: Examining the continuum of exploitation*, Homestead: JRF, 2010.

¹⁹ Fedyuk Olena, *op.cit*, 2016.

²⁰ Williams Fiona, *op.cit.*, 2012.

²¹ *Apud.* Gilbert Mark; Martin Andrew and George Ross. Mole J. Noelle, *Precarious subjects: Anticipating Neoliberalism in Northern Italy*, American Anthropologist 2010, p. 38.

possible²², than choosing to return to the home country. This is one side of the coin when addressing coercive contexts²³.

The other component that bears risks for the immigrant is the job itself. It is important to stress that the field in which the care work is being delivered is private, and as such, out of the state's gaze²⁴. Although being a care worker has been recognized as a remunerated occupation, it still poses difficulties in the state's effort to impose its regulations, because „domestic work displays a series of structural characteristics that make it hard to implement a fine-grained control“²⁵ and „ it is not possible to carry out a house-by-house inspection“²⁶.

The *badante* occupation, which is the Italian term for care worker, has been regulated through national labour contracts²⁷, which are published regularly. Those serve as guidelines regarding the immigrant's rights and obligations while working in an Italian household. Even so, many aspects related to care work are still up to negotiation between the members of the tripartite relationship. The latest report on Italian domestic work showed that employers „ are not encouraged to establish a regular employment relationship²⁸“ as they regard that care work „entails only a few days of a few hours of work per week²⁹“. For the care worker however, who lives 24/7 with the cared person, working hours can stretch beyond the schedule agreed upon contractually³⁰. Most often, elderly carers end up having activities in the area of nurses, housekeepers

²² Fedyuk Olena, *op.cit.*, 2016.

²³ Scott Sam, Gary Craig and Alistair Geddes, *Experiences of forced labour in the UK food industry*, Homestead: Joseph Rountree Foundation, 2012.

²⁴ Gendera, Sandra, *op.cit.*, 2011.

²⁵ Domina, *op.cit.*, p. 5.

²⁶ *Idem.*

²⁷ Nuovo Contratto Collettivo Nazionale di Lavoro Colf e Badanti (CCNL). 2019, Italia: Ebilcoba.

²⁸ Domina, *op.cit.*, p. 3.

²⁹ *Idem.*

³⁰ Fedyuk Olena, *op.cit.*, 2016.

and cooks, in some cases even taking on some responsibilities regarding managing money, making purchases, paying bills, etc.³¹

There is still one risk bearing component when talking about labour migration, which we haven't yet addressed: labour migration facilitators.

Labour migration and intermediaries

The main directions in which the facilitation of individuals' migration was perceived over time, consisted on social networks³²³³; migration industry³⁴³⁵³⁶³⁷; and migration infrastructure³⁸³⁹⁴⁰⁴¹.

Researching migration through a social network lens enriched scientific knowledge and helped us understand how migration developed and adapted to various state policy and economical

³¹ Alemani Claudia; Raffaella Maioni; Sabina Marchetti; Raffaello Sarti; Olga Turrini; Francesca Alice, Vianello; Gianfranco Zucca, *Viaggio nel lavoro di cura. Chi sono, cosa fanno e come vivono le badanti che lavorano nelle famiglie italiane*, Roma: Ediesse, 2016.

³² Massey S. Douglas, Joaquin Arango, Graeme Hugo, Ali Kouaouci, Adela Pellegrino, Edward J. Taylor, *Theories of international migration: A review and appraisal*, Population and Development Review, 19(3), 1993, pp. 431-466.

³³ Cingolani Pietro, *Prin forțe proprii. Vieți transnaționale ale migranților români în Italia*, in Anghel, Remus Gabriel and Istvan Horvath, *Sociologia migrației. Teorii și studii de caz românești*. Iasi: Polirom, 2009, pp.176-194.

³⁴ Castles Steven and Mark J. Miller, *The age of migration*, New York: Guilford Press, 2003.

³⁵ Elrick Tim and Emilia Lewandowska, *Matching and Making Labour Demand and Supply: Agents in Polish Migrant Networks of Domestic Elderly Care in Germany and Italy*, Journal of Ethnic and Migration Studies, 2008, pp.717-734.

³⁶ Spener David, *Some Critical Reflections on the Migration Industry Concept*, Texas: Trinity University San Antonio, 2009.

³⁷ Enright Bryrony, *(Re)considering new agents: a review of labour market intermediaries in labour geography*, Geography Compass, 2013, pp.287-299.

³⁸ Bakan Abigail and Daiva Stasiulis, *Making the Match: Domestic Placement Agencies and the Racialization of Women's Household Work*, Papers in Political Economy, 1994.

³⁹ Deshingkar Priya, *The making and unmaking of precarious, ideal subjects – migration brokerage in the Global South*, Journal of Ethnic and Migration Studies, 2018, pp.1-17.

⁴⁰ Jones Katharine and Heila Sha, *Mediated migration: A literature review of migration intermediaries- Working paper*, Coventry University: Mideq, 2020.

⁴¹ Sha Heila, *Intermediaries and inequalities: a literature review- working paper*, MIDEQ, Centre for Trust, Peace and Social Relations (CTPSR), Coventry University, 2021.

settings^{42,43}. Stemming from transnational migration through social networks arose another phenomenon, labour market intermediaries. Another great scholar effort was directed towards mapping who they were, why they “appeared” and how they operated, given that their motives were not altruistic⁴⁴.

In this quest labour market intermediaries were defined as „the entities that intervene between the worker and the organization/entity that needs workers”⁴⁵ thus forming a tripartite relationship⁴⁶. They were found to be either singular actors (brokers) or clustered ones (organizations), often operating between formal and informal, legality and illegality⁴⁷. Individual brokers may receive native names, as to the countries in which they appear and develop. For example, the UK has gang masters while Italy has *caporali*⁴⁸. As the intermediation market grew, caporali teamed up with other entrepreneurs⁴⁹ and formed organizations or networks⁵⁰. In intermediation networks there are involved several collaborators, in some cases even local authorities⁵¹, that serve certain roles or deliver certain services, such as money lending, accommodation, transport, etc.^{52,53,54}

⁴² Mezzadra Sandro and Brett Nielson, *The Borders of justice*, Philadelphia: TPU, 2011.

⁴³ Sandu Dumitru, *Lumile sociale ale migrației românești în străinătate*, Iași: Polirom, 2010.

⁴⁴ Jones Katharine and Heila Sha, *op.cit.*, 2020.

⁴⁵ Bonet Rocio, Peter Cappelli and Monika Hamori, *Labor Market Intermediaries and the New Paradigm for Human Resources*, The Academy of Management Annals, 2013, pp. 1.

⁴⁶ Allain Jean, Andrew Crane, Genevieve LeBaron, Laya Behbahani, *op.cit.*, 2013.

⁴⁷ *Idem*.

⁴⁸ Perrotta Domenico, *Vecchi e nuovi mediatori. Storia, geografia ed etnografia del caporalato in agricoltura*, Meridiana, 2014, pp. 193-220.

⁴⁹ Benner Chris, *Labour flexibility and regional development: the role of labour market intermediaries*, Pennsylvania: Regional Studies, 2003, pp. 321-633.

⁵⁰ Allain Jean, Andrew Crane, Genevieve LeBaron, Laya Behbahani, *op.cit.*, 2013.

⁵¹ Perrotta Domenico, *op.cit.*, 2014.

⁵² Spener, David, *op.cit.*, 2009.

⁵³ Lalani Mumtaz and Hilary Metcalf, *op.cit.*, 2010.

⁵⁴ Scott Sam, Gary Craig and Alistair Geddes, *op.cit.*, 2012.

Benner⁵⁵ put forward the idea that the emergence of intermediaries was a response to the unpredictability and volatility of the labour market, having an increased degree of efficiency at the regional level. As for the intermediaries' role in this tripartite relationship, is closely related to their *causa essendi*: gathering information about the parties, identifying the suitable employee according to the position and the conditions proposed by the employer, vouching for the position, or for the employee's reliability and mediating further potential conflicts between the parties^{56,57}. They also possess the power to manage the migrant's hiring process and negotiate access to benefits or rights.

In the domestic care sector, intermediaries' clients are families or householders in charge of which the care of the incapacitated family member remains. Even though they operate at the will of their clients, the power that intermediaries may enjoy has been signaled for decades, where in the context of globalization and re-emergence of domestic work, they were recognized as navigating the migration policies in the host state, while at the same time shaping the flows from sending countries, and exerting a real impact on immigrant workers' beings and lives^{58,59}. Their importance is multifaceted, as they can create small labour markets, transnational networks of intermediation, real migration management systems and why not, forced labour and trafficking⁶⁰. For that reason, I consider that scholars' gaze must shift towards intermediaries' actions, because as Jones and Sha state: „intermediaries are mediators and issues of power and inequality are therefore fundamental to any analysis of intermediaries” and „what they do to facilitate migration and how they

⁵⁵ Benner Chris, *op.cit.*, 2003, pp. 627.

⁵⁶ Bakan Abigail and Daiva Stasiulis, *op.cit.*, 1994.

⁵⁷ Enright Bryrony, *op.cit.*, 2013.

⁵⁸ Bakan Abigail and Daiva Stasiulis, *op.cit.*, 1994.

⁵⁹ Deshingkar Priya, *op.cit.*, 2018.

⁶⁰ Benner Chris, *op.cit.*, 2003.

do it has wider societal impacts beyond simply functional activities to do with the migration process.”⁶¹

Nowadays scholars acknowledge that intermediaries may both help migrants overcome and at the same time help cement socio-economic inequalities^{62,63,64,65}. But what is still in early stages is considering the other parties involved in the relationship with the migrant, when addressing both the facilitation of migration and the creation, sustaining or changing said socio-economic inequalities. Furthermore, we must address the risks that migrants face throughout their migration projects, by allocating attention to their experiences as clients of these networks.

Methodological aspects

When addressing the perils in labour migration, more often scholars select instances in which those are found, in order to fully acknowledge how those perils become possible. But in doing so, one loses grasp of the fact that labour migrants live their lives in a veritable obstacle course race, and to avoid the many risks, they must manifest constant agency. Some of these risks are brought on in the intermediation process, others may stem during the series of jobs migrants take, but the common denominator is the relational aspect between the actors that operate in the migration infrastructure.

This paper addresses the issue of migrants’ personal and professional safety in the endeavour of carrying out their migration projects. As such, I regard every migration project as a journey directed to a pre-set goal, composed over time by a series of relationships with

⁶¹ Jones Katharine and Heila Sha, *op.cit.*, 2020, pp.4.

⁶² Benner Chris, *op.cit.*, 2003.

⁶³ Spener David, *op.cit.*, 2009.

⁶⁴ Jones Katharine and Heila Sha, *op.cit.*, 2020.

⁶⁵ Sha Heila, *op.cit.*, 2021.

other actors. Each relationship serves a purpose for the actors involved in it, even though it might not be explicit.

Through analysing the series of relationships in which migrants enter for reaching their goal, I aim to bring to light the risks they face, and how they adapt to them by extracting instances of resistance and agency.

For this paper's purpose I divide the migration project in four parts, mentioning that in every phase of the project, migrants may expand their social networks.

1. Phase one: pre-arranged emigration;

2. Phase two: the intermediation process;

3. Phase three: working in the domestic care sector. This might be the longest part of the migration project, from a time-wise perspective, in light of the sector's precarious conditions. It includes the relationships with the employers and/or with the cared people throughout time.

When exiting the relationship with an employer, another phase two of the migration project is started, either in its entire form (by returning from Romania to Italy), either by contacting and meeting a migration facilitator.

4. Phase four: completion of the migration project: this moment represents retiring from the domestic care activity. Although this phase will not be addressed in detail as none of my respondents have completed their migration projects.

For the purposes of this research, I used a qualitative approach to investigate the migrant life history of caregivers of Romanian origin, focusing on respondents who used different forms of intermediation. As a member on two Facebook groups for Romanian care workers, I distributed an open call for respondents. I then selected 10 care workers who used the services of two cooperatives, 9 who used the services of both agencies and *caporali*, and three people who navigated the labour market in the Italian sector only through their own social networks. My

choice for this mix was to better determine if different types of migration facilitator foster different risks.

Data collection was done between 2017 and 2022, and was based on in-depth, semi-structured interviews. A thematic and narrative analytic approach was used in analysing the interviews. The thematic analysis⁶⁶ aided in assessing patterns across the eighteen women's experiences and to understand their commonalities and differences with regard to their experience in managing their migration projects. The narrative approach provided a close-up glance at the participants' experiences through their memories, as they were constructed and reconstructed⁶⁷.

Phase one in the migration project: pre-arranged migration

The subjects' motivations for considering emigration were mainly financial, directed towards ensuring a better future for their children.

The subjects emigrated through pre-arranged forms of migration⁶⁸, using either their social networks (acquaintances, friends or relatives) or intermediaries (agencies, social cooperatives and associations or brokers). In identifying the labour migration facilitators, migrants used either their social networks, either stumbled upon searching on the internet or local press. Everyone needed a sum of cash in order to emigrate, but the amount differed in relation with the type of labour migration facilitator chosen, from 80€ to 600€.

Mrs. Anna emigrated for work in 2011 and received help from an acquaintance who put her in contact with an Italian family that needed a care worker. She had to borrow 100€ in order to cover the costs for the bus ticket. Upon arrival in Italy, she was awaited by one member of the

⁶⁶ Boyatzis Richard, *Transforming Qualitative Information: Thematic Analysis and Code Development*, California: SAGE Publications, 1998.

⁶⁷ Rosald Renato, *Culture & Truth: The Remaking of Social Analysis*, Boston: Beacon Press, 1993.

⁶⁸ Anghel Remus Gabriel and Istvan Horvath, *op.cit.*, 2009.

family she would work for. Mrs Anna chose to pay the acquaintance 100€ as a gift for helping her, even if the relationship with the hiring family proved to be dire.

Mrs. Christine first emigrated in 2011, through a Romanian unlicensed agency, identified through one of her acquaintances. As she would later discover, the agency was part of an intermediaries' network. The agency that had the role of recruiting women for the Italian care sector. The migrants' transport to Italy was provided by another network party, a small transportation company that ensured the pick-up and delivery of the migrant to a location agreed upon with another collaborator, this time on Italian territory. Upon arrival, Mrs Christine was taken by the Italian broker (*caporale*) and driven to a house that was used for immigrants' accommodation during the intermediation process. She also had to borrow money, in order to afford the intermediary network's fee. The agency's fee was 100€, as well as the bus ticket. The payment for the Italian broker consisted of one cartridge of cigarettes.

Mrs Henrietta went to Italy in 2010, for a job promised by an acquaintance, who was settled in Italy and became a broker. Upon arrival she found out that there was in fact no job for her and that she lost the 80 € paid in advance as an intermediation fee. The broker sent Mrs Henrietta to a recruitment agency that soon placed her in an Italian household. However, Mrs Henrietta stated that she couldn't bear more than three days and demanded to be taken to another job.

Although these three cases were first-time experiences, being exposed to risks while using intermediaries' services isn't the prerogative of beginners. Mrs Raluca found out about a social cooperative from a friend. Similar to Mrs Christine's case, this cooperative also had collaborators in Romania (the recruiter) and Italy (the housing administrator for the recruited persons). Once Mrs Raluca arrived in the city however, she was picked up by another "team member", who on route to the accommodation site threatened Mrs Raluca to pay the

accommodation fee in advance for at least a week. Put in such a situation, Mrs Raluca offered the last 50 euros she had with her, promising to borrow the rest. After a night's sleep she was taken by the same collaborator to the cooperative's headquarters.

Phase two of the migration project: the intermediation process

The intermediation process represents all the activities that take place until an immigrant accesses a job, and it consists of: a. the initial interview between the migrant and the labour migration facilitator (LMF), b. LMF's feedback with job offer/s, c. negotiation of contractual and labour elements in relation to the offer, d. meeting the hiring family and/or the cared person and e. the commencing of the accommodation period.

Although all these four stages were met in my subjects' recollections, there were variations in the way they were conducted by LMFs. Some of my respondents felt that they were ignored when they asked the intermediaries for certain criteria in their future employers' care cases. Same goes to other requests, such as being in a city and not isolated in the countryside. Sometimes they felt that the job offers weren't job offers indeed, as they felt pressured to accept them in order not to be sent back to Romania. This period was also the one in which my respondents reported the grossest misrepresentations, both in relation to the illness or the need for care of the person they were going to work with, as well as to contractual or salary-related aspects. Furthermore, the negotiation was rarely felt in favour of the immigrant, as intermediaries' intervention often means changing the caregiver to another. The last stage of the intermediation process, although specified in the national labour collective contract, became known only in the last 5 years by care workers and was prior socially constructed as an accommodation period between the caregiver and cared person.

During the intermediation process the immigrant usually needs housing, which might represent a risk itself, both financially and towards the migrant's well-being.

Mrs Christine was picked up at the bus station by the *caporale* and brought to his home, where he accommodated two other Romanian women. She slept in a child's bed alongside his dog for four days, while potential employers came there to choose their *badanti*. As she didn't yet speak Italian, her *caporale* marketed the fact that prior to coming to Italy she was a professional cook, and managed to get her hired. When addressing the meeting with the employer, Christine's recollections of that time illustrate the risk that an immigrant woman may face: „*After all I found out that I was put out for auction ... (the broker) took 400 euros for me. (...) At night, he took me near a cemetery, left me there with my luggage and 500 meters away was the person who wanted me as a badante. I ... I can't tell you how scared I was. A 43 years old woman (at that time), alone, and he (the employer) was talking only about love and I didn't understand anything*”.

As one may recall from the previous section, Mrs Henrietta was referred to an agency by her broker, and was placed in an Italian household. She stated that in that rush she didn't realize that she had a choice regarding where she could work, much less what it meant to take care of a man or of someone with serious degenerative illnesses. As such, in the household she was placed, she couldn't bear more than three days and demanded to be taken to another job. As the agency refused to continue the collaboration, she was faced with the threat of being sent back to Romania. She then remembered that the broker promised three job offers included in the fee and offered her none, so she called the broker and threatened to go to the police and file an official complaint against her. The broker came through and Mrs Henrietta gained access to a better job, although it was only as a substitute care worker.

Mrs Raluca was taken the second day by the same people who had picked her up from the station and driven to the cooperative headquarters.

There she was interviewed as to determine her skills and her requirements regarding the future jobs. Depending on the future job opening, Mrs Raluca would be contacted. She was informed that the duration of this process cannot be estimated exactly, as it also depends on the time of year in which the recruitment process starts. As such, Mrs Raluca was advised to prepare more money for the accommodation if need be. Knowing the difficult financial distress of the left home family, she felt desperate with each day that passed by. However, it seems that the intermediary entity did not fully comply with the criteria requested by Mrs Raluca. Thus, although she specified that she did not want to take care of men, the first position offered was to take care of just that. Out of necessity, she accepted, although after only two months of activity she requested her resignation.

In every case shown above, the relationships between the migrant and the labour migration facilitator were instrumental and directed towards accessing a job⁶⁹. The instrumentality may spread also in relation to the use or expansion of one's social network, as in Mrs Anna's case. The most protected form of emigration against risks was the one facilitated by one's social network, as it implies no obligation for paying a fee (although it might appear as a moral obligation in a gift form). In contrast, alongside being forced to pay the fee, the women who migrated via intermediaries' services were subjected to a series of precarious situations. As shown above, some subjects could not choose another transport option, once they entered the intermediary network, others were coerced to pay the accommodation in advance, sleep wherever they could, even with 10 other people in the same room or in improvised barracks. The uncertain situation in which they found themselves created another coercive context, as usually intermediaries offer three job options included in the fee amount. The job offers, however, don't always take into consideration migrants' requirements and sometimes are so dire that

⁶⁹ Perrotta Domenico, *op.cit.*, 2014.

the care workers return to the accommodation site in just two or three days abused and traumatized. Furthermore, a rejected job offer represents by default an exhausted offer. As such, by the third offer the women usually feel constrained to try and last at least one month, so they could get paid and search for another job. Last but not least is women's fear for their safety, as some of the respondents' recollected moments where they felt treated like livestock or slaves to be sold.

Phase three of the migration project: working as a *badante*

One could consider that the third phase begins with the moment that the immigrant enters the household as a *badante* and one would be right, with a small reserve. As the probationary period was socially accepted as a mutual period of accommodation between the care worker and cared person, it was usually the time where most aspects of the labour-wise relationship were negotiated. As every relationship may differ in its development it is difficult to establish a normal baseline, as we will see in the cases below.

Although Anna bypassed a series of risks by finding the job through use of her social network, she found herself in a dire situation with the hiring family. As she arrived at the post, the householder took her identification documents and told her that it was necessary in order for him to start the paperwork (i.e. regularization process). More even, upon arrival in the household, Mrs Anna found out that she ought to take care of two elderly people, both of them for 650 euro per month. Soon after, she was informed that she would have to eat the leftovers from the two people she was supposed to care for, she was allowed to wash herself and her clothes only once a week and that she wasn't allowed to leave the courtyard even during her daily two-hour break, while the elderly took their naps. As for her room, Mrs Anna was offered an improvised bed in a pantry, between a fridge and shelves with groceries. Through tears, Anna remembers those days with pain, as she told me: „*I felt like a slave,*

a nobody...I felt like I had nowhere to turn as I barely spoke Italian. They spoke badly to me (the elderly) and threw things at me... they behaved like I was bought, not an employee (that was) there to care for them."

During her almost two months stay there she learned that she would never be legally hired and that she'll have no place to go, as the householder was a retired judge. Luckily one day she met a flock of Jehova's witnesses and told them her story. They intervened and threatened the householder with the notification of the Italian authorities. Mrs Anna left the household that very day, alongside the flock, with her identification papers and 1000 euros as payment.

Mrs Christine worked for an entire year for 700 euro a month as an undocumented badanti. Her memories of that period are bittersweet, as she cared deeply for the elderly woman she cared for, but couldn't see eye to eye with her son, who repeatedly sexual harassed her. After a year-long working agreement, Mrs Christine left for Romania to visit her children and lost her post to another Romanian woman, who was gladly accepted by the elderly lady's son. As such, she remained jobless and was forced to start searching for another one.

Mrs Henrietta worked in the domestic care sector as a substitute badanti for four years, before securing herself a full-fledged job. She differentiates between the two types of jobs as *„learning in a brief meeting with the substituted caregiver how to copy her care work as to offer the same level of care"* and *„having free reign to develop the care needed with the cared person"*. As a substitute caregiver, Mrs Henrietta received the same amount of money with access to the same working environment rights as the job holder. If the working and salary conditions were good or not, she felt that she had no power to intervene, as it wasn't her job and didn't want to create problems for the job holder. However, when she became a job holder herself, she hit a brick wall: *„After two years and four months, when I solicited my rights (to have her care work formally contracted), I was preso in giro (not taken seriously). He (the householder) came to me with two small papers*

which stated that I worked 25 hours a week and that I would receive a payment of 645 euro per month, with all the benefits included (13th salary, annual vacation money, etc.). That meant that my salary would decrease with 50 euros while I worked at least 12 hours A DAY?! No, I felt that I was taken for granted so I handed in my resignation."

Raluca's employment situation was further mediated by the cooperative, even though contractually she had a contract with the householder. As such, the monthly salary and the payslip were issued by the intermediary. The most surprising detail is that in her employment contract there was listed another person than the actual person cared for. So, although she was caring for a non-self-sufficient male, the documents stipulated that she was providing support services to his wife, who was a self-sufficient person. As such, the number of hours and pay were calculated for the lady's health conditions. Mrs Raluca's monthly salary varied between 1050 and 1150 euro, and had all the benefits included. However, several months later, after she resigned and found a job elsewhere, she asked for financial assistance and found out that she was contracted through *partita iva* (self-employed) and had to pay hundreds of euros as taxes.

As we've seen in the cases above, even though the *badante*-householder it's first of all a service-for-pay relationship, gaining access to the rights specified by the national labour contract for *badanti* is a struggle. And even when it was possible, the contract did not always mirror the real-life situation. The possible risks for a care worker spread further than the contractual relationship and their access to social protection measures. As we have seen above, caretakers may be subjected to instances of verbal, physical and sexual abuse, forced or exploitative labour and have their basic needs limited. Adjacent to them, caregivers are exposed to contracting certain diseases from the people they care for, as well as to developing illnesses, resulting from the intensely demanding physical work they do. Last but not least, the conditions of isolation and

stress in which the caregivers work put them at risk of developing the so-called Italy syndrome.

The solutions that the interviewed women applied to their various situations depended largely on how safe they felt if they decided to reach for help. The social climate prior to the proliferation of social networks was one of lack of access to information, loneliness, anxiety and anomy. Every respondent remembered with regret the many battles they lost in winning their rights due to the fact that they were not aware of the Italian laws and the authorities they could turn to. In cases of sexual abuse or harassment, the strategies chosen consisted of either trying to verbally mediate the situation, either leaving the workplace as quickly as possible. Regarding the claim of contractual rights, appealing to the authorities became a viable option only when there was a social precedent, shared by mass-media.

The social climate changed with the help of social networks groups. They allowed Romanian care workers to create and develop online communities and share information between them. Over time, the groups assimilated various actors such as NGOs, associations or lawyers, who could offer real solutions to the problems encountered by care workers. All in all, these online groups represented the perfect environments for sowing resistance against precarization, either by keeping the migrants informed, or by giving them access to free and fast informed advice and legal solutions.

Phase four in the migration project: „returning home for good”

Although none of my respondents had at that moment completed their migration projects, they all dreamed about the moment when they would „retire”. Those quotation marks were inserted to emphasize the fact that retirement will most likely not be achievable in the true sense of the word by everyone of my respondents, given that they have worked undocumented for years since their first emigration and will most likely

return to Romania before being able to register the minimum number of years of declared employment for accessing an Italian pension. Others however were either already retirees, or had plans towards accessing a Romanian pension when age came. Only two women didn't have any plans for retirement, as that moment seemed ungraspable for them.

Looking in retrospect, most of the interviewed women felt that being a labour migrant gave them the chance to become more empowered and independent, although they also felt that the time spent away took a great toll: their prior relationships. Some of them felt that bit by bit their initial place in their family was lost. Their marriages were no longer viable, the children grew, some started their own families, followed careers or higher education programmes. Furthermore, some of the women felt that they were "italianized" and could no longer fit in the communities from which they once left. Taking all this into account, their future seems unclear to them, and in the meantime, they feel that all they can do is to continue working.

Conclusion

Labour migration facilitators were the solution for everyone of my respondents. The LMFs were identified by the migrants either through their social networks, or after a superficial search on the internet or local press. Everyone needed a sum of cash in order to emigrate, but the amount differed depending on the type of labour migration facilitator chosen and the destination of the fee, ranging from 80€ to 600€.

The most protected form of emigration against risks was the one facilitated by one's social network, as it implies no obligation for paying a fee (although it might appear as a moral obligation in a gift form). In contrast, alongside being forced to pay the fee, the women who migrated via intermediaries' services were subjected to a series of precarious situations. As shown above, some subjects could not choose another transport option, once they entered the intermediary network, others

were coerced to pay the accommodation in advance, sleep wherever they could, alongside several other people or in improvised barracks.

The relationships between the migrant and the labour migration facilitator were instrumental and directed towards accessing a job⁷⁰. The instrumentality may spread also in relation to the use or expansion of one's social network.

The uncertain situations in which the women found themselves throughout the intermediation process created coercive contexts. Although usually intermediaries offer three job options included in the fee amount, they don't always take into consideration migrants' requirements. Sometimes the job offers are so dire that the care workers return to the accommodation site abused and traumatized. Furthermore, a rejected job offer represents by default an exhausted offer. Given the fact that immigrants have to pay 20-30 euros daily for housing and sometimes in advance, by the third job offer the women usually feel constrained to accept it and try to last at least one month, so they could get paid and search for another job. Last but not least women fear for their safety, as some of the respondents recollected moments where they felt treated like livestock or slaves to be sold.

Even though the *badante*-householder it's a service-for-pay relationship, gaining access to the rights specified by the law is often a struggle. Most of the interviewed women stated that the contract did not always mirror the real-life situation. The possible risks for a care worker spread further than the contractual relationship and their access to social protection measures. As we have seen above, caretakers may be subjected to instances of verbal, physical and sexual abuse, forced or exploitative labour and have their access to basic needs limited. Adjacent, caregivers are exposed to contracting certain diseases from the people they care for, as well as to developing illnesses, resulting from the intensely demanding

⁷⁰ Perrota Domenico, *op.cit.*, 2014.

physical work they do. Last but not least, the conditions of isolation and stress in which the caregivers work put them at risk of developing the so-called Italy syndrome⁷¹.

The solutions that the interviewed women applied to their various situations depended largely on how safe they felt if they decided to reach for help. The social climate prior to the proliferation of social networks was one of lack of access to information, loneliness, anxiety and anomy. Every respondent remembered with regret the many battles they lost in winning their rights due to the fact that they were not aware of the Italian laws and the authorities they could turn to. In cases of sexual abuse or harassment, the strategies chosen consisted of either trying to verbally mediate the situation, either leaving the workplace as quickly as possible. Regarding the claim of contractual rights, appealing to the authorities became a viable option only when there was a social precedent, shared by mass-media.

The social climate changed with the help of social networks groups. They allowed Romanian care workers to create and develop online communities and share information between them. Over time, the groups assimilated various actors such as NGOs, associations or lawyers, who could offer real solutions to the problems encountered by care workers. All in all, these online groups represented the perfect environments for sowing resistance against precarization of their sector, either by keeping the migrants informed, or by giving them access to free and fast informed advice and legal solutions.

Although none of my respondents had at that moment completed their migration projects, they all dreamed about the moment when they would „retire”. Looking in retrospect, most of the interviewed women felt that being a labour migrant gave them the chance to become more

⁷¹ Sîrghie Daniela, *Îngrijitoarele de bătrâni din Italia – între normalitate și tulburare mintală sau „Sindromul Italia”*, Revista de Asistență Socială, Issue no. 1, Polirom & Universitatea București - Dept. de Sociologie și Asistență Socială, 2012, pp. 67-87.

empowered and independent. At the same time, some of them felt that the time spent away threatened them from their chance to resume the relationships with their Romanian families, from the point they left. Others felt that they became “italianized” and could no longer fit in the Romanian communities from which they once were a part of.

Taking all this into account, their future seems unclear to them, and in the meantime, they feel that all they can do is to continue working as a *badante*.

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ILLEGAL MIGRATION IN THE CONTEXT OF ROMANIA'S ACCESSION TO THE SCHENGEN AREA

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Abstract. The Migration Phenomenon has always been a priority topic on the agenda of all European states and institutions of the European Union, the dynamics of this phenomenon being one with a particularly complex and fluctuating character.

Today, in the context of a possible accession of Romania to the Schengen area, an objective we are closer to than ever, Romania is more committed than ever to managing the migration phenomenon, and even more so to illegal migration. Taking into account the fluctuations of recent years and the international instability in the areas generating the largest influx of refugees, Romania is taking important steps in aligning migration management policies with those already existing in the Community area and in the Member States of the Schengen area.

The Schengen area represents one of the biggest achievements of the European Union, and for Romania, it represents both a right and an obligation assumed by signing the Treaty of Accession to the European Union.

This Article aims to debate the migration phenomenon in Romania, with a strong focus on illegal migration, by analyzing the importance of an efficient management of this topic, especially because Romania is one of the countries that are part of the Balkan transit route preferred by migrants. In addition, in the event that it is admitted to Schengen, Romania will represent one of the borders of the European Union, so there are chances of increasing organized crime, which is why the country must be prepared both from a logistical and legislative point of view.

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Introduction

A concrete definition of the term *migration* is difficult to identify, as this term is not *de facto* covered by the international law and has often been considered to be a controversial subject, but broadly speaking, migration is the “process of territorial permutation of people”² that entails the change of place of living. According to the International Organization for Migration, the term “migrant” means “a person who moves away from his or her place of usual residence, where within a country or across an international border, temporary or permanent”³ based on various reasons.

We have to admit that it is necessary to make a precise distinction between the term *refugee* and the term *migrant*. Based on the Refugee Convention from 1951 in Geneva, and on the basis of the New York Protocol related to the status of refugees (1967), a refugee is a person “who is unable or unwilling to return to their country of origin, due to the fear of being persecuted for race, religion, nationality, etc.”⁴. On the other hand, a person considered to be a “migrant” is a person who crosses the borders of the country of which he or she is a citizen with the purpose of finding better conditions for living.

Migration itself, in all its forms, is a phenomenon that is taken into consideration by the major European and global institutions and organizations at international level, trying to create a framework as

² Adrian-Ioan Mihăilescu, “Migrația ilegală și efectele acesteia în planul securității naționale a României.”, in *Crimă Organizată*, 27 September, 2008, available online at: <https://intelligence.sri.ro/migratia-ilegala-si-efectele-acesteia-planul-securitatii-nationale-romaniei/>, accessed on 01.10.2022.

³ International Organization for Migration, “Glossary on migration - Who is a migrant?”, 2019, available online at: <https://www.iom.int/who-migrant-0>, accessed on 01.10.2022.

⁴ Convention and protocol relating to the status of refugees, pg. 3, available online at <https://www.unhcr.org/3b66c2aa10>, accessed on 06.02.2023.

unitary as possible regarding actions directed towards the management of the migration phenomenon, but at the same time, this is also an important topic for each individual country, whether we are talking about transit countries or countries where migrants want to eventually reach.

In recent years, the world is facing an unprecedented wave of migrants, a phenomenon that is strongly influenced by life-threatening conflicts, poverty, natural disasters caused by extreme climatic events, the last wave of migrants to experience alarming figures being in 2015 and 2016.

I think it is important to mention which international institutions are the most active in terms of the actions taken to manage the influx of migrants, namely: International Organization for Migration⁵, International Migration Institute⁶, Frontex⁷, EASO⁸, EUBAM⁹. All these institutions, in collaboration with national authorities, are trying to manage the phenomenon of migration so as to ensure the protection of migrants, the fight against illegal migration and cross-border organized crime, but also to secure the European space. In Romania, the main institution with attributions in the management of migration and illegal

⁵ IOM is part of the United Nations System and since 1951 is the leading intergovernmental organisation committed to humane and orderly migration for the benefit of all, present in 174 states and more than 100 countries.

⁶ IMI is an Institute based at the University of Amsterdam that aims to promote new ways of thinking about migration as an integral part of global change and development. This is achieved through the promotion of research, the generation of new data, and the publication of IMI's series of working papers.

⁷ The European Border and Coast Guard Agency of the European Union which aims to facilitate the coordination of the European border management in line with the European Union fundamental rights.

⁸ The European Union Agency for Asylum is a European institution that is tasked with assisting Member States in applying the EU asylum and international protection legislative package.

⁹ The European Union Border Assistance Mission in Moldova and Ukraine which promotes border control, customs rules and practices that meet EU standards and meet the needs of both partner countries – it also provides advice on managing illegal migration and human trafficking.

migration is the Ministry of Internal Affairs, through its subordinated structures, namely the General Inspectorate for Immigration, the General Inspectorate of Border Police, but also the General Directorate for European Affairs, Schengen and International Relations that work all together to find the most viable solutions.

When discussing the dynamics of migration at European level, illegal migration is also of particular importance, which is considered by all states, generating new challenges and requiring adapted management and combating measures. Illegal migration is considered to be a “form of organized crime”¹⁰ whose scale and improved practices have a direct impact on the economic, social and security conditions in transit and destination countries of migrants or refugees. Illegal migration is also considered entering the territory of a state without resealing the legal procedure and without documents attesting the free movement of a certain person.

Combating and managing illegal migration, both known as a form of the entering into a state without legal forms, and known as organized crime, is a problem carefully monitored by Romania, and is also a commitment undertaken by our country in the context of joining the Schengen space.

This is primarily due to the fact that illegal migration has real implications for national and European security. Looking at the current international context, with reference to the last massive influx of migrants in 2015, we can point out that illegal migration facilitates the destabilization of the national security framework by increasing economic, social and political instability as a result of the development of corruption in all areas of life. Why? Because illegal migration induces instability in the job market, resulting in a strengthened underground

¹⁰ Georgiana Chirilă, “Migrația ilegală sau cum se importă riscurile de securitate”, in *Crimă Organizată*, 30 October 2016, available online at: <https://intelligence.sri.ro/migrația-ilegală-sau-cum-se-importă-riscurile-de-securitate/>, accessed on 01.10.2022.

economy and “the proliferation of organized crime, while facilitating the activity of extremist-terrorist organizations”¹¹.

In this regard, we also recall that in the National Defense Strategy for the period 2020-2024¹² illegal migration is considered as a form of risk to national security, especially from a social point of view. Also, one of the objectives of the Supreme Defense Council regarding national security is the fight against organized crime, including cross-border, manifested both by illicit trafficking of goods, persons, and by illegal migration.

With regard to European security, migration management is seen as a priority for maintaining a safe environment for European citizens, meaning that EU Member countries are stepping up their efforts every year to work effectively together in the development of a unified and humanitarian migration policy.

Since 2015, when migration has been a record number, the European Union has come up with the best measures to improve the control of the Union's external borders. As a result, illegal arrivals were limited by up to 90%¹³. This explains, once again, the reason why Romania, as a possible future external border of the European Union, has to present the ways of managing migration and illegal migration, in the context of joining Schengen.

It is important to note that for Romania, joining the Schengen area would be an extraordinary important step toward a more efficient and

¹¹ Adrian-Ioan Mihăilescu, “Migrația ilegală și efectele acesteia în planul securității naționale a României”, in *Crimă Organizată*, 27 September 2008, available online at: <https://intelligence.sri.ro/migratia-ilegala-si-efectele-acesteia-planul-securitatii-nationale-romaniei/>, accessed on 02.10.2022.

¹² The National Defense Strategy represents a “compass” that sets Romania's priorities in terms of national security, integrating a series of answers to the questions related to the challenges Romania faces both domestically and externally, spreads that are cropped in the form of goals and directions of action.

¹³ “Politica UE în domeniul migrației”, Consiliul European, 31 August 2022, available online at: <https://www.consilium.europa.eu/ro/policies/eu-migration-policy/> accessed on 03.10.2022.

rapid economic development, after which our country yearns, as a result of the destabilization resulting from inefficient governments and accentuated by the latest important international events. We mention here the Covid-19 pandemic, as well as Russia’s aggression against Ukraine. Also, Romanian citizens would be given the right to travel without border controls at Romania, a right that would also be enjoyed by other European citizens who want to enter Romania. But on the other hand, Romania can also be considered a gain for the entire Schengen area, as a result of the fact that we have further strengthened the external borders of the European Union.

In order to better understand the illegal migration phenomenon in Romania, we will present below some statistics made available by the Directorate General for European Affairs, Schengen and International Relations, a national context regarding the number of illegal migrants registered in the first quarter of 2022, compared to 2021.

The border with	2021	2022	Trends		
			Change	Percentage	Direction
Hungary	3,869	2,175	-1.694	-43.8%	⬇️
Ukraine	49	1,808	1.759	3589.8%	↗️
Moldavian Republic	6	28	22	366.7%	↗️
Bulgaria	605	557	-48	-7.9%	⬇️
Serbia	32,930	16,658	-16.272	-49.4%	⬇️
Through the Airport	36	35	-1	-2,8%	⬇️
Through the sea	0	107	107	-	↗️
TOTAL	37,495	21,368	-16.127	-43%	⬇️

Thus, there is a 37-fold increase in illegal migration at the border crossing point with Ukraine, and a 366,7% increase in the number of

illegal entries of people at the border with the Republic of Moldova. The same graph also provides information on the decrease in the number of illegal migrants at the border with Serbia, Hungary.

In order to understand the geographical context in which Romania becomes an important option considered by migrants, we mention that Romania is on the way of four migration routes¹⁴ to Western Europe. First of all, it is part of the migration route of the Western Balkans, respectively on the route Turkey – Greece – Macedonia – Serbia – Hungary / Croatia / Slovenia, at the border with Serbia. It is also included in the eastern migration route at the border with Ukraine and the Republic of Moldova. Last but not least, Romania serves as the Eastern Mediterranean land migration route at the border with Bulgaria, and the Black Sea route at the maritime border.

This is why Romania has been under consideration since 2009 by the European Parliament, that it can become a target of illegal migration¹⁵.

Therefore, as a result of the geopolitical positioning, the border crossing points that are considered when it comes to managing the illegal migration phenomenon in Romania are: By land (Bulgaria, Ukraine, Hungary Republic of Moldova, Serbia), the sea and the airport route.

When crossing the border between Romania and the Republic of Moldova, here we face two types of migrants, in most cases. Either we are talking about citizens of the Republic of Moldova who pass without legal forms in Romania, in transit or as a final destination, or Ukrainian citizens who pass through the Republic of Moldova to reach Romania.

¹⁴ The Government of Romania, "Ordonanța de Urgență nr. 53 din 3 noiembrie 2015, pentru stabilirea unor măsuri aplicabile în cazul apariției la frontiera de stat a României a unui aflux masiv de migranți", 6 November 2015, available online at: <https://monitoruloficial.ro/Monitorul-Oficial-PI--832--2015.html>, accessed on 03.10.2022.

¹⁵ "România poate deveni în curând ținta imigrației ilegale", 5 March 2009, available online at: http://arhiva.euractiv.ro/uniunea-europeana/articles%7cdisplayArticle/articleID_16622/Romania-poate-deveni-in-curand-tinta-a-imigratiei-ilegale.html, accessed on 03.10.2022.

As for the inflow of migrants from Bulgaria, most of them are part of the influx coming from Turkey to Bulgaria in recent months, with Bulgaria facing a huge influx of migrants, registering an increase in “migratory pressure at their 295 km border with Turkey”¹⁶.

At the border with Serbia, the migration phenomenon is generated by the fraudulent crossing of the Danube River, from Serbia to Romania. Thus, migrants from Afghanistan, Syria, Iraq cross the Danube illegally, having as final destination the West¹⁷. Dozens of migrants are detected at this border crossing point every year, and Romania, together with the countries of the European Union, is always trying to make the best decisions to stop the migration phenomenon from Serbia to Romania.

Regarding the border with Hungary, the influx of migrants is not a worrying one from Hungary to Romania, but, worrying is the flow of migrants from Romania to Hungary, which, despite the instability generated by the latest events impacting the entire world, decreased compared to the previous year. As a result of this influx, Hungary also erected a wall¹⁸ on the border with Romania and Serbia, as a measure against the massive trafficking of migrants. Despite the fact that most of the time, unfortunately, Hungary has had a hostile attitude towards the influx of migrants, it is concerned about the migration phenomenon,

¹⁶ Tudor Borcea, “Bulgaria declară parțial starea de urgență. Presiuni imense la granița vecinilor României / Declarații ale Ministerului de Interne”, 24 September 2022, available online at: <https://www.national.ro/stiri-externe/bulgaria-declara-partial-starea-de-urgenta-presiuni-imense-la-granita-vecinilor-romaniei-declaratii-ale-ministerului-de-interne-775375.html>, accessed on 05.10.2022.

¹⁷ Armana Brindusa, “Dunărea – graniță pentru fugari. Înainte de 1989 „frontieriști”, azi „migranți”, 3 December 2021, available online at: <https://romania.europalibera.org/a/dun%C4%83rea-grani%C8%9B%C4%83-pentru-fugari-%C3%AEnainte-de-1989-frontieri%C8%99ti-azi-migran%C8%9Bi-/31581825.html>, accessed on 05.10.2022.

¹⁸ Loredana Codrut, “Frica de Viktor Orban devine lege la granițele României: Migranții sunt prinși în mare parte când vor să iasă ilegal spre Ungaria”, 08 September 2022, available online at: https://www.stiripesurse.ro/frica-de-viktor-orban-devine-lege-la-granitele-romaniei-migrantii-sunt-prinsi-in-mare-parte-cand-vor-sa-iasa-ilegal-spre-ungaria_2546315.html, accessed on 05.10.2022.

there is a close cooperation between the competent authorities in Romania and the Hungarian authorities. For example, measures have recently been ordered to combat illegal migration by the territorial Inspectorate of Border Police Oradea in cooperation with the Hungarian National Police¹⁹, by maintaining permanent connection with the Hungarian authorities, which receive real-time updates of the situation regarding the fraudulent border crossing, in order to know the measures to be taken in such situations.

The current situation on Romania's border with Ukraine, which has acquired a new valence in the context of Russia's aggression in Ukraine, is also something that Romania takes care of. If until last year, the attempts to illegally cross the border with Romania from Ukraine amounted to 49, this year the number increased to 1,808, as can be seen in the chart provided by the General Directorate for European Affairs, Schengen and International Relations. Obviously, this number, in reality is a very large one, considering that many of these crossings and facts are not officially identified by police workers.

In this context, we must mention that a real network has been developed that facilitates illegal migration, both on the side of Ukrainians and on the side of the Romanian authorities. The establishment of martial law in Ukraine, as a result of the armed conflict carried out by Russia in Ukraine, involves the mobilization of men aged 18 to 60 to join the national army to fight for the territorial integrity of the Ukrainian state. Because of the fear of war and the unknown, many men wanted to flee Ukraine, one of the agreed routes being Ukraine-Romania. Access to Romania is facilitated by both Ukrainian border guards and by Romanian

¹⁹ The official website of the Romanian Border Police, "Cooperare între Poliția de Frontieră Română și Poliția Națională Ungară", 19 September, 2022, available online at: <https://www.politiadefrontiera.ro/ro/oradea/i-cooperare-intre-politia-de-frontiera-romana-si-politia-nationala-ungara-30853.html>, accessed on 05.10.2022.

border police workers, in exchange for some fabulous money. A recent example²⁰ of this was revealed in the Romanian press in July 2022, when a man offered a border policeman the sum of 5,000 Romanian lei to allow him access to the Romanian state. Obviously, this is an isolated case, but we must not overlook the fact that this is a reality of illegal migration, which unfortunately happens at the level of every border crossing point, many of the cases remaining undetected.

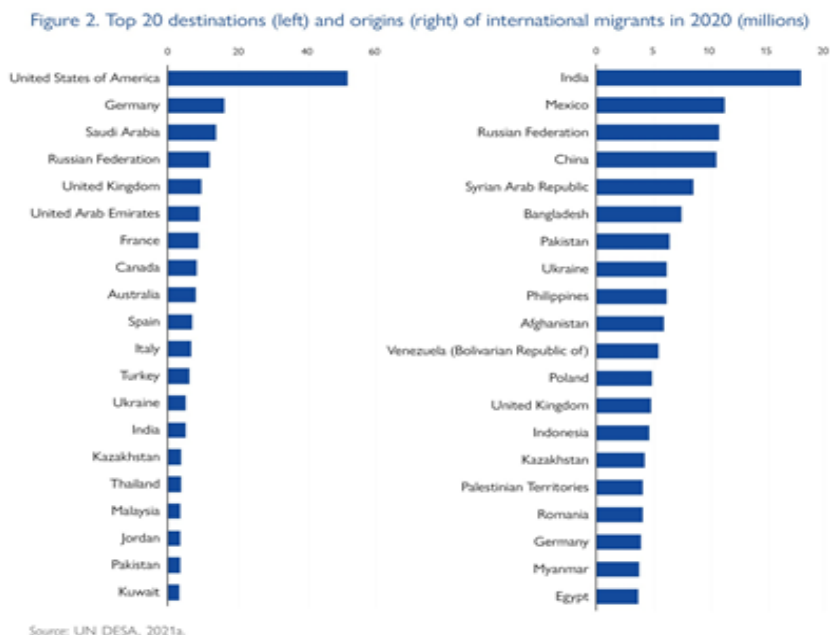
Last but not least, the maritime border and the airport route are also affected by the phenomenon of illegal migration. Thus, as stated in an official communique²¹ of the leadership of the Ministry of Internal Affairs, migrants are looking for new illegal routes into Europe, the old Mediterranean ones being blocked for various reasons. As a result of the increase in illegal migration by sea to Romania, the competent authorities, which the Ministry of Internal Affairs, through the national border Police, are looking for the best measures to ensure this border.

Another aspect, which I think is worth clarifying when it comes to the topic that is the subject of this work, is the origin of people who migrate. Thus, integrated into a global context, the phenomenon of migration looks as seen in a report published by the International Organization for Migration in 2022. It can be seen that the majority of migrants come from Asia and Africa.

²⁰ Paul Tecuceanu, "Trecerea ilegală a frontierei, afacere pe bani grei. Cât plătesc ucrainenii care vor să ajungă în România.", 02 July, 2022, available online at:<https://stirileprotv.ro/amp/stiri/actualitate/trecerea-ilegala-a-frontierei-afacere-pe-bani-grei-cat-platesc-ucrainenii-care-vor-sa-ajunga-in-romania.html>, accessed on 06.10.2022.

²¹ Daniel Năstase, "Autoritățile securizează granița la Marea Neagră. Apar noi rute ale migrației ilegale.", 17 September, 2021, available online at:<https://stirileprotv.ro/stiri/actualitate/autoritatile-securizeaza-granita-la-marea-neagra-apar-noi-rute-ale-migratiei-ilegale.html>, accessed on 06.10.2022.

WORLD MIGRATION REPORT 2022



Graph 1. Top 20 destinations and origins of international migrants in 2020

Source: <https://romania.iom.int/news/romania-among-top-20-countries-world-highest-emigration-romanian>

The methods of illegal border crossing are diversified and depend to a large extent on whether migration is done in groups or individually, on the chosen border crossing point and on the resources available to migrants, with the indication that these methods change from year to year, depending on the control and surveillance measures ordered by the competent authorities. Each time, in the chosen method of entering or leaving illegally from the territory of a state, one can see the despair with which one tries to change the place of living.

So, in the following, we will give some examples of the methods chosen by the migrants to reach the destination countries. We have to mention that most of these methods put their lives at risk, so this is a particularly delicate subject, which is treated at the most serious level by the competent authorities.

One of the most common ways of carrying out illegal migration is through trucks, automatons and trucks. This type of migration is usually carried out in a group, by introducing migrants into vehicles intended for the transport of goods, based on the fact that they will pass the control carried out at the border points. Here we can talk both of the unwittingly entering of the driver in such means of transport, or of special drivers designated in this regard. At international level, serious networks have been formed that transport migrants in this way, demanding large sums of money to be given a guide and a means of transport to lead them to the desired destination. This type of fraudulent border crossing is considered to be part of human trafficking and, implicitly, of cross-border organized crime.

According to an article²² published by the Romanian border Police, this method is one of the most used by migrants, either to enter the Romanian territory or being in transit to other European States, methods including the use of false documents or illegal passage through areas other than those intended to cross the border.

Such cases of perpetuation of illegal migration are among the most common, a recent example in this regard being the persons found at the border with Bulgaria, the Giurgiu border crossing point. Thus, as shown in an article²³ on September 23 of this year, two people from Afghanistan tried to enter the Romanian state territory, positioning themselves on the axle of a truck carrying polyester, without the driver's knowledge.

²² The official website of the Romanian Border Police, "Ai grijă cu cine te însoțești!", 07 July, 2020, available online at: <https://www.politiadefrontiera.ro/ro/main/i-ai-grija-cu-cine-te-insotesti-20593.html>, accessed on 11.10.2022.

²³ M.C., "Doi cetățeni afgani au fost depistați la frontiera româno-bulgară în timp ce încercau să intre ilegal pe teritoriul României", 23 September, 2022, available online at: <https://www.rador.ro/2022/09/23/doi-cetateni-afgani-au-fost-depistati-la-frontiera-romano-bulgara-in-timp-ce-incercau-sa-intre-ilegal-pe-teritoriul-romaniei/>, accessed on 23.10.2022

Another eloquent example²⁴ is when several dozen migrants were detected in Arad, trying to cross the border with Hungary fraudulently. They came from India, Pakistan and Morocco, Afghanistan, and were transported by means of transport, which according to the documents were supposed to carry coffins to Italy or plastic tubes or electrical wires.

Another common method to facilitate illegal migration at Romania's borders is the use of forged documents, either on identity or country of origin. The proliferation of such methods of using false documents is dangerous for the entire society, both because border security is jeopardized, but also by encouraging the development of corruption both at the border level and at the level of the networks that make such documents available.

The avoidance of control at border crossing points is most often done by the intention of entering the territory of a state or leaving it through points or routes other than those created for this purpose. Here we mention the cases of illegal crossing by which migrations are detected on the green areas adjacent to the border crossing points, trying to cross either swimming or on foot.

Illegal migration is considered to be a form of organized crime in many ways. First, there are networks of traffickers who, in exchange for money, transport people without legal forms of border crossing. Depending on the risk level of the route, the fees are also charged, which are between 500 and 2000 euros. An eloquent example in this regard, which reveals the magnitude of the illegal migration phenomenon not only in Romania, but throughout Europe, is the migrant crisis of 2015, when the borders of European States were taken by storm. The method that has been common since then, and which is still practiced today, is

²⁴ Ciprian Boitiu, "Arad: Peste 30 de migranți, descoperiți într-un tir ce transporta sicrie.", 16 June, 2022, available online at: <https://www.europafm.ro/peste-30-de-migranti-au-intrat-ilegal-in-romania-ascunsi-in-sicrie-voiau-sa-treaca-granita-in-ungaria-audio/>, accessed on 18.10.2022.

the method by which migrants are “hidden in trucks, taken from parking lots controlled by trafficking networks,”²⁵.

Another present truth and a phenomenon, after all, amplified by illegal migration, but which at the same time amplifies illegal migration is corruption at the level of border crossing points.

In this way, trafficking networks are created, corruption is encouraged at all levels of the state, causing an imbalance of national and European security, in the good conduct of state authorities and in the rule of law.

For example²⁶, we mention trafficking networks created to facilitate the illegal passage of personnel from Serbia to Romania. As a rule, there are interconnected networks on both sides, both Serbian.

It is important to note that the act of illegally crossing the border is criminalized as a crime in Romania, by Article 262 of the Criminal Code, Which States that “entering or leaving the country by illegally crossing the state border of Romania is punishable by an uncle from 6 months to 3 years or by a fine”²⁷, which shows once again how seriously this phenomenon is taken in Romania. Criminalizing this act may be a first step in combating illegal migration.

The measures taken by the Romanian state to manage the illegal migration phenomenon have always been in accordance with European norms and with respect for human rights. These measures have targeted and continue to target both migration in the form of fraudulent border

²⁵ Ioana Silistraru, “Liberation: Metodele de trecere ilegală a frontierei la Calais și cât costă fiecare.”, 19 August, 2015, available online at: <https://www.rfi.ro/presa-internationala-80709-liberation-metodele-de-trecere-ilegala-frontierei-la-calais-si-cat-costa> accessed on 18.10.2022 accessed on 17.10.2022.

²⁶ Armana Brindusa, “Dunărea – graniță pentru fugari. Înainte de 1989 „frontieriști”, azi „migranți”, 3 December 2021, available online at: <https://romania.europalibera.org/a/dun%C4%83rea-grani%C8%9B%C4%83-pentru-fugari-%C3%AEnainte-de-1989-frontieri%C8%99ti-azi-migran%C8%9Bi-/31581825.html>, accessed on 18.10.2022.

²⁷ Art. 262, alin. (1) Criminal Code, available online at: <https://lege5.ro/App/Document/gezdmnrzgi/art-262-trecerea-frauduloasa-a-frontierei-de-stat-codul-penal> accessed on 18.10.2022.

crossing and migration as an integrated part of organized crime. These measures are always updated all the more so as our country prepares to enter Schengen space, one of the basic conditions for joining this form of collaboration is the management of migrants and the security of borders.

Thus, among the measures taken by the Romanian state are the increase of the control at the Romanian borders, but also the detection of the border Police personnel that facilitate the access of the illegal migrant carriers. As mentioned above, corruption at the border level is a truth, which is still taken into account by the Romanian authorities, who take daily measures to combat this phenomenon. In the same note, the increase of checks at Romania's borders with Hungary, Serbia, Bulgaria, Moldova and Ukraine is a measure that helped to identify networks of illegal trafficking of persons, helping to combat the illegal migration phenomenon.

Another measure, which comes with the increase of checks carried out at border crossing points, is the training of the staff responsible for carrying out such checks, to identify documents that are falsified. So, it is constantly invested in the training of police officers to identify the missing compliance elements on the documents presented by migrants. It also integrates biometric elements²⁸ into passports and other types of travel documents. Currently, this measure applies only to travel documents issued by the Member States of the European Union, but it will certainly be implemented over time for documents issued by other States.

Last but not least, a measure to combat the migration phenomenon was the investment in state-of-the-art equipment at border crossing points.

²⁸ "Integrarea elementelor biometrice în pașapoarte și în documentele de călătorie", available online at: <https://eur-lex.europa.eu/legal-content/RO/TXT/HTML/?uri=LEGISSUM:l14154>, accessed on 18.10.2022.

Here we mention the investments made from own funds of the Ministry of Internal Affairs for the border component, respectively the General Inspectorate of border Police, as well as the European funds specially destined for the section of migration and border control.

Thus, we bring to attention the Integrated border Management Fund, which consists of two components, namely, on the one hand, the instrument for border and visa management, which aims at integrated management of external borders and on the other hand, the instrument for customs control equipment, the purpose of which was the equipping with state-of-the-art equipment of border crossing points, innovative technological detection equipment for each border crossing point. Among these equipments we mention the X-ray and thermal imaging, which proved very often to be effective in detecting illegal migrants in the green areas of the border, migrants trying to enter the Romanian state without legal forms.

It is important to note that most of the time, illegal migration as a form of entering a state without legal forms, using various means, occurs at night, which is why such equipment, heat-detecting and able to identify beings or objects that the human eye would not normally see are particularly necessary at border crossing points in order to reduce illegal migration as much as possible.

On the other hand, a particularly important measure that must be taken into account in terms of the efficient management of the flow of illegal migrants is to maintain a close and efficient collaboration on this subject with the neighboring States of Romania, namely Hungary, Serbia, Bulgaria, the Republic of Moldova and Ukraine, The countries from which the migrants come, but also with the States of the European Union, as most illegal migrants have as their final destination one of these States, Romania being only the country of transit.

The Romanian authorities competent in the field of illegal migration declare to be always in close contact with the authorities of

neighboring countries in all fields of activity regarding the fight against illegal migration, the collaboration instruments being different depending on the specificity of the area, but also on the quality of the neighboring state (third countries or EU Member States).

Also, in the context of Romania's close cooperation with the neighbors on the country's borders, we mention the collaboration with Serbia, which is a very important one, because of the fact that the flows of illegal immigrants are much more intense at the border with Serbia. Therefore, I highlight the strengthening of the cooperation with the authorities in this state, both in the field of preventing illegal crossings on the territory of Romania, as well as in the implementation of the readmission agreement.

As regards cooperation with Serbia, Romania is very attentive to the concerns of this state regarding the increase of the flow of illegal migrants and has good technical cooperation with Serbian counterparts, we mention here monthly meetings and information exchange, mixed border surveillance patrols, both planned and ad hoc, joint actions to prevent and combat illegal migration, all regulated by bilateral agreements on state borders.

Also, since 2017 until now, for the management of the existing migration phenomenon at the border with Serbia, the related measures provided for in the plans for the management by THE MAY structures of a possible influx of migrants have been implemented, And the surveillance device at the land border with Serbia has been constantly strengthened, depending on the operational situation, by: Allocation of additional human resources, with PFR staff from other sectors, as well as with staff from the national Police and Gendarmerie; Additional allocation of technical means of surveillance and carrying out surveillance missions with means of air mobility (helicopters belonging to General Aviation Inspectorate, respectively drones of PFR and Gendarmerie); activation of zonal centers for integrated management of actions.

In the context of Russia's military aggression in Ukraine, cooperation with the latter state had to be intensified. In the first 6 months of 2022, at this border were cumulated most detentions in illegal passage on the way of entry into the country (1.806). Their share reached 29,5%, compared to only 0,1% in the first 6 months 2021.

A last mention regarding the management of illegal migration and which shows the promise from the perspective of Romania's accession to the Schengen area is the collaboration with the institutions of the European Union. Therefore, in order to limit the migratory pressure and to ensure transparency regarding the respect of human rights, Romania has strengthened the collaboration with the European Union agencies (FRONTEX, EU Agency for Asylum, EUROPOL, Fundamental Rights Agency).

Thus, in the context of Romania's management of the large flow of people coming from Ukraine, the Romanian border Police requested FRONTEX's support for the extension, at the Romanian border with Ukraine and the Republic of Moldova, of the joint operation Terra 2022, initially carried out at the border with Serbia. The support under the aegis of FRONTEX on the Romanian border with Ukraine and the Republic of Moldova represents 116 border guards, together with technical means and equipment.

Cooperation with EUROPOL has proved to be particularly effective as a measure in combating illegal migration, by the fact that Romania currently benefits from the support provided by the specialized officers seconding to our territory, in number of 5.

In the same note, following the signing of an operational support plan with the EU Agency for Asylum, Romania benefits from technical and operational assistance from the Agency, currently having 24 experts and 35 interpreters posted to Romania.

Last but not least, as a measure to manage illegal migration, the method of return, which can be forced or voluntary, is also practiced.

Forced return²⁹ involves the mandatory return of a person to the country of origin, on the basis of an administrative act, and voluntary return involves the voluntary return of a person to the country of origin.

This measure has been the basis of controversy for many years, as specialists in the field claim that this measure, especially forced return, can harm the rights of people involved. Thus, the European States are trying to strengthen the agreements on this procedure, and Romania is strongly involved in this regard, with full availability of cooperation in line with the provisions of the return Directive and bilateral readmission agreements.

Despite the fact that we are talking about illegal migration and people who come from disadvantaged or underdeveloped backgrounds who did not guarantee their rights and freedoms, the Romanian state has taken and must continue to take measures and develop in the future measures that are in accordance with human rights and freedoms, that guarantee their right to a life as normal as possible and a peaceful treatment.

Most of the time, among the groups of illegal migrants there are also minors, women or the elderly, which is why, all the more so, the measures taken to combat such events must respect the fundamental Charter of Human Rights.

Always, and especially lately, when the subject of Romania and Bulgaria's accession to the Schengen area is a topical one, it has been noted that for Romania, European stability and security, the insurance of external borders and the management of illegal migration are absolute priorities, for which the state allocates important resources, both financial resources for the implementation of the most effective measures to combat illegal migration, as well as human resources, which facilitate the

²⁹ "Înțelegerea drepturilor migrantilor. Un manual pentru Republica Moldova", 2015, Chișinău, p. 23, available online at: https://www.icmpd.org/file/download/48342/file/Understanding%2520Migrants%2527%2520Rights_%2520A%2520Handbook%2520for%2520the%2520Republic%2520of%2520Moldova%2520RO.pdf accessed on 19.10.2022.

implementation of measures at both technical, field and bureaucratic level.

This statistic provided by the General Direction of European Affairs, Schengen and International Relations shows that the measures taken to combat illegal motility are, however, effective, and comparing the situation one year to the next, there have certainly been improvements and there are hopes that things will be even better if, as a country, we will also be more consistent with the implementation of these measures.

Conclusion

The instability present in many regions of the world has lately generated an increase in the migration phenomenon, with immediate and direct effects on several European States.

At the moment, the whole of Europe is facing a large number of migrants, the illegal ones representing a real challenge, the crisis characterized by mixed migratory flows. These flows of migrants demonstrate that Romania is considered to be both the transit country for foreigners who have as their final destination another state in the European Union or Schengen, and as the destination country.

Understanding the extremely important role that Romania has in shaping the external border of the European Union, there are actively carried out, in an integrated system, activities to prevent and combat illegal migration, having a performant system of surveillance of the external border with the European Union, both on land, as well as the sea. We mention here the complex system of observation, surveillance and traffic control on the Black Sea - SCOMAR³⁰, which is of real help in identifying and combating illegal migration.

³⁰ The official website of the Romanian Border Police, SCOMAR, available online at: <https://www.politiadefrontiera.ro/ro/main/pg-scomar-106.html>, accessed on 18.10.2022.

At the same time, we have a system for responding to a possible crisis of illegal migrants, since, in the event that at any of the border crossing points there are a very large number of illegal migrants and it is considered that the entire capacity of the border Police is exceeded, Related measures can be arranged at national level, set out in the contingency Plan and in the operations Plan for the management of situations generated by a massive influx of immigrants (OPLAN).

In addition to the measures ordered to prevent and combat illegal migration at the external borders, Romania has actively contributed to the European effort to reduce the attractiveness of the main routes for illegal migrants, respectively to apply Dublin procedures consistently. Let us not forget that Romania so far has been a transit/temporary stay state for most illegal migrants, who exploited all available means to reach Western Europe, and the most intense migratory pressure has been registered at the border with Serbia.

Also, in close connection with these efforts, is involvement in regional efforts to combat illegal migration, because illegal migration cannot be combated and managed by the effort of a single country, but requires a sustained effort from the entire European Community.

We fully apply the relevant Schengen acquis and contribute constantly and actively to overall efforts to strengthen the security of the Union. We believe that Romania's action on this level must be accompanied by a recognition of these efforts leading to the integration of our country to the free movement area.

Since the conflict in Ukraine began, the Romanian authorities have carried out an effective action to manage the situation created at the external border, with the application of Schengen standards and, at the same time, in full solidarity with the Ukrainian population.

The way Romania has responded to this important challenge, but also the involvement in combating illegal migration at the other border

crossing points, the efforts of bilateral cooperation and with the EU institutions, the full implementation of the Schengen acquis and the logistical reforms through which our state borders and staff have passed show that Romania is ready to join the Schengen area. All this, combined with the fact that Romania makes a priority of contributing to the European security. It also demonstrates that our state can make a decisive contribution to strengthening the resilience and convergence of the Union by eliminating any fragmentation within the area of free movement.

This event would be particularly important for our country and would further strengthen Romania's international profile.

As a conclusion, even if after the Justice and Home Affairs Council on 8th of December 2022, under the Presidency of the Czech Republic in the Council of the European Union, which was the most important meeting regarding Romania's accessions to Schengen, Romania got a negative vote from Austria, which blocked its right to access the Schengen area. Austria claimed that the only reason for doing this was that its migrants and refugees' problems are mainly caused by Romania's lack of action when it comes to refugees, argument that was fought many times, also by special commissions coming to our country in order to see if we meet or not the required conditions to access the Schengen area.

After gathering all this data, we can clearly see that Romania has under control the influx of illegal migrants, even though, this is a phenomenon hard to control, because of its spontaneous and unplanned character. The Romanian institutions managed to develop its practices and mechanisms in order to be a helping hand for the entire Europe regarding the flow of migrants and we do deserve our place in the Schengen area, for the good of the Romanian institutions, but especially for that of the Romanian citizens, who should be considered equal to the other European citizens.

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Illegal migration in the context of Romania's accession to the Schengen area

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EU-TURKEY RELATIONS IN THE CONTEXT OF THE KURDISH ISSUE. CASE STUDY: THE ROLE OF THE PEOPLE'S DEMOCRATIC PARTY IN THE EUROPEAN INTEGRATION PROCESS OF THE TURKISH STATE

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Abstract. The European Union is one of the main promoters of democratic values on the international stage. Thus, among its foreign policy objectives, the promotion of human rights and, implicitly, of national minorities, occupies a central place. That is precisely why the Union manifest a strong interest in Kurdish rights at the level of relations with the Republic of Turkey, as solving the Kurdish problem represents an impediment to the consolidation of democracy in the state. Starting from these considerations, the present workpaper aims to follow the importance played by the status of the Kurdish minority in Turkish-European bilateral relations, based on a case study regarding the situation of the People's Democratic Party, the main actor which represents the minority rights in the republic.

Keywords: Kurdish Minority, Peoples Democratic Party, European Integration.

Introduction

This study aims to trace the importance of the Kurdish issue in Turkey's European path based on the analysis of EU's official documents,

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as well as the speeches of European representatives regarding the People's Democratic Party (HDP). Also, to ensure a comprehensive analyse of the subject, the research included the evolutions of the relations between the two actors in the context of the Kurdish situation on the territory of the Turkish state, as well as the political representation of this minority at the level of the Grand National Assembly of Turkey.

At the methodological level, the work is based on a double dimension, namely that of historical approach and thematic analysis. The first research method can be classified in the typology of the so-called "classic tools of analysis in international studies"². As Kevin C. Dunn states, the importance of history within the previously mentioned field lies in the fact that it "allows a better understanding of the processes and interactions within international relations"³, based on the analysis of the events that took place in a certain time and space. Thus, the reasoning behind the choice of this method of study is represented by the need to follow some of the events in the recent history of Turkey in order to understand the way in which the current Turkish-European relations are influenced by the Kurdish issue.

However, this is not the only advantage regarding the historical approach of the thematic. The other gain resulting from using the method discussed is best explained and exemplified by John M. Hobson and George Lawson: "History assumes the role of "scripture"—as the application of inviolable rules that can be used to inform current policy and support research hypotheses. So, for example, the lessons learned after the Nazi experience become evidence of the need to confront dictatorial regimes..."⁴

² Dunn, Kevin C, "Classic Qualitative Tools", *Qualitative Methods in International Relations A Pluralist Guide* (Coord. Audie Klotz, Deepa Prakash), Palgrave Macmillan, New York, 2016, pp. 78-93.

³ *Ibid.*

⁴ Hobson, John M., Lawson, George, "What is history in international relations?", *Millennium*, no. 2, 2008, pp. 415-435.

The argument brought by the two also applies to the analysed theme. As will be seen throughout the paper, the moments in which the Turkish state showed openness to the manifestation of Kurdish identity led to the improvement of Turkish-European relations. At the same time, as will be presented, the discriminations directed against the minority negatively impacted the dynamics between the two actors. Thus, starting from the two premises, it will be demonstrated that solving the Kurdish problem in Turkey is an impediment for the success of the republic's European path.

The second mentioned tool, namely the thematic analysis, represents "a flexible and increasingly popular method in the study of human sciences."⁵ Researcher Abisha Kampira offers a simple but explicit definition of the tool, which, in his view, "is a data analysis procedure that focuses on identifying, describing, explaining, substantiating and linking themes."⁶ Furthermore, he makes the following observations about what is a theme: "the word "theme" refers to the degree and/or intensity of the appearance of an idea expressed on a specific topic. Thus, the more often an idea is expressed, the more likely it is to be a theme of a topic."⁷ In the present case, the subjects pursued will follow the perception of the European Union on the issue of discrimination against the Kurdish population and HDP.

The motivation for choosing the subject lies in its topicality, as the issue of Turkey's European path and the situation of the Kurdish minority continue to occupy an important place on the political agenda of the European Union. Moreover, because most studies focused on the topic of Turkish-European relations tend to neglect the situation of the

⁵ Brawn Virginia, Clarke Victoria, "Thematic analysis", *Qualitative psychology: A practical guide to research methods*, 2015, pp. 222-248.

⁶ Kapira, Abisha, "A Brief Introduction to Thematic Analysis", *Afregarde Strategies*, 2019, pp. 1-15.

⁷ *Ibid.*

Kurds, the present work can bring an element of innovation in this regard.

The sources used for the present article can be classified into two categories: the primary ones, which include the Resolutions of the European Parliament, as well as the press articles from which the speeches of European officials were extracted; and the secondary ones, respectively the relevant studies for the subject that can be classified in 3 fields: history, international relations and political sciences.

At the structural level, the work includes three themes, each representing the study objective of a chapter: (I) The first follows the status of the Kurdish population on the territory of Turkish state, starting with the interwar period, as well as the vision of European officials regarding the issue of the minority. (II) The second part of the paper traces the relationship between the European Union and the People's Democratic Party, analysing two main factors that support the cooperation between the actors. (III) The last part follows the role played by the Kurdish issue in the failure of Turkey's European path, based on a case study related to the HDP situation.

The situation of the Kurdish minority on the territory of Turkey and Turkish-European relations

The Kurds are currently the largest ethnic community (approximately 30 million representatives live in the Kurdistan region⁸) which does not have its own state, the current situation being the result of two treaties from the interwar period that had a major impact on the geopolitics of the Middle East. The first is the Treaty of Sevres, which influenced the current distribution of the Kurdish population on the territories of Iran, Iraq, Syria, Armenia and Turkey. However, it should

⁸ Preda, Ionuț "Kurzii - istoria celei mai numeroase minorități fără națiune proprie", *Historia*, <https://www.historia.ro/sectiune/general/articol/kurzii-istoria-celei-mai-numeroase-minoritati-fara-natiune-proprie> , accessed on 05.02.2022.

be noted that this document was conducive to the development of a Kurdish state, since Article 62 specified “local autonomy for predominantly Kurdish areas”⁹ and Article 64 stipulated “the possibility of the Kurds to obtain independence from the Turks.”¹⁰

However, the Kemalist revolution led to the signing of the Treaty of Lausanne because of which the minority lost any kind of special status within the newly formed republic. The event, as expected, triggered a series of riots during the 1920s and 1930s, all of which were crushed by the army. Moreover, “despite the fact that during the uprisings there were Kurdish tribes that supported the Turkish government or were neutral, the Turkish authorities took steps to eliminate any element that would suggest a Kurdish nation”¹¹.

After the defeat of the Ararat uprising in 1930, there were no more Kurdish armed insurgencies on Turkish territory until 1981¹², but this did not stop the authorities in Ankara from taking “preventive” measures in terms of eliminating the nationalist tendencies of the Kurds. These actions were felt especially by the Kurds in the Dersim region (current Tunceli province) where the republic's armies resorted to chemical weapons to crush the Alevi revolt of 1937.

In the 1940s and 1950s, a slight relaxation of the restrictive measures towards the Kurds could be observed, a matter due to two main factors: “the demographic decline of the Kurdish minority on Turkish territory”¹³ on the one hand, and „the collaboration between the governments of Turkey and Iraq to deter Kurdish movements”¹⁴ on the other. In this

⁹ “The Treaty of Sèvres”, World War I Document Archive, https://wwi.lib.byu.edu/index.php/Peace_Treaty_of_S%C3%A8vres, accessed on 05.02.2022.

¹⁰ *Ibid.*

¹¹ Gunter, Michael M., *Historical Dictionary of the Kurds*, The Scarecrow Press, Oxford, 2011, p. 70.

¹² Izady, Mehrdad, *The Kurds: A concise handbook*, Routledge, London, 2015, p. 62.

¹³ *Ibid.*

¹⁴ Knappert, Jean, “The Kurds: A brief history”, *International Journal on World Peace*, Vol. 10, No. 2, 1993, pp. 67-70.

context, the Kurds were granted limited cultural rights, such as the use of their own language in the press.

The democratic episode was short-lived as Cemal Madanoglu became the new president of Turkey following the coup d'état of 1960. Thus, new violent measures were taken against the Kurdish minority, such as the "deportation of several tribal elites and the execution of 26 intellectuals between 1961-1963"¹⁵.

In the early 70s, the actions of a Kurdish activist would have a major impact on the Kurdish situation in the geographical area of Kurdistan. Abdullah Ocalan, a pro-Kurdish militant arrested in 1972 for participating in an anti-government protest, manages to gather around him several pro-Kurdish militants, forming in 1978 the organization known today as the Kurdistan Workers' Party (PKK). "The organization initially campaigned for the independence of Turkish Kurdistan, its goals later being limited to the recognition of the autonomy of the predominantly Kurdish areas in south-eastern Turkey."¹⁶ The ways in which the PKK works to undermine central authorities have instead remained constant, including rural and urban guerrilla tactics and attacks on Turkish officials, many of which have resulted in the deaths of civilians as collateral casualties. Thus, it is not surprising that both Turkey and the European Union have classified the Kurdistan Workers' Party as a terrorist organization.

The problem is that Turkey's measures to prevent and combat PKK activity have often violated the fundamental rights of the Kurdish minority. The best examples in this sense are the Constitution of 1982, which contained stipulations aimed at limiting the use of the Kurdish language, and the Anti-Terrorism Law (1991), which made possible to indict academics, journalists and intellectuals who supported the rights of the minority for involvement in terrorist acts.

¹⁵ Izady, Mehrdad R. *op.cit.*, p. 64.

¹⁶ W. Kushner, Harvey, *Encyclopaedia of terrorism*, SAGE Publications, London, 2003, p. 210.

However, the 80s' also marked the beginning of Turkey's European journey, with the state applying for EU membership. At the end of the 90s, Turkey experienced a strong momentum in this process, as in 1997 the European Council in Luxembourg confirmed its eligibility as a medium-term member state. In 1999, "the EU offered Turkey clear prospects for accession, provided that it complied with the Copenhagen criteria"¹⁷ which stipulates the following: "stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities; a functioning market economy and the ability to cope with competitive pressure and market forces within the EU; the ability to take on the obligations of membership, including the capacity to effectively implement the rules, standards and policies that make up the body of EU law (the 'acquis'), and adherence to the aims of political, economic and monetary union."¹⁸

The first article was beneficial to the cause of the Kurdish population, many of its representatives supporting the European integration of the Turkish state. Moreover, according to the Convention for the Protection of National Minorities, "the protection of national minorities and the rights and freedoms of persons belonging to them is an integral part of the international protection of human rights..."¹⁹. Thus, the Kurds, whose rights have not been recognized for many decades since the formation of the modern Turkish state, finally had the chance to assert their national identity.

Initially, the Turkish central authorities took several measures to comply with EU legislation. Between the years 1999-2005, the Kurds receive a series of cultural rights (the right to education in the Kurdish

¹⁷ Mureșan, Bogdan, "Dinamica relațiilor dintre Turcia Uniunea Europeană. Perspective actuale", *Institutul European din România*, Working Paper no. 33, Bucharest, 2016.

¹⁸ "Criteriile de aderare (Criteriile de la Copenhaga)", *EUR-Lex*, https://eur-lex.europa.eu/summary/glossary/accession_criteria_copenhague.html?locale=ro, accessed on 13.02.2022.

¹⁹ "Convenția-cadru pentru protecția minorităților naționale", http://www.ano.gov.ro/docs/legislatie/internationala/Conventia_Cadru_pentru_Protectia_Minoritatilor_Nationale.pdf, accessed on 26.02.2022.

language, the possibility of using Kurdish names and the use of the Kurdish language in mass media) as the Turkish state succeeds in reaching a cease-fire agreement with the PKK. The Union noted Turkey's improvements in respect of fundamental human rights, and the European integration process seemed to be moving in a good direction.

“However, there has been a series of reprisals (according to the EU Council statement) to the expression of pro-Kurdish sentiments in the press, in published articles and in political campaigns.”²⁰ Because of this, after 2005, a long period of crises characterized by terrorist attacks undertaken by Kurdish militant organizations began in Turkey, “the minority problem thus becoming a greater challenge for the state's democratization process.”²¹ Moreover, in 2006, the new Anti-Terrorism Law was passed and brought more restrictions on asserting the Kurdish identity. This led European representatives to state that, after the start of a new round of accession negotiations, “the democratic reform in Turkey has begun to show signs of failure.”²²

The new discriminatory measures could only lead to an escalation of the Turkish-Kurdish conflict, which culminated in the 2007 PKK terrorist attack in Ankara. In an attempt to stop the violence democratically, the Turkish authorities adopted an initiative called The National Unity and Fraternity Program (2009), “through which the Justice and Development Party (AKP) announced its openness to Kurdish rights.”²³ Officials in Ankara also held a series of talks with the minority representatives, which led to improved relations between

²⁰ Yildiz, Kerim, *The Kurds in Turkey-EU accession and human rights*, Pluto Press, London, 2005, p. 91.

²¹ Bac, Müftüleri, “The never-ending story: Turkey and the European Union”, *Middle Eastern Studies*, vol. 34 no. 4, 2008, pp. 240-258.

²² Mureşan, Bogdan, *op. cit.*

²³ Waldman, Simon A. Caliskan, Emre, “The Peace Process that Never Was: Turkey and the PKK”, Hurst, 03.08.2015, <https://www.hurstpublishers.com/the-peace-process-that-never-was-turkey-and-the-pkk/>, accessed on 26.02.2022.

Turkey and the EU. At the same time, the Union took the necessary steps to ensure the Turkish-Kurdish negotiations that took place in Oslo.

Due to the Arab Spring and the development of Kurdish autonomy in the geographical proximity of Turkey (Syria and Iraq), the dialogues were concluded without success and “the European Commission reported that the government's actions did not comply with European standards regarding the respect and promotion of minority rights.”²⁴ The anti-terrorist measures were used as a pretext for censoring the forms of expression of pro-Kurdish sentiments in writing, as well as arresting intellectuals and journalists. Thus, in 2012, the European Commission “explicitly pointed out that, due to the pressure on the mass media, a point where censorship has become a common phenomenon in Turkey has been reached.”²⁵

At the beginning of 2013, on the New Year, Recep Tayyip Erdogan (then Prime Minister) announced that the military forces would cease the operations carried out in the southeast part of Turkey in exchange for the total disarmament of the PKK. On September 5 of the same year, a “democratic package” was launched announcing the use of diplomacy to resolve the Turkish-Kurdish conflict. The founding leader of the Kurdish Workers' Party, who has been in state custody since 2002, declared his support for the pacification process.

On March 31, 2013, Ocalan delivered a message of peace that was heard by over 10,000 people gathered in Diyarbakir's main square, announcing that “the period of armed conflict is ending and the gates to democratic politics are opening.”²⁶ The European Union, as can be seen in the 2013 European Parliament resolution on the situation in Turkey,

²⁴ Kaygusuz, Özlem, “Democracy Anchored in the Presidential System: The “Solution Process”, Constitution Making and the Future of Europeanization in Turkey.” *The Turkish Yearbook of International Relations*, no. 43, 2012, pp. 159-196.

²⁵ *Ibid.*

²⁶ Krajewski, Jenna “Peace comes to Turkey”, *The New Yorker*, 24.03.2013, <https://www.newyorker.com/news/news-desk/peace-comes-to-turkey>, accessed on 26.02.2022.

supported “the government's initiative to try to resolve the Kurdish issue through negotiations with the PKK”²⁷ and encouraged the Turkish authorities to continue “the efforts to promote the social, cultural and economic rights of the Kurdish community”.²⁸

The negotiations continued in 2014, being driven by the policies adopted by Erdogan, who had just become the country's president. Even though “some political analysts considered that these negotiations were only a mean by which the president wanted to win the support of the Kurds for the parliamentary elections”²⁹, the European Union “welcomed the efforts made by the Government of Turkey and all other interested parties to comprehensively and sustainably conclude the peace process with the Kurdish community.”³⁰

The peak of the talks between the Turks and the Kurds, and of the Turkish-European negotiations, was reached in the first half of 2015, when the People's Democratic Party had the opportunity to participate in the parliamentary elections and managed to pass the electoral threshold of 10%.

The period that followed this short democratic episode, however, led to new problems in the relations between the Turkish state and the EU. On 1 November 2015, the president called for early parliamentary elections during which there were numerous attacks on HDP headquarters, ignored by the Turkish media and political leaders. Moreover, after the failed coup in 2016, Erdogan implemented a series of measures aimed at eliminating political opposition through legal and

²⁷ “Rezoluția Parlamentului European referitoare la Raportul privind evoluția Turciei în 2013”, https://www.europarl.europa.eu/doceo/document/B-7-2014-0241_RO.html, accessed on 26.02.2022.

²⁸ *Ibid.*

²⁹ Brown, David P., “The case for management in the Turkish-Kurdish conflict”, *Collage of Arts and Senior Honors Theses*, 2018, Paper 165.

³⁰ Rezoluția Parlamentului European din 10 iunie 2015 referitoare la Raportul Comisiei din 2014 cu privire la progresele înregistrate de Turcia”, https://www.europarl.europa.eu/doceo/document/TA-8-2015-0228_RO.html, accessed on 26.03.2022.

violent means. These measures were specifically directed against the HDP, a fact which displeased European leaders and caused the failure of Turkey's European course. This matter will be discussed in detail in the last part of the work. However, before moving to the mentioned subject we first have to look at the factors that sustain the good relations between HDP and EU.

EU-HDP relations

The European Union and the People's Democratic Party share several common interests and values that facilitate cooperation and good dynamics between the two actors. Moreover, there are numerous factors of a social, political, historical and security nature that support the continuity of those dynamics. Thus, for a better understanding of the importance that the HDP situation has on the European integration process of Turkey, an analysis of the relations between the EU and the party in question is necessary. In this regard, two main issues will be pursued, namely Kurdish activism in the European Union and the common security interests of the HDP and the EU.

Kurdish activism, European Union and HDP

In the second half of the 20th century, many Kurds migrated to Western Europe. One of the reasons, as expected given the regional geopolitical dynamics, was the conflicts in the Middle East. The standard of living and employment opportunities in the highly developed states were other factors that determined the movement of some representatives of this ethnicity to the west. The proof of this fact is the distribution of the minority population in Western Europe, with most Kurds being settled in economically highly developed states, such as France and Germany. In any case, one thing is certain: the desire of the

Kurds to obtain recognition of their rights as a minority in their home states has not been left behind.

During the 1950s and 1960s, Kurdish groups created several cultural organizations in Europe. The first such institution was the Center d'Etudes Kurdes in Paris, the result of the mass migration of Kurdish intellectuals to France. Later, the Kurdish Students' Society in Berlin and the International Society of Kurdistan in Amsterdam emerged, both publishing press articles related to Kurdish history and culture.

“In the 80s and 90s, the phenomenon of politicization of Kurdish institutions in the diaspora took place, which was mainly due to the migration of Kurdish political dissidents to Europe.”³¹ In 1995, the Parliament of Kurdistan in Exile was formed, consisting mainly of refugee activists of pro-Kurdish political parties in Turkey. The 65 members drew up a program in 35 points, which, in short, stipulated the following: “promoting the rights of the Kurds at the international level, encouraging military and diplomatic actions aimed at ensuring the security of the Kurdish population in the Middle East, collaboration with the European Parliament and the European Council in order to recognize the Kurdish rights over the territories in the Kurdistan area and the recognition of the Kurdish culture.”³²

Kurdish politicians in Europe have made great contributions to the formation of think-thanks, but they are not the only ones to whom the existence of Kurdish institutes on the continent is owed. Among the Kurdish refugees and migrants were also people who completed their studies in important academic centers in Turkey and Syria. In addition to all this, the generations of Kurds born in the West had access to the great universities of Western European states, the most eloquent example of

³¹ Zeynep, Kaya, *Maps into nations: Kurdistan, Kurdish Nationalism and international society*, The London School of Economics and Political Science, London, 2012, p. 107.

³² Gunter, Michael, *op.cit.* p. 87.

the result of their activities being the Kurdish Institute in Paris, established in 1983.

According to its official website, the institute is defined as “an independent, non-political, secular organization that embraces Kurdish intellectuals and artists from various horizons, as well as Western specialists in Kurdish studies.”³³ Also, as mentioned on the website, the organisation aims “to maintain in the Kurdish community a knowledge of its language and history and its cultural heritage, to contribute to the integration of Kurdish immigrants in Europe and to increase the level of awareness of Kurdish issues in the EU.”³⁴ Therefore, the representatives of the institute openly express their desire to bring the Kurdish issue to the attention of the Union. The members of the organisation show a strong support for the People's Democratic Party, as the official news platform contains approximately 700 articles covering topics such as discrimination against members of the party, but also information about the party's efforts to democratize Turkey and defend the rights of the Kurds.

France is not the only European Union state where the Kurdish diaspora has found a beneficial environment for promoting pro-Kurdish activism. In Germany, “the country with the largest Kurdish population in Europe”³⁵, there are also several organizations that support the cause of the minority, such as the Institute for Kurdish Studies and the European Center for Kurdish Studies. The activity of the two is not limited to academic matters, the first mentioned institution having the aim of “promoting tolerance and cultural exchanges at the international level by increasing the level of awareness regarding the Kurdish minority situation.”³⁶ Moreover, there is a general interest of the Kurds in

³³ “Who is the Kurdish Institute?”, *Institute Kurde de Paris*, <https://www.institutkurde.org/en/info/who-is-the-kurdish-institute-s-1232550990>, accessed on 14.04.2022.

³⁴ *Ibid.*

³⁵ *Ibid.*

³⁶ “The Institute for Kurdish Studies”, <http://www.ifkurds.de/en/>, accessed on 18 April, 2022.

Germany in the situation of the HDP, as evidenced by the protests in Köln, “in which more than 7000 representatives of the minority participated”³⁷, as a result of the discriminatory actions of the Turkish authorities directed against the members of the party.

If we refer to the means of influencing EU policies, we must also consider the impact of the mass media. “The freedom of expression found in Europe has given the Kurds the chance to inform and educate the general public about the issue of the minority at will.”³⁸ For this reason, the Kurds have turned to several modern means of communication to advance their cause. Thus, “in 1994, by establishing MED-TV, a Kurdish television station based in London and Belgium, the Kurds became the first stateless “broadcast nation” in the world.”³⁹ Other television stations continued to appear during the following years, many of them broadcasting news about the situation of the Kurds in Turkey. Of these, Med Nûce is probably the most famous, Selahattin Demirtaş (founding-leader of the party) being repeatedly invited to the shows on this channel.

Thus, if we analyse all of the above, we come to the conclusion that “the Kurdish diaspora has played an essential role in the formation of global advocacy networks and in raising awareness of the Kurdish cause.”⁴⁰ In addition, realizing the impact that the HDP has on the promotion of Kurdish rights in the Turkish state, various civil society organizations in Europe have placed a strong emphasis on the union's relations with the party.

³⁷ “Kurds take to the streets of Cologne in anti-Erdogan protests”, *Deutsche Welle*, <https://www.dw.com/en/kurds-take-to-the-streets-of-cologne-in-anti-erdogan-protests/a-36276812>, accessed on 18.04.2022.

³⁸ Romano, David, “Modern communications technology in ethnic nationalist hands: The case of the Kurds”, *Canadian Journal of Political Science/Revue canadienne de science politique*, vol. 35, no.1, 2002, pp. 127-149.

³⁹ *Ibid.*

⁴⁰ Baser, Bahar, “Intricacies of engaging diasporas in conflict resolution and transitional justice: The Kurdish diaspora and the peace process in Turkey”, *Civil Wars*, vol. 19, no. 4, 2017, pp. 470-494.

HDP as a key element for EU security interests

Solving the problems related to the Kurdish minority in Turkey is not on the agenda of the European Union only for reasons related to its values. As in any other cases, the discrimination suffered by a certain minority can lead to movements of extremist nature, as is the case of the PKK. As previously mentioned in the paper, the organization is categorized as terrorist by both the Union and Turkey, because Turkish-Kurdish conflict dynamics go beyond the borders of the Turkish state and even the geographical area of Kurdistan.

Even though PKK does not aim to undermine public order in Europe, “members of the organization have undertaken several attacks on Turkish diplomatic institutions and business buildings in the Member States”⁴¹. “Only in the 2017-2018 period, Kurdish extremists carried out approximately 70 terrorist attacks on the continent”⁴², according to the data provided by the SETA Foundation for Political, Economic and Social Research. Moreover, “one of the main factors that ensure the organization's continuity is the drug trafficking carried out in the West by PKK supporters.”⁴³

There is thus no doubt that ending the Turkish-Kurdish conflict and, implicitly, stopping the activities of the Kurdistan Workers' Party represent a security objective of the EU. In this context, the People's Democratic Party becomes a key factor in achieving the goals of the union. In fact, the two predecessors of the current party, namely the Democratic Society Party and the Peace and Democracy Party, played a

⁴¹ Hooglund, Eric, “The Society and Its Environment”, *Turkey - a country study* (Coord. Helen Chapin Met), Library of Congress, Washington, 1988, pp. 71-143.

⁴² “PKK/PYD attacks towards Turks and Turkish buildings in Europe”, *SETA*, <https://www.setav.org/en/pkk-pyd-attacks-towards-turks-and-turkish-buildings-in-europe-from-01-01-2017-to-15-03-2017/>, accessed on 25.07.2022.

⁴³ Yeğen, Mesut, “The Kurdish Peace Process in Turkey: Genesis, Evolution and Prospects”, *Global Turkey in Europe III: Democracy, trade, and the Kurdish question in Turkey-EU relations*, vol. 19, 2015, pp. 157-182.

central role in the peace processes started in 2009, being “intermediaries at the level of discussions between the Ankara government and the founding leader of the PKK.”⁴⁴ The HDP later participated in two rounds of negotiations with Abdullah Ocalan to reach an agreement on the terms of a ceasefire.

Basically, as identified by Mesut Yeğen, a professor at the University of Istanbul and an expert on the Kurdish issue in Turkey, the pacification process include three necessary steps: “withdrawal [from the armed conflict], democratization and total disarmament.”⁴⁵ Thus, the conflict resolution plan designed with the help of the HDP integrated the disarmament of the PKK into a larger program for the democratization of Turkey, which was obviously viewed with enthusiasm by the EU. The European Parliament announced in 2014 that it “firmly supports the announcement made by the HDP regarding the organization of an extraordinary congress of the PKK as a way to lay down arms and promote democratic policies.”⁴⁶

After the collapse of the peace agreement in 2015, as expected, new armed conflicts between the PKK and the Turkish law enforcement forces are emerging. The EU condemned the return to violence by Kurdish militants, describing it as unjustified, and “called on the PKK to lay down its arms, abandon terrorist tactics and express its demands through peaceful and legal means.”⁴⁷ At the same time, however, the EU drew attention to the inadequate measures of the authorities in Ankara, as can be seen from the 2016 European Parliament Resolution on developments in Turkey, which stated that “there is no violent solution to the Kurdish

⁴⁴ *Ibid.*

⁴⁵ *Ibid.*

⁴⁶ “Rezoluția Parlamentului European din 10 iunie 2015 referitoare la Raportul Comisiei din 2014 cu privire la progresele înregistrate de Turcia”, *Europa.eu*, https://www.europarl.europa.eu/doceo/document/TA-8-2015-0228_RO.html/, accessed on 25.06.2022.

⁴⁷ “Rezoluția Parlamentului European din 14 aprilie 2016 referitoare la Raportul pe 2015 privind Turcia (2015/2898(RSP))”, *Europa.eu*, https://www.europarl.europa.eu/doceo/document/TA-8-2016-0133_RO.html, accessed on 25.06.2022.

problem.”⁴⁸ Furthermore, the Union requested “the government of Turkey to take responsibility for resuming negotiations in order to identify an exhaustive and sustainable solution to end the conflicts”⁴⁹. Also, in an EU document from 2018 regarding the situation of national minorities on the territory of Turkey, the following were stipulated:

“[The European Parliament] is convinced that only a just political solution to the Kurdish problem can bring sustainable stability and prosperity to Turkey and therefore invites both sides to return to the negotiating table.”⁵⁰

Thus, the Union's concern about the PKK's actions and Ankara's response to them is obvious. Since European officials believe that there is no solution to the Kurdish problem through coercive means and official EU documents prove the union's confidence in the HDP's ability to manage the conflict between Kurdish militants and the Turkish authorities, the party remains a key element in disarming the PKK. Also, stopping the actions of the Kurdistan Workers' Party becomes an impediment at the level of European security, since “the number of attacks by the organization on the territory of Europe increased considerably after the failure of the ceasefire negotiations.”⁵¹ Taking all this into account, it can be clearly seen that the HDP is an important ally of the EU in the context of Turkey's European integration process.

The problem of HDP in the failure of Turkey's European course

The situation of the HDP began to represent a frequent topic in the speeches of European officials related to the actors' bilateral relations

⁴⁸ *Ibid.*

⁴⁹ *Ibid.*

⁵⁰ “Rezoluția Parlamentului European din 8 februarie 2018 referitoare la situația actuală a drepturilor omului în Turcia (2018/2527(RSP))”, *Europa.eu*, <https://eur-lex.europa.eu/legalcontent/RO/TXT/PDF/?uri=CELEX:52018IP0040&from=EN>, accessed on 06.06.2022.

⁵¹ “PKK/PYD attacks towards Turks and Turkish buildings in Europe”, *SETA*, <https://www.setav.org/en/pkk-pyd-attacks-towards-turks-and-turkish-buildings-in-europe-from-01-01-2017-to-15-03-2017/>, accessed on 06.06.2022

after the democratic regression of the state. The main representatives of the European Union who focused on the issue in question are, of course, those with attributions at the level of foreign policy.

For example, in a joint statement, Federica Mogherini and Johannes Hahn (at that time the European Commissioner for European Neighbourhood Policy and Enlargement Negotiations) emphasized the negative socio-political developments in the Turkish state, expressing “the European Union's concern about the arrest of several HDP representatives, members of the Grand National Assembly of Turkey”⁵². Also, the two put a strong emphasis on the issue of using the fight against terrorism as a pretext for eliminating the political opposition (especially the Kurdish one). Specifically, European officials stated that the actions taken against the Kurdistan Workers' Party should not affect the legitimacy of the parliament and endanger democracy:

“[These actions] compromise parliamentary democracy in Turkey and exacerbate the already extremely tense situation in the south-east of the country, for which there can only be a political solution. The EU considers the actions against the PKK, which is a terrorist organization, to be legitimate. At the same time, the EU believes that such actions must never undermine the basic principles of democracy.”⁵³

Also, in November of the same year, the former High Representative for Foreign Affairs and Security Policy mentioned the issue of the arrest of the two founding leaders, considered “trusted and valued interlocutors [of the EU].”⁵⁴ During the speech held in the Foreign Affairs Council, she stated the following: “As you know, we have already reacted, in a united way, to the latest developments in Turkey following the arrest of the leaders of HDP and other measures that were taken in

⁵² “Statement by Federica Mogherini and Johannes Hahn on the detention of several HDP Members, including the party's co-chairs”, *Europa.eu*, 04.11.2016, https://eeas.europa.eu/headquarters/headquarters-homepage/14039/statement-federica-mogherini-and-johannes-hahn-detention-several-hdp-members-including-partys_en, accessed on 09.08.2022.

⁵³ *Ibid.*

⁵⁴ *Ibid.*

the last couple of weeks, expressing in the name of the 28 Member States our very serious concerns about developments in the country, especially related to the media freedom but also the debate about the death penalty.”⁵⁵⁵ Federica Mogherini also made it clear during the plenary session of the European Parliament that HDP is “a legitimate party in the Turkish parliament”⁵⁵⁶, and “the arrest of the co-chairs of HDP, as well as the detention of several of its deputies, adds to a long list of extremely worrying developments [in Turkey].”⁵⁷ In February 2021, the spokesperson of the European Parliament, Jaume Duch Guillot, highlighted the developments regarding the status of HDP members in Turkey. He also mentioned Turkey's refusal to comply with EU law and values by “non-implementation of the ECtHR’s decision on the release of Mr. Selahattin Demirtaş...”⁵⁸ From a joint statement by the current High Representative for Foreign Affairs and Security Policy, Josep Borrell, and the European Commissioner for European Neighborhood Policy and Enlargement Negotiations, Olivér Várhelyi, it can be seen that the EU perceives the HDP as a basic component for the democratization of Turkey. Specifically, the two claimed that “Closing the second largest opposition party would violate the rights of millions of voters in Turkey [...] and undermines the credibility of the Turkish authorities’ stated commitment to reforms.”⁵⁹

⁵⁵ “Remarks by High Representative/Vice-President Federica Mogherini upon arrival at the Foreign Affairs Council”, *Europa.eu*, 14.11.2016, https://eeas.Europa.eu/headquarters/headquarters-homepage/14718/remarks-high-representativevice-president-federica-mogherini-upon-arrival-foreign-affairs_en, accessed on 09.08.2022.

⁵⁶ “Remarks by High Representative/Vice-President Federica Mogherini on EU- Turkey relations at the plenary session of the European Parliament”, *Europa.eu*, 22.11.2016, https://eeas.Europa.eu/headquarters/headquarters-homepage/15566/remarks-high-representative-vice-president-federica-mogherini-eu-turkey-relations-plenary_en, accessed 09.08.2022.

⁵⁷ *Ibid.*

⁵⁸ “Turkey - Statement by the Spokesperson on the ongoing actions against the members of the People's Democratic Party (HDP)”, *Europa.eu*, 23.02.2021, https://www.eeas.Europa.eu/eeas/turkey-statement-spokesperson-ongoing-actions-against-members-peoples-democratic-party-hdp_en, accessed on 13.08.2022.

⁵⁹ “Turkey: Joint Statement by High Representative/Vice-President Josep Borrell and Neighbourhood and Enlargement Commissioner Olivér Várhelyi on latest actions

Joseph Borrell also presented some positive developments in the relations between the two actors. On the other hand, he made it clear that the situation of the People's Democratic Party remains in the EU's attention and represents an important issue in Turkey's European process: "With EU Ministers, we agreed that there has been an improvement when it comes to the overall rhetoric used and the situation in the Eastern Mediterranean. At the same time, we have seen very worrying decisions, notably the crackdown on the democratic opposition party HDP."⁶⁰

The speeches of European officials are not the only evidence of the union's interest in the HDP status, the party's situation being a recurrent topic addressed in a series of official documents.

For example, in the *European Parliament Resolution of April 14, 2016, regarding the 2015 Report on Turkey*, two negative developments regarding the political opposition in the state were recorded, both involving the People's Democratic Party. The first refers to the political atmosphere during the early elections, described as being "marked in particular by attacks on certain candidates and opposition party headquarters, especially on the HDP."⁶¹ The second concerns the measures taken by the authorities to intimidate political opponents: "[The European Union] expresses its deep concern regarding the judicial investigations directed mainly against HDP members."⁶²

The resolution on the situation in Turkey drafted in 2017 had as its central theme the use of the state of emergency as a pretext for the

regarding the Peoples' Democratic Party (HDP)", *Europa.eu*, 18.03.2021, https://www.eeas.europa.eu/eeas/turkey-joint-statement-high-representativevice-president-josep-borrell-and-neighbourhood-and_en, accessed on 13.08.2022.

⁶⁰ "A new chapter in EU-Turkey relations?", *Europa.eu*, 30.03.2021, https://www.eeas.europa.eu/delegations/turkey/new-chapter-eu-turkey-relations_en, accessed on 13.08.2022

⁶¹ "Rezoluția Parlamentului European din 14 aprilie 2016 referitoare la Raportul pe 2015 privind Turcia (2015/2898(RSP))", *Europa.eu*, https://www.europarl.europa.eu/doceo/document/TA-8-2016-0133_RO.html, accessed on 13.08.2022.

⁶² *Ibid.*

elimination of political opposition. Thus, the Union expresses its concern about the “imprisonment of 11 deputies from the People's Democratic Party, including its co-presidents, Ms. Figen Yuksekdag and Mr. Selahattin Demirtas.”⁶³ Also, from the document we can observe the connection between the discrimination directed against the party members and the democratic regression of Turkey: “[The EU] condemns the decision taken by the Turkish parliament to unconstitutionally lift the immunity of a large number of members of parliament, including 55 of the HDP's 59 MPs, paving the way for the arrest of opposition politicians and seriously damaging the image Parliament as a democratic institution.”⁶⁴

The arrest of the two co-presidents of the HDP remained a recurring topic in European Parliament documents, being mentioned both in the *European Parliament Resolution of February 8, 2018, regarding the current situation of human rights in Turkey*, and in the *European Parliament Resolution of May 19, 2021 regarding 2019 and 2020 Commission Reports on Turkey*. Moreover, in the second mentioned document, the state's lack of compliance with European legislation is specified in the case of the incarceration of the founding leader of the party: “[The European Parliament] recalls the ECtHR judgment of November 20, 2018 regarding the Demirtaş case, confirmed by the decision of the Grand Chamber of December 22, 2020, by which the Turkish authorities are requested to release him immediately”⁶⁵. In the same Resolution, a series of acts of the Turkish authorities directed against the members of the People's Democratic Party are also mentioned, such as “the political ban imposed

⁶³ “Rezoluția Parlamentului European din 6 iulie 2017 referitoare la Raportul Comisiei pe 2016 privind Turcia (2016/2308(INI))”, *Europa.eu*, <https://eur-lex.europa.eu/legal-content/RO/TXT/PDF/?uri=CELEX:52017IP0306&from=EN>, accessed on 13.08.2022.

⁶⁴ *Ibid.*

⁶⁵ “Rezoluția Parlamentului European din 19 mai 2021 referitoare la Rapoartele Comisiei pe 2019 și 2020 privind Turcia (2019/2176(INI))”, *Europa.eu*, <https://eur-lex.europa.eu/legal-content/RO/ALL/?uri=CELEX:52021IP0243>, 13.08.2022.

on more than 600 HDP members”⁶⁶; “lifting the parliamentary immunities of nine party deputies”⁶⁷ and “the decision to deprive HDP MP Ömer Faruk Gergerlioğlu of his parliamentary mandate and parliamentary immunity, as well as his arrest.”⁶⁸

The Kurdish issue continued to intensify in the context of the approaching the parliamentary elections in 2023. In this context, the European Union began to place an increasingly strong emphasis on the status of the HDP, the proof of this matter being the *Resolution regarding the repression of the opposition in Turkey, especially of the People's Democratic Party (HDP)*. Through that document, the European Parliament brought back to discussion all the other issues concerning the evolution of the situation of the People's Democratic Party previously presented.

Thus, a first topic highlighted in the document considers the actions taken against the formation, perceived as part of a systemic campaign of “repression and hatred against the HDP and the Kurds.”⁶⁹ Moreover, the European Parliament considers these actions as “a general effort that has lasted for several years and which aims to dissolve this party as the voice of the opposition, as a result of which thousands of its members, deputies and mayors were brought before justice, being accused of acts of terrorism.”⁷⁰

The Parliament also expressed its concern about Turkey's lack of compliance with European legislation in the case of the ECtHR's decision on the release of the founding leader of the HDP: “[The European Parliament] strongly condemns the continued detention, since November 2016, of the former co-presidents of HDP, Figen Yüksekdağ and Selahattin Demirtaş, the latter being an opposition leader and former

⁶⁶ *Ibid.*

⁶⁷ *Ibid.*

⁶⁸ *Ibid.*

⁶⁹ “Propunerea de Rezoluție referitoare la reprimarea opoziției din Turcia, în special a Partidului democrat al popoarelor (HDP)” *Europa.eu*, https://www.europarl.europa.eu/doceo/document/B-9-2021-0407_RO.html, accessed on 13.08.2022.

⁷⁰ *Ibid.*

presidential candidate; [the Parliament also] recalls the ECHR judgment of 20 November 2018 in the Selahattin Demirtaş/Turkey case.”⁷¹

Other themes addressed in the document concerns the acts of violence, intimidation and discrimination aimed at HDP members: (1) “[The European Parliament] denounces the deadly attack on the HDP offices in Izmir”⁷² and (2) “condemns the decision to deprive HDP MPs Leyla Güven, Ömer Faruk Gergerlioğlu and Musa Farisoğulları of their parliamentary mandate and parliamentary immunity”⁷³

At the same time, the Union explicitly expressed the need for ceasing all actions against the political opposition, especially in the case of the People's Democratic Party, “demanding the immediate and unconditional release of Selahattin Demirtaş, as well as all other political prisoners who are serving or awaiting prison sentences because of their affiliation with the democratic opposition in Turkey.”⁷⁴ Taking all these into consideration, it becomes evident that the Union places a strong emphasis on how the Turkish state handles the issue of representation of the Kurdish minority at the legislative level. The lack of improvement in the situation of the political opposition in Turkey as well as the discrimination of HDP members remains a major problem in the relations between the two actors.

Conclusions

Discrimination against the Kurdish population on Turkish territory is a recurring problem, which has repeatedly generated violent clashes between Kurdish militants and Turkish army. As following the formation of the modern republic in 1923 the political and cultural rights of the minority were continually violated, a series of Kurdish revolts

⁷¹ *Ibid.*

⁷² *Ibid.*

⁷³ *Ibid.*

⁷⁴ *Ibid.*

against the authorities in Ankara started to take place. However, they were defeated by the Turkish army and used as a pretext to further restrict the Kurds' ability to express their identity. The matter in question generated a series of impediments at the level of Turkish- European relations after the start of Turkey's accession to the European Union. Moreover, as the two negotiation initiatives of 2009 and 2013 proved, solving the Kurdish problem can only be achieved through diplomatic means and by implementing concrete measures to promote the rights of this minority. At the same time, as the European Union tries to "export" its values through its foreign policy, Turkey must comply with the Copenhagen Criteria in order to successfully complete the European integration process.

As already emphasised in the workpaper, HDP became the main actor which promotes the Kurdish rights and a key element in the Turkish' European integration process, after the 2015 elections. There are two main factors that support the good relations between the European Union and the People's Democratic Party: (1) The first one is the lobbying activity of the Kurdish actors in the EU regarding raising awareness on the HDP issue. As already presented, the end of the Second World War marked the moment of triggering a mass migration of Kurds to the states of Western Europe, which later facilitated the creation of minority organizations in the host countries. Gradually, these organizations moved from cultural activities to true lobbying campaigns through which the situation of the Kurds in Turkey came to the attention of Europeans.

(2) The EU's security interests regarding the PKK's activity are the second factor that makes the party an important ally of the Union. Since European officials have categorized the PKK as a terrorist organization, which has also carried out a series of attacks in the western part of the continent, stopping its actions becomes a security objective for the EU. However, being an actor that promotes the values of peace, the Union

considers that there is no solution to the issue in question through coercive methods. It is precisely for this reason that the HDP plays a central role in managing the terrorist threat, being able to serve as a mediator between the interests of the PKK and the Turkish authorities, thus leading to an end to the violence.

European Parliament resolutions on the political situation in Turkey and the speeches by EU officials serve as evidence that discrimination against the People's Democratic Party has negatively affected Turkish-European relations. The recurring subjects found in the analysed texts are: (1) the concern of the European Union regarding the actions taken to eliminate the political opposition, respectively for the dissolution of the HDP; (2) the refusal of the Ankara authorities to comply with European legislation (in the case of ECHR's decision to release the founding leader of the party); and (3) the actions undertaken by Turkey for the intimidation of the members and sympathizers of the formation, through violent actions and arrests, and through lifting the parliamentary immunity of the HDP representatives in the Grand National Assembly of Turkey. Also, the analysed sources serve as proof of the fact that the Union believes that the attempts of the government in Ankara to eliminate the HDP as an opposition party undermine the credibility of the Grand National Assembly of Turkey, an indispensable parliamentary institution of a democratic country and, implicitly, of a member state of the EU.

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CROSS-MEDIA AND TRANS-MEDIA STORYTELLING TO INCREASE THE AUDIENCE. THE CASE OF MIGRATION BETWEEN TRADITIONAL MEDIA AND SOCIAL MEDIA

Corrado MAGNONI¹

Abstract. We can start by discussing the attention given to the traditional media's new function in the dissemination of news generally, with a focus on immigration-related news. The public relies on social media to inform them about news and television reports. They increasingly monitor live broadcasts, YouTube, Facebook, and Twitter to catch up on the most recent news. Positioning the roles of information professionals as well as television is challenging.

I'm trying to come up with a scientific model that broadcasters can use to determine the audience type. I want to create integrated models that account for an employee and an independent variable. We can gather listening information by using detecting systems like Auditel for televisions and Audiweb for the internet. We can determine how much the independent variable impacts the dependent variable by cross-referencing this data. I am able to state that the information is currently distributed in a single digital container in accordance with Jenkins and Max Giovagnoli, authors of the recently released book *The Transmedia Way*. Our goal is to develop a new hypertext that consists of a single body with complimentary and tightly related audio, video, textual, and image elements. For instance, the snowstorm project, in which Jeffrey P. Jones uses every media in the digital competition to explain to the public an unprecedented snowfall in the United States, is discussed by Mazzocco, an Italian journalist and cross-media news expert.

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Keywords: television, social, immigration, audience, transmedia

Introduction

It is really a difficult time for the old media, which are not doing well at all. It is a chaotic historical moment in which it is not possible to clearly distinguish which is the reference media. The evolution of the media had always clearly shown us which was the predominant medium, but today this is no longer the case. My research and the attempt to propose a solution start from this perspective. One of the hypotheses starts with the attention given to the new role of traditional media in the diffusion of news. Speaking of news or television reports, the public accesses the news through social media. More and more often, they watch the latest edition of the news on Facebook, YouTube, Twitter, or even live broadcasts. It is difficult to position television. It is important to find a scientific model that can be useful for broadcasters to recover ratings.

The traditional media landscape is rapidly changing. The proliferation of technology and digital mediums has shifted the way we consume and share news, with social media becoming a primary source of information. Migration is a hot topic in the media, but it is often portrayed in a negative light, leading to mistrust and misconceptions. Fake news is a major issue in the discussion of migration, as it can lead to misinformation and sensationalized stories.

The rise of social media has had an immense impact on the traditional news landscape. Nowadays, news is readily accessible and can be shared quickly and widely on platforms like Facebook, Twitter, and Instagram, allowing a larger audience to engage with stories. This has led to a more interactive news environment where anyone can voice their opinion on a given topic. This has also made it easier to spread fake news, as it can be shared quickly and widely. The media's portrayal of migration has been largely negative, with much of the coverage focusing

on the potential threats posed by immigrants, such as crime and terrorism. While it is important to report on the potential risks, it is also necessary to provide a more balanced perspective. Too much emphasis on the negative aspects of migration can lead to public mistrust and xenophobia.

The proliferation of fake news has also made it difficult to discern fact from fiction. Fake news is often sensationalized and biased and can be used to spread fear and mistrust. It can also be used to manipulate public opinion and create an environment of fear and uncertainty. Therefore, it is important to be vigilant and verify information before believing it. In conclusion², the traditional media landscape is rapidly changing, and new technologies have enabled the spread of fake news. Although migration is a prominent topic in the media, it is frequently portrayed negatively in the eyes of the general public. As a result, it is important that we recognize the hazards of fake news, which can be both real and potential, and take steps to check information before believing it. Additionally, it's critical to present a balanced viewpoint on migration and to be aware of the potential repercussions of sensationalized and biased news coverage.

Point of view

According to Jenkins and Max Giovagnoli, who recently published a book called *The Transmedia Way*, I can say that currently the information is conveyed in a single digital container. Our task is to create a new hypertext that forms a single body in which images, video, writing, and audio are complementary and strongly interconnected with each other.

² Bruno, Marco, *The Journalistic Construction of 'Emergenza Lampedusa, Destination Italy: Representing Migration in Contemporary Media and Narrative*, Editions Peter Lang, Berna, 2015.

Not only Giovagnoli, but also Mazzocco, an Italian journalist and cross-media news expert, discuss the “snowfall project” mentioned by reporter John Branch in his article about the 2012 Tunnel Creek avalanche, which was published on December 20, 2012. The article won the 2013 Pulitzer Prize in Feature Writing and a Peabody Award. Packaged together as a six-part story interwoven with interactive graphics, animated simulations, and aerial video, “Snow Fall” became one of the most talked about online news articles in 2013 and garnered praise and debate over it being an example of “the future of online journalism.” The article became highly influential among online journalism circles, with many other publications attempting similar multimedia features and even coining an industry term, “to snowfal”.

Transmedia storytelling is a concept that has gained traction in recent years and is becoming more widely used by media makers and content creators. Transmedia storytelling is the practice of telling stories across multiple platforms and using a variety of media to create an immersive experience for viewers.

This is done by creating a consistent narrative that’s spread across multiple channels and platforms, allowing viewers to follow the story from one platform to the next. Max Giovagnoli is a media expert and the author of “Transmedia Storytelling: A Guide to Crafting Immersive Narratives.” He has described three key elements of effective transmedia storytelling: a story worth telling, a compelling narrative arc, and a consistent content strategy.

A story worth telling is the foundation of any narrative. It’s important to have an interesting story that viewers will be motivated to follow across multiple platforms. This means creating a compelling story with likable characters and an interesting narrative arc.

A compelling narrative arc is also essential for transmedia storytelling. This means creating a narrative that builds suspense and keeps viewers engaged over the course of the story. It should have a

beginning, middle, and end, and it should be clear how one element of the story leads to the next.

A consistent content strategy is the key to successful transmedia storytelling. All the elements of the story should be consistent across all platforms and channels, so viewers can follow the story from one platform to the next. This means creating a unified visual style, using the same characters and themes, and making sure the story is told in a cohesive and consistent way.

Cross media storytelling is a concept proposed by Maurizio Mazzocco, a professor of media studies at the University of Bologna. According to Mazzocco³, cross media storytelling is the process of using multiple media platforms to tell a single story. It is a way to create an immersive and engaging experience for viewers and to create narrative connections between characters and stories.

Mazzocco has identified three key elements of effective cross-media storytelling: narrative continuity, media continuity, and interactivity. Narrative continuity is the process of creating a story that is consistent across multiple media platforms. This means creating a cohesive story that follows a single narrative arc and has the same characters and themes throughout.

Media continuity is the process of ensuring that the content remains consistent across all media platforms. This means creating a unified visual style, using the same characters and themes, and making sure the story is told in a cohesive and consistent way.

Interactivity is the process of creating a two-way dialogue between the viewer and the story. This means giving viewers the opportunity to interact with the story through comments, polls, and other interactive elements.

³ Mazzocco, Davide, *Online Journalism, Crossmediality, blogging and social networking: the new tools of digital information*, Editions Centro di documentazione giornalistica, Roma, 2018.

These are the three key elements of effective cross-media storytelling, according to Maurizio Mazzocco. By creating a narrative that is consistent across multiple media platforms, ensuring media continuity, and incorporating interactive elements, cross-media storytelling can be a powerful tool for creating immersive and engaging experiences.

For example, “Snow Fall” is a groundbreaking multimedia long-form narrative created by sports writer John Branch for The New York Times.

The project helped open the door for more compelling combinations of multimedia and text in the New York Times newsroom and at publications across the globe. Packaged together as a six-part story interwoven with interactive graphics, animated simulations, and aerial video, “Snow Fall” became one of the most talked-about pieces of journalism in 2012.

The story itself tells the tragic story of skiers and snowboarders trapped beneath an avalanche in Washington State’s Cascade Mountains.

The feature marked a big step forward in the evolution of online storytelling, as it incorporated multimedia elements such as full-screen video, interactive maps, and 3D graphics into the narrative.

This type of storytelling is often referred to as “transmedia storytelling,” which is the practice of telling stories across multiple platforms and using a variety of media to create an immersive experience for viewers.

From the earliest stages of developing “Snow Fall,” writers, editors, designers, and developers worked together to create a cohesive and immersive narrative.

The integration of multimedia video and motion graphics in ways that made them feel like they were part of the body of the story and not just sidebars that you would experience after you were done reading the story was key to the success of the project.

“Snow Fall” is an example of how transmedia storytelling can be used to create powerful and engaging experiences for viewers.

The project has also been praised for its innovative approach to journalism and has opened the door for more multimedia-rich stories in the future. It is an example of how journalism can be used to create compelling stories that are accessible to a wide audience.

Jenkins, through a series of studies, comes to conceive of transmedia stories as the set of all the elements of a fiction connected to each other but broadcast over multiple distribution channels in a systematic way, while at the same time creating a unique and coordinated form of experience. Transmedia, or crossmedia, puts the emphasis on a new process of storytelling⁴: How do you tell a story across a variety of different media? On the other hand, cross-media is about reusing the same content on different media platforms with a view to achieving a unified and coordinated experience.

The main difference between these concepts is that transmedia provides different entry points into the complicated world that always offers a “new angle, a different perspective.” This is very crucial for understanding transmedia storytelling, which is not about the repetition of content but the “juxtaposition and recontextualization of core elements across multiple media platforms.”⁵

The results of the study have revealed that the difference between transmedia and crossmedia lies in the level of complexity. While transmedia increases the complexity of the narrative, crossmedia simplifies it. Additionally, transmedia also relies on the audience’s participation and active exploration of the narrative, whereas crossmedia is more focused on providing a unified experience.

⁴ Giovagnoli, Max, *Transmedia Storytelling e Comunicazione*, Editions Maggioli, Santarcangelo di Romagna, 2013.

⁵ Jenkins, Henry, *Convergence culture: where old and new media collide*, Editions University Press, New York, 2006.

Another key difference between transmedia and crossmedia is the way engagements are done. While cross-media tends to be focused on reusing the same content on different media platforms, transmedia puts the emphasis on creating different experiences on different media platforms. This is why transmedia analysis stresses the point of view that, although the ways engagements are done differ between mediums, all of them are valuable. For academic researchers and practitioners, this distinction is essential since it highlights the importance of creating different experiences on different media platforms.

In conclusion, transmedia and crossmedia are two different concepts with different objectives. Transmedia storytelling puts the emphasis on creating different experiences on different media platforms, while crossmedia storytelling is focused on reusing the same content on different media platforms in order to achieve a unified experience. Furthermore, transmedia increases the complexity of the narrative, whereas crossmedia simplifies it. This distinction is essential for academic researchers and practitioners, as it highlights the importance of creating different experiences on different media platforms that matter to us from a consumer's point of view.

A specific case of media and migration

According to a 2021 study by the Verona Intercultural Studies Center, Most European citizens believe that at the national level, the most concerning issues are: unemployment, rising prices and cost of living, immigration, health and social security. If, therefore, the social networks speak to this “belly of the country,” blaming a scapegoat for the malaise, preferably outside the majority social group, they can only find support, win support, and spread. Foreign citizens legally resident in Italy are around 5 million, the same number as in the last 4 years, but the percentage perceived is 25%, over 17 points more than the real figure and more than all of Europe. The feeling from observing the media is that

people's perceived hostility toward immigrants increases as the number of news stories increases, particularly about the increase in the number of immigrants in a given country. In other words, "those who, in principle, have an unfavorable position towards immigrants could be induced to magnify the extent of the phenomenon or to justify their attitude by virtue of a distorted perception of the question." This in turn means that the margin of "perceptual error" in reference to the migratory phenomenon derives both from a lack of information and from a prejudicial vision of the world that inevitably conditions observation. The overestimation has practical, social consequences: the percentage of those who think that immigrants are a burden for the welfare state rises to 62 percent. That is, whoever overestimates is induced to exaggerate the consequences for the welfare state. The Intercultural Studies Center at the University of Verona in Italy is a research and teaching hub offering a range of courses related to media and migration. Established in 2021, the Center is dedicated to exploring how the media shapes and is shaped by migration and how this reflects, informs, and influences contemporary culture.

The Intercultural Studies Centre provides a range of courses and programs exploring the intersections between media, culture, and migration. The Center's research focuses on how media and communication technologies are used to shape, inform, and influence the ways in which migration is experienced, perceived, and represented. The Center's teaching programs focus on the media and communication aspects of migration, with a particular emphasis on the role of media in creating and sustaining identities and cultures.

The Center is also engaged in a number of research projects that explore the role of media in creating and sustaining identities and cultures. These projects include the "Experiences of Migration" project, which examines the experiences of migrants in terms of media, communication, and culture; the "Media and Migration" project, which

looks at the role of media in shaping and informing the migration experience; and the “Cultural and Media Representation of Migration” project, which looks at how media and culture create and sustain representations of migration. The Center is also home to a number of events and activities related to media and migration. These include lectures, seminars, workshops, and conferences, which bring together academics, practitioners, policymakers, and members of the public to discuss and debate issues related to media and migration. The Intercultural Studies Center at the University of Verona is a key hub for research and teaching related to media and migration. Through its research, teaching, and events, the Center has made a significant contribution to our understanding of how media and communication technologies shape and are shaped by migration and how this reflects, informs, and influences contemporary culture⁶.

Over the past few years, communication scientists have studied the impact of the media on immigration-related topics. This research has explored the portrayal of immigrants in the media and how these depictions can influence public opinion and attitudes towards immigration.

One major finding of this research is that the news media have a tendency to represent refugees, asylum seekers, immigrants, and migrants as a “threatened homogeneous group.” This has led to the development of negative stereotypes and a climate of fear and suspicion toward immigrants. Furthermore, the media has been found to amplify anti-immigrant sentiment and reduce support for immigration policies.

Another finding is that the media has hindered effective policymaking on immigration. The news media has been found to focus on issues such as border security, illegal immigration, and deportations rather than on broader immigration topics such as integration and the

⁶ Buoncompagni, Giacomo, *Cybermigration. La dimensione digitale dell'immigrazione: media, istituzioni e sicurezza*, Editions PM, Savona, 2021.

economic benefits of immigration. This has caused a shift away from discussing the potential benefits of immigration and towards focusing on the perceived threats of immigration.

Additionally, research has shown that entertainment media can have a powerful influence on public opinion and attitudes toward immigration. Entertainment media can be used to challenge negative stereotypes and create more positive representations of immigrants. A study found that viewers who saw immigration storylines on TV shows such as *Madam Secretary*, *Orange Is the New Black*, and *Superstore* had more inclusive attitudes towards immigrants than those who did not. This suggests that entertainment media can be used to foster more inclusive attitudes and beliefs and drive viewers to create and inspire change.

Communication scientists have discovered that the media can have a significant impact on public opinion and attitudes toward immigration. The news media has been found to represent refugees, asylum seekers, immigrants, and migrants as a “threatened homogeneous group” and to hinder effective policy making on immigration.

Meanwhile, entertainment media can be used to challenge negative stereotypes and create more positive representations of immigrants. As such, the media has a crucial role to play in shaping the public’s views on immigration.

Social media vs. TV

Marshall McLuhan is known for his famous phrase “the medium is the message,” which suggests that the form of a medium affects the content it carries. In his book *Understanding Media: The Extensions of Man*, McLuhan explored the concept of media as an extension of our being and how the passage from one medium to another has an effect on our lives.

McLuhan argued that each medium is a “message” in and of itself and that each medium has its own set of characteristics that shape and control how humans interact with each other. He argued that the characteristics of a medium, such as its speed, size, and form, can shape the way people think and feel, as well as how they relate to one another.

McLuhan used the example of the light bulb to illustrate his concept, arguing that the light bulb is a medium without content. He stated that the electric light is “pure information” and that it “creates an environment by its mere presence.” In other words, it is able to give people what they need to fill in the gaps and understand the message. McLuhan⁷ also argued that the way people think, feel, act, and interact with each other is shaped by the passage from one medium to another.

He argued that when a new medium is introduced, it changes the way people think and feel about the world, as well as how they communicate with each other. For example, McLuhan argued that the introduction of television changed the way people thought about time and space, as it made it possible for people to experience a wide range of events simultaneously.

McLuhan also argued that the passage from one medium to another has a profound effect on culture and society. He argued that the introduction of new media and technologies can lead to social and cultural changes, such as the development of new forms of communication, new ways of perceiving and understanding the world, and new forms of expression.

Different medium, similar problems

Finally, McLuhan argued that the passage from one medium to another can have a profound effect on the way people think, feel, and

⁷ McLuhan, Marshall, *Understanding Media: The Extensions of Man*, 1-rd edition, MT Press LT, Massachusetts, 1964, pp. 19-20.

interact with each other. He argued that when a new medium is introduced, it can lead to changes in the way people think and feel about the world, as well as how they interact with each other.

The media has had a profound effect on the way society perceives and interacts with the phenomenon of immigration. The media's portrayal of immigrants and its coverage of immigration-related topics have been found to shape public opinion and attitudes towards immigration.

One major finding of research on the media's effect on immigration is that the news media has a tendency to represent immigrants as a "threatening homogeneous group". This has led to the development of negative stereotypes and a climate of fear and suspicion towards immigrants. Furthermore, the media has been found to amplify anti-immigrant sentiment and reduce support for immigration policies.

The media has also been found to hinder effective policy making on immigration. The news media has been found to focus on issues such as border security, illegal immigration and deportations, rather than on broader immigration topics such as integration and the economic benefits of immigration. This has caused a shift away from discussing the potential benefits of immigration and towards focusing on the perceived threats of immigration.

Research has also shown that entertainment media can have a powerful influence on public opinion and attitudes toward immigration. Entertainment media can be used to challenge negative stereotypes and create more positive representations of immigrants. A study found that viewers who saw immigration storylines on TV shows such as *Madam Secretary*, *Orange Is the New Black*, and *Superstore* had more inclusive attitudes towards immigrants than those who did not. This suggests that entertainment media can be used to foster more inclusive attitudes and beliefs and drive viewers to create and inspire change.

Overall, the media⁸ has had a profound effect on the phenomenon of immigration. The news media has been found to represent immigrants as a “threatened homogeneous group” and to hinder effective policy making on immigration. Meanwhile, entertainment media can be used to challenge negative stereotypes and create more positive representations of immigrants. As such, the media has a crucial role to play in shaping the public’s views on immigration.

Media and immigration: “factories of fear” and clichés. If we contribute to the so-called “factory of fear,” i.e., the media's construction of a widespread feeling of fear and insecurity in people, a generator of instability and violence, we feed it with posts (creating or sharing them). And we will not deny it with numbers and facts; we will feed the illusion that the problems depend on others and not on actual causes. We could see one of the things suggested, but not the solution. Denying the clichés on which the fear of the immigrant is built, with active and constant contributions from politics, media, and social networks, should be in everyone's interest.

The emblematic case of Carola Rackete in 2019—the German commander of the ship of the NGO Sea Watch who, at the end of June, was at the center of a notable media case—was when she decided to ignore a ban by the Italian government and to disembark a group of migrants on Lampedusa.

According to some Italian newspapers, during an interview with German public TV, Rackete admitted that she had been controlled by foreign governments to land migrants in Italy.

The interview with Rackete aired on August 7; on August 11, the news was picked up and distorted by various newspapers that often spread false or inaccurate news about immigration. The fake news was already denied on August 11 on Twitter with data and facts that made it

⁸ McLuhan, Marshall, *Understanding Media - The Extensions of Man*, Editions. W. Terrence Gordon, London, 1964.

possible to verify and correct the fake news generated by some traditional media.

The “factory of fear” is a term used to describe the phenomenon of using fear-based rhetoric to communicate science topics related to immigration. This type of communication is often used to increase public anxiety in order to influence public opinion and policy decisions about immigration.

At its core, the “factory of fear” is a type of science communication that emphasizes fear over facts. It relies on fear-based rhetoric to communicate science topics related to immigration, such as terrorism, crime, and disease. This type of communication is used to increase public anxiety in order to influence public opinion and policy decisions about immigration. The “factory of fear” typically relies on misinformation and exaggeration in order to create a false sense of danger and influence public opinion.

The use of the “factory of fear” is a problem because it can lead to a public misunderstanding of science topics related to immigration. It can also lead to the demonization of immigrants and make it difficult for people to engage in constructive dialogue about immigration issues. Additionally, it can lead to the adoption of policies that are based on fear rather than facts.

In order to counter the “factory of fear” in science communication related to immigration, it is important to focus on facts and evidence-based communication. It is also important to provide context and avoid sensationalizing the issues. It is also important to recognize that immigration is a complex issue that involves many different factors and to avoid oversimplifying the issue.

Ultimately, the “factory of fear” in science communication related to immigration is a problem⁹ because it can lead to public misunderstanding, the demonization of immigrants, and the adoption of

⁹ Bourdieu, Pierre, *La distinzione. Critica sociale del gusto*, Edizioni Il Mulino, Bologna, 2001.

policies that are based on fear rather than facts. In order to counter this problem, it is important to focus on facts and evidence-based communication, provide context, and avoid oversimplifying the issue.

Moreover, the case of Carola Rackete, the German captain of the Sea-Watch 3 rescue vessel, has captured the attention of the world media. Rackete was arrested in June 2019, after she entered Italian waters without permission while rescuing migrants in distress in the Mediterranean Sea. The case has become a symbol of the tension between the Italian government's hardline stance on immigration and the humanitarian efforts of the rescue ships operating in the Mediterranean.

Media coverage of the case has been largely sympathetic to Rackete, who is seen as a hero by many in the humanitarian community. She has been widely praised for her courage and dedication to her humanitarian mission. The media has also highlighted the plight of the migrants on board the vessel, and the difficult decision she faced in deciding to enter Italian waters.

At the same time, the media has also focused on the hardline stance taken by the Italian government. It was happened during the rise of Italy's right-wing populist coalition, which won the 2018 elections on an anti-immigration platform. Interior Minister Matteo Salvini has been particularly vocal in his criticism of Rackete and the rescue efforts of the Sea-Watch 3.

The media has also highlighted the role of the European Union in the case. The EU has been criticized for its lack of a unified response to the Mediterranean crisis. The media has also highlighted the role of European countries in refusing to accept rescued migrants and the failure of the EU to address this issue.

Overall, media coverage of the case of Carola Rackete has been largely sympathetic to the captain and the plight of the migrants she was trying to rescue. It has highlighted the tensions between the humanitarian efforts of the rescue vessels and the hardline stance taken by the Italian

government. It has also highlighted the failure of the European Union to address the Mediterranean crisis.

The question of whether it is better to believe in social media or traditional media news is a complex one¹⁰. Both types of media have their advantages and disadvantages, and it is important to understand these in order to make an informed decision.

Traditional media news has long been seen as the most reliable source of information. This is because traditional media outlets tend to employ experienced journalists and editors who work hard to ensure accuracy and factual accuracy in their reporting. Additionally, traditional media outlets are subject to a number of rules and regulations, making them more accountable and less likely to spread false information.

Social media, on the other hand, has become an increasingly popular source of news. The key advantage of social media is its immediacy. News stories can spread quickly and widely, allowing people to stay informed and engaged in current events. Additionally, social media allows for a more diverse range of perspectives and opinions to be shared.

However, there are some serious drawbacks to relying on social media for news. Firstly, social media is often rife with misinformation and false information, making it difficult to understand which things are real and which are not. Additionally, social media can be used to spread fear and hate, making it difficult to have constructive conversations about important issues.

There are advantages and disadvantages in both cases when you want to find information. To make the right decision, it is important to look for multiple sources that can come from both traditional media and, sporadically, social media. Most importantly, it is important to check the sources, where the news is coming from, and whether or not it has been

¹⁰ Mazzocco, Davide, *Propaganda pop il fascino del consenso nell'era digitale*, Edizioni Effequ, Grosseto, 2016.

manipulated. By doing this, it is possible to make an informed decision about whether it is better to believe in social media or traditional media news.

Fake news

The problem with information is fake news¹¹. Viewers are not professionals and convey information without being able to verify it effectively, since the broadcast is live. How to spot fake news According to journalist Davide Mazzocco, author of several books on cross-mediality, there are several methods to counter this phenomenon. Spotting fake information is not always easy. Here are some clues to recognizing reliable sources: Where does the information come from? Who wrote the news and published the content? What's behind the news release? Can anyone use it? In what format (news, social networks, YouTube, messaging services) was this news published? Fact-checking: Is this news current? Is this topic also reported on other well-known and serious channels? What do you read there? The target group check is: To whom is this news addressed? If this message is published on the web, how much other publicity is visible on this page? Does the title and layout look strange? Are there many spelling mistakes or exclamation marks?

Checking the URL: What does the URL address (www.) look like? Fake news often appears on pages that look very similar to those on a serious site. The web address can also be confusing because it is very similar to the original site, e.g., www.sfr.ch instead of www.srf.ch.

However, there are technical methods and tools to unmask fake news, e.g., the fake news search engine “Hoaxsearch.com”.

Fake news is an increasingly pervasive problem in the modern media landscape, and it can have a significant impact on the public's

¹¹ Riva, Giuseppe, *Fake news vivere e sopravvivere in un mondo post-verità*, Il Mulino, Bologna, 2018.

understanding of immigration. Fake news can lead to the spread of false information about immigration, which can in turn lead to public misunderstanding and even hostility towards immigrants. In order to counter this problem, it is essential for science communicators to focus on facts and evidence-based communication, provide context, and avoid sensationalizing the issue.

The spread of fake news related to immigration has been fueled by a sensation among right-wing parties from many parts of Europe, who have used the issue of immigration to stir up xenophobic sentiment and gain political support. This type of fake news can lead to the demonization of immigrants and the adoption of policies that are based on fear rather than facts. For example, in the UK, the Brexit vote was partially driven by fake news and negative rhetoric about immigration.

In order to counter the “factory of fear” in science communication related to immigration, it is important for scientists and science communicators to focus on evidence-based communication. Scientists must speak out when they see false information and be proactive about inoculating young minds against fake science. Additionally, it is important for scientists to provide context and avoid oversimplifying the issue of immigration.

It is also important for scientists to recognize the complexity of the issue of immigration and to focus on the facts and evidence. This means avoiding sensationalism and focusing on the human story of immigration. Additionally, it is important to emphasize the breadth and depth of scientific consensus that underpins current knowledge, as well as the importance of evidence-based decision-making.

Ultimately, the “factory of fear” in science communication related to immigration is a serious problem that can lead to public misunderstanding and the adoption of policies based on fear rather than facts. In order to counter this problem, it is essential for science communicators to focus on facts and evidence-based communication,

provide context, and avoid oversimplifying the issue. By doing this, it is possible to promote scientific literacy in society and help counteract the damage done by fake news¹².

The phenomenon of “fake news” has become increasingly common in today’s digital media landscape. Fake news, which is defined as “false or inaccurate information deliberately presented as news,” has been used to manipulate public opinion, spread political propaganda, and create confusion and chaos. In order to counter the spread of fake news, it is essential to cross-reference information from both old and new media sources.

Cross-referencing information from old and new media sources is an effective way to counter the spread of fake news. This is because old media sources, such as newspapers, magazines, and television news, are typically more reliable than new media sources, such as blogs and social media sites. By cross-referencing information from both sources, it is possible to determine whether a particular story is accurate or not¹³.

When cross-referencing information from old and new media sources, it is important to look for a variety of factors that can indicate whether a story is legitimate or not. For example, the source of the story should be taken into account. Information from established, reputable news outlets is more likely to be accurate than information from less established sources. It is also important to consider the veracity of the claims made in the story. If a story makes claims that cannot be corroborated with evidence, it is likely to be false.

Another way to counter the spread of fake news is to encourage people to practice news literacy. News literacy is the ability to assess the reliability and accuracy of news stories. It involves understanding the context in which a story is told, recognizing bias, and evaluating the

¹² Eugeni, Ruggero, *Le avventure della verità*, in the work cited Fake news e giornalismo di pace commenti al Messaggio di Papa Francesco, Ediotions Scholé, Brescia, 2018.

¹³ Arvidsson, Adam, *Introduzione ai media digitali*, Editions Il Mulino, Bologna, 2016.

credibility of sources. News literacy can help people distinguish between real and fake news and make informed decisions about what they believe and share.

Finally, it is important to be aware of the economic and political incentives behind the production and distribution of fake news. Fake news is often created and shared for financial or political gain. By understanding these incentives, it is possible to identify potential sources of fake news and prevent them from spreading.

The phenomenon of “fake news” is a serious problem that needs to be addressed. In order to effectively counter the spread of fake news, it is essential to cross-reference information from both old and new media sources, to practice news literacy, and to be aware of the economic and political incentives behind the production and distribution of fake news.

Conclusion

Can the old media catch up with the new media? In my opinion it can, but only through interaction between the public and old media. The continuous flow of information, as it has been since the advent of radio and television, allows for a greater sense of involvement and community than the enjoyment of individual, tailor-made content. To better understand this phenomenon, we will use integrated models. That is to say, we will be experimenting with Auditel and Audiweb data in order to see if there is an increase or eventual decrease in television programs in which interaction with the viewer via social networks is provided for. Furthermore, to better understand the phenomenon, we will use questionnaires to find out from communication and information professionals their opinion on the phenomenon we are experiencing.

The future of traditional media is uncertain as the industry continues to undergo rapid changes due to the invention of new media. The network of social media has forever changed the way information is made by destroying the audience of radio, TV, and newspapers and

shifting the focus of media consumption to digital platforms such as Twitter, YouTube, and Instagram. This shift has had a significant impact on traditional media, as it has led to a decline in viewership, subscriptions, and listening habits.

Despite the decline in viewership, traditional media still occupies an important space in the media landscape. While it has become increasingly difficult for traditional media to compete with the immediacy and convenience of social media, there are certain advantages that it still holds.

Traditional media offers a degree of credibility and trustworthiness that cannot be found on social media. It is also more likely to feature in-depth investigative reporting and to adhere to journalistic rules when gathering and distributing information for a story.

The future of traditional media will depend on its ability to adapt to changing consumer habits. Traditional media outlets must embrace the digital age and take advantage of the opportunities that social media offers in order to remain relevant. This could involve using social media platforms to promote their stories, leveraging influencers to increase their reach, and creating content that is tailored to different platforms.

Additionally, traditional media outlets must focus on creating engaging and quality content that can compete with the immediacy and convenience of social media.

Overall, the future of traditional media¹⁴ is uncertain. While it may not be able to compete with the immediacy and convenience of social media, it still holds a place in the media landscape. Traditional media must embrace the digital age and take advantage of the opportunities that social media offers in order to remain relevant. By doing so, it can compete with social media and ensure its survival in the digital age.

Immigrants prefer a variety of media to collect news or give information in the field of communication sciences, depending on their

¹⁴ Villa, Marina, *Migrazioni e Comunicazione Politica*, Editions FrancoAngeli, Milano, 2019.

individual needs and preferences. Generally, immigrants tend to prefer digital media over traditional media such as television and radio. This is because digital media provides a more accessible and cost-effective way for immigrants to stay informed and connected to news and information related to their field of communication sciences.

One of the most popular digital media platforms used by immigrants to collect news and information in the field of communication sciences is social media. Social media allows immigrants to easily access news related to their field and facilitates communication with other immigrants. It also allows immigrants to connect with each other and share resources, experiences, and advice.

Another popular digital platform used by immigrants to collect news and information in the field of communication sciences is online discussion forums. Online discussion forums provide immigrants with a platform to discuss and debate topics related to their field. Additionally, online discussion forums often provide immigrants with access to resources, such as articles, books, and websites, which can be helpful in their work.

Immigrants also often rely on digital news sources to stay informed about developments in their field. Digital news sources, such as websites and podcasts, provide immigrants with access to news and information about the latest developments in their field. Additionally, digital news sources often feature interviews with experts and other communication professionals, who could be valuable sources of insight.

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The year 2022 was a turning point in the history of Europe, a year of geopolitical crises, extremes, excesses, a test of solidarity and humanitarian aid. The firm and rapid mobilization of the member states and the institutions of the European Union in condemning the war, the activation of the *Directive on temporary protection* to safeguard millions of Ukrainian refugees, the adoption of the *Strategic Compass* on March 21, 2022, granting Ukraine candidate status to join the Union and the imposition of unprecedented sanctions on Russia, with all the related costs, demonstrated the strength of EU in acting as a factor of stability, a guarantor of security and democracy on the European continent. In this complicated context the book offers a dynamic perspective on European migration patterns, defence and security policy, the integration process of Ukrainian refugees, the European enlargement policy, societal security and international legislation.

Migration Dynamics and New Trends in European (In)Security – Old challenges in a changing world volume is a research and analysis tool created within the Jean Monnet Module *Quo Vadis Europe? European Security, National and Ethnic Minority Issues: from Theory to Practice*, for students, professors, researchers, specialists on international relations and security studies. This volume is also a guide for the general public interested in the evolution of migration-security relationship in Europe.



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