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THE ROMANIAN MIGRATION: DEVELOPMENT OF THE PHENOMENON AND THE PART PLAYED BY THE IMMIGRATION POLICIES OF EUROPEAN COUNTRIES

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The Romanian Migration: Development of the Phenomenon and the Part Played by the Immigration Policies of European Countries

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Abstract

The paper will explore the evolution of Romanian migration phenomenon and the influence of migration policy of European countries, in order to understand the mechanism of choosing the destination country for Romanian emigrants. What type of evolution knows the migration phenomenon from Romania? Which are the most important factors that influence the emigration from Romania? How does the mechanism of choosing the work destination country for the Romanian emigrants? We expect that during the pre-joining period the European countries with tolerant attitude towards immigrants, and frequent naturalization, or regularization procedures, to be mainly preferred by Romanian immigrants. The empirical support for these hypotheses is examined based on statistical analysis of data provided by the official organisms for statistics in Romania, the Public Opinion Barometer. Official statistics of other European countries on immigration affecting their country, including Romanian immigration, will also be studied.

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Keywords: immigration policy, destination countries, Romania, migration policy, EU.

Introduction

The breakdown of the U.S.S.R at the beginning of the 90's, and EU's enlargement in that area, triggered a process with important repercussions for the European economic, political and social context. The free movement of goods, services, and persons inside the European Union generated several complex phenomena felt by the Eastern, as well as the Western countries. Such a phenomenon was migration with its wide dimension and meaningful connotations in the former Eastern bloc and the Western countries. After the fall of the communist bloc, the Western nations became places of destination for East-European immigrants.

People flows from Eastern to Western countries determined the emergence of new social realities in the countries of origin, but also in those of destination. Even if the freedom of circulation turned into a problem, by maintaining some frontier restrictions, especially for the pre-accession countries, one by one, limitations were eliminated allowing migration, and migration movements in between East and West (Favell, 2008). Based on these new social, economic and political realities, numerous studies on European migration were developed and carried through at large and small scale (Stark, 1991; Rey, *et al.*, 2001), and also at an intermediary scale (Faist, 2000; Massey, *et al.*, 1998). Besides the actual study concerning demographic variations, the study of migration implies the analysis of the political motivations behind it (Favell & Hansen, 2002; Wallace & Stola, 2001).

The present study wishes to analyse the migration process through the specific traits it shows at a large scale. The main elements of our scientific approach are represented by the development of the emigration phenomenon, and the analysis of the Romanian, and other European specific legal systems. Practically, this study's foremost objective is to mark out how internal emigration policies affected its expansion. A secondary objective is to point out the connection between the European countries' immigration policies, and the choice in destination made by Romanian immigrants. Prior to its accession to the European Union, Romanian emigration targeted those EU countries which underwent constant, and at regular intervals, legalisation processes for illegal immigrants.

Theoretical Background

Amongst the first theories on migration, and undeniably the most influential, we enumerate the migration theories based on principles such as spatial distribution of the factors of production, rational choice, utility maximisation, expecting a higher net income and wage differences (Ranis & Fei, 1961; Todaro, 1969; Todaro, 1976; Piore, 1979; Sassen, 1988; Portes & Walton, 1981; Stark, 1991). The spatial distribution of the factors of production is one of the first theories that tried to explain migration at large scale (Ranis & Fei, 1961; Todaro, 1969). Migration is the result of an uneven distribution of the labour market and capital. This theory is of great interest to our effort in explaining the Romanian migration phenomenon. The period immediately following the communist regime, of interest to this study, was characterised by a considerable part of the unemployed labour force.

Another key difference is noticed by comparing the Romanian capital and salary level, with those of other European countries, or the United States'. Considering these two criteria, Romania could be seen as a representative country for Lewis's theory on migration. After the end of the communist regime, leaving Romania for a higher salary level country became an option of the Romanian labour force. For this reason, Lewis's theory has a big influence on our attempt to analyse Romanian emigration. The comparative analysis of Romanian average wage, and purchasing power, and those of other European countries is what we propose in order to understand, and underline existing differences, between the originating, and destination regions. Like any other theory, Lewis's has its weak points. A different emigration quota for countries with similar ranking is an example. Any logical examination would point out that, in the absence of other relevant factors for the study of migration, countries with similar structures have similar emigration rates. Empirical data contradict this logic, showing that some countries with similar structure have very different emigration rates (Arango, 2000). In fact, economic disparities are important, but not enough for the emergence and development of migration. For the sake of the present study, and for better explaining the migration phenomenon, we will extend our examination to other factors.

One of the factors that may facilitate or impede emigration and/or immigration, and needs to be considered for a better comprehension of migration, is the legislation that regulates it at national and international level. The political dimension of those regulations covering the migration process is a factor to be considered by this analysis. The international system within which free movement is a generally restrictive law gives the impression of an ideal environment wherein individuals travel freely to achieve their own objectives, and maximise their profit. Restrictions put in place by immigration policies reduce mobility and discourage

potential migrants, in the pursuit of their interests (Arango, 2000). If we were to take into account the same author's opinion, we should mention that: 'nowadays, the political factor has a bigger influence on migration than the wage gap' and that 'in similar situations, legislation is one of the factors that could explain different migration rates' (Arango, 2000). Realising the migration policies' importance at international level, and also at national level, we will show them a special interest as follows. Bellow, we will see the Romanian emigration policy and the agreements signed/ ratified by other countries, in order to regulate the migration phenomenon. The most important role in our analysis is probably the one played by EU's agreements, whereof we tried to understand if they have a special significance for migration policies and emigration rates.

Research Design

This study has a two-component structure: the development of the Romanian emigration, on one hand, and the national and European regulations for the period of time covered, on the other. To highlight the recent story of the Romanian emigration, we will try a statistical analysis of data coming from several sources. Specifically, we will use data from the official statistics in Romania, from the Public Opinion Barometer, and from specialised studies on migration, performed on nationally representative samples. Official statistics of other European countries on immigration affecting their country, including Romanian immigration, will also be studied. The advantage of this type of approach that uses data from several sources is clear and obvious. The use of several statistical sources, with reference to the same target public and period of time, allows us to validate data, and distinguish those closer to reality. Following the comparative and validation phase, this study will prove to be argumentative and innovative when compared to other research on migration which is generally limited to a single statistical source. No matter their source (official national statistic, relevant, or not at national level), studies the research that is based on a single statistical source are limited.

Resuming Arango's theory, which states that 'in similar situations, legislation is one of the factors that could explain different migration rates', we will try to illustrate the way legislation influenced migration flows, and their development, during 1990-2007. Because the migration-related legislation was considerably influenced by the pre-accession negotiations with the EU, we will first of all analyse the European migration-related legal context, and then the Romanian one. Documentation and statistical analysis methods were used to perform the review. The most important documentary sources used were: the international reports on migration of the International Organisation for Migration (IOM), the World Bank, the Organisation for Security and Co-operation in Europe (OSCE),

the reports on Romanian migration of various institutions, especially European, and scientists' studies for personal, or institutional research projects. (Diminescu, 2003 ; Lăzăroiu & Alexandru, 2005 Sandu *et al.*, 2000; Serban & Stoica, 2007; Maticescu, 2012).

Development of the Romanian Emigration

The Romanian emigration is a relatively new one, characterised by a delayed and fundamentally political migration. During the communist regime, the frontiers were hermetically sealed. Without insisting on the analysis of emigration during communism, the present study will focus on the Romanian emigration in the years after the events of 1989. With the fall of the communist regime in Eastern Europe, people of this region have been forced into a sudden transition from non-mobility to an increased emigration. Romania is no exception, because despite a very restrictive international regime of Romanian free movement, the twelve years between acquiring the right to travel abroad (December 1989) and obtaining the right to enter the Schengen area without a visa (January 2002), were marked by the resumption of foreign travel.

Overall, this new mobility joins the general trends inside the global migration space. However, from the moment we began to relate to the particular context of the European construction, and to the issue of Central and Eastern European countries' accession to the EU, the before mentioned mobility became connected to a specific development.

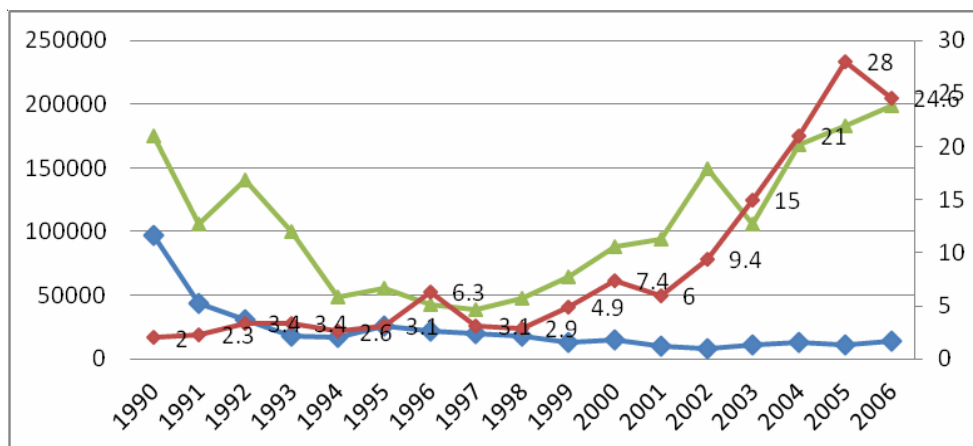


Figure 1. *Emigration's Development during 1990 and 2006*

Source: *Public Opinion Barometer 'L'habitation temporaire à l'étranger. La migration économique des Roumains: 1990-2006'*⁸ (red line); *Official Statistics of the Romanian National Institute of Statistics* (blue line); *European Statistics published in 'International Migration Outlook: SOPEMI - 2008 Edition - OECD © 2008 - ISBN 9789264045651'*⁹ (green line)

In *Figure 1*, we can see the development of the Romanian emigration, as described by the three previously mentioned sources: the official statistics in Romania, the Public Opinion Barometer, and various European official statistics. By comparing the data from different statistical sources, we noticed that trends are sometimes different, and even contradictory. According to the official statistics, in Romania, the emigration rates were high in the first years after the fall of the communist regime, with a subsequent downward slope. Meanwhile, data from studies representative at national level as Public Opinion Barometer show a reverse trend with rising emigration rates up until 2006. In this context of uncertainty, where data from the two sources are sometimes contradictory, to use a third one is beneficial. The statistics of those countries identified that countries of destination for the Romanian migration can serve as a genuine source for the validation of the initial data. Since it is generally acknowledged that these data sources are somewhat incomplete, we will not simply focus on comparing the numbers. The main objective of the present comparison is in fact to analyse trends mentioned by all three statistical sources.

Another aspect drawn from Figure no. 1's analysis is the existence of a third great period of the Romanian migration: 1990-1994, 1994-1998 and after 1998. A similar analysis, Diminescu's, shows that it is possible to distinguish 'several strategies and stratagems on migratory movements corresponding to each of the three time periods' (Rey, *et al.*, 2001; Diminescu, 2003) following the socio-political transformations of 1989. The period of time between 1990 and 1994 marks the first stage of the Romanian migration after the fall of the communist regime. Regarding this period's specificity, and migration trends, both the Romanian and European official statistics show the same thing. The highest migration rates were registered in 1990-1991 while thereafter, until 1994, migration has decreased. State's involvement in migrants' return to their home-country, and in family regrouping for those ethnics not having had the right to leave Romania during the regime, can explain the high rates of the officially registered migration. This explanation is also valid if we want to justify the resemblance between the

⁸ Author's Note: 'How to read the data: in 2005, were registered 28 departures of 1.000 people age 15 to 64, for a work contract. This figure does not show the number of actual migrants but the act of temporary migration. These numbers represent temporary migration rates for a population aged 15 to 64 covering 1.400 households included in the sample. People who have left their home or died are not included.'

⁹ Based on statistics published by OECD on the first 10 migration originating countries among the OECD members.

official European, and Romanian statistics, both showing a similar trend for this interval.

For the interval 1994-1998, all three statistical sources present the Romanian emigration process and its characteristics, in an almost identical manner. They recorded a period of calm and rest without any major changes in the development of emigration. Romanian emigration starts after 1994, as an emigration of the labour force from a country previously situated behind the Iron Curtain. The ethnic motivation was no longer a major reason, because of a considerable contraction of the ethnic minorities. Moreover, during this time period, permanent migration was being replaced by a temporary, circular one, with reference to the people commuting from Romania to their host country. This migratory movement was replacing the internal commute, previously widespread between village, and town (Lazaroiu, 2003). After 1998, Romanian migration becomes a widespread phenomenon. This affirmation is corroborated with data from the European and Public Opinion Barometer's statistics (see Figure no. 1). Subsequently, Romanian official statistics could no longer capture the proportion of the emigration phenomenon. This failure could be explained by State's low involvement in the emigration process, and by the development of migration networks, without any State support, through which migration became self-sufficient (Matichescu, 2012).

From February 2000 until January 2002, Romanian emigration was much influenced by the pending achievement of the right to free movement in the European Union. The suppression of visa procedures came into force on January 1, 2002. Several European countries have abandoned their previous rigidity towards Romanian citizens, giving them the right to seasonal work. It is the case of Germany, Italy, Spain, Portugal, Switzerland and Hungary. Quotas were of approximately 5,000 workers per season in each state. The agreements were concluded on medicine, IT, health-care, construction, agriculture and catering. For the period between January 2002 and January 2007, the European Union eliminated the short-term visa system, basically targeting Romanian tourists. In fact, it had a significant impact on the number of abroad travellers. Furthermore, a growing number of people expressed their desire to go work abroad (17% in October 2002, according to the Public Opinion Barometer's data for October 2002).

In January 2007, Romania became member-state of the European Union. Besides the free movement of persons, Romanians obtained the right to work in certain member-states. EU members that did not maintain labour market restrictions were Poland, Finland, Sweden, Slovenia, Estonia, Latvia, Lithuania, Cyprus, Czech Republic and Slovakia. Using their right to protect the domestic labour market, other member-states postponed for two up to five years, granting Romanian citizens the equal right of access on their labour market. These were the United-Kingdom, Ireland, France, Denmark, the Netherlands, Greece, Spain, Austria, Belgium and Luxembourg.

The Preferred Destination Countries of Romanian Migrants

Starting from Ardittis's classification of the European migration in the 20th century, in five distinctive stages (Ardittis, 1990), we would like to insist on the fifth stage, which began in the late 80's. It was a time marked by the communist bloc's road to collapse, and the East-West economic gap, pushing Eastern youth in a Western direction. Unlike other moments in time, migration was not determined by the (Western) country of destination. 'Fear of a potential invasion' exposed European countries to a rupture between a limitative North, and a hesitant South, although compelled by external pressures to establish restrictions on immigration (Freeman, 1995). Countries such as Italy, Greece and Spain tolerated, and regulated immigration on numerous occasions, and they are representative for Freeman's theory.

Since the boom immediately following the fall of communism, the Romanian migration phenomenon continued growing, thus becoming better organised. According to the Organisation for Economic Co-operation and Development report (OECD, 2006 Edition), in 2004 Romania has surpassed its previous ranking arriving from a sixth place to the very top of the classification, identifying the originating countries of migration. With a number of 196.000 emigrants, Romania was not just the highest ranking country of emigration in Europe, but worldwide, outranking China, which for the same period of time registered 195.000 emigrants (See Figure no. 1). This OECD statistics published in the International Migration Outlook for 2004 was reconfirmed by the 2008 report showing an increase of 14% per year, in between 2000 and 2006. All these statistics are a first sign that Romanian emigration has become an important phenomenon requiring the experts' full attention. For those Western countries of long tradition in welcoming immigrants, as France and Germany, even though official data on migration flows do not show a high number of Romanians, we can speak of an economic emigration characterized by 'a strong dose of illegality and high visibility' (Rey, *et al.*, 2001).

These countries face a high number of illegal on the borderline, a high number of persons with expired working permits, or non-declared working contracts, but also high number of unfounded asylum applications. Illegal border crossing, along with a 'forceful' return (for a well determined, mandatory time), although perceived to be voluntary and free of charge, it was one of the frequent strategies used by the Romanian immigrants. This changed by the late 90's, when the formula changed into legal entry into the Schengen area, illegal stay, regularization on the spot in the destination-country and legal return at home (Rey, *et al.*, 2001). Considering an important amount of Romanian emigration after the communist period, and the "strong dose" of illegal character of Romanian emigration, we intend to answer to the following questions: What are the countries of destination of the Romanian immigrants? Is the choice of country destination related to the

illegal character of Romanian emigration? To answer those questions, we reused data from the OECD report presenting the top ten nationalities in the top ten countries with the highest migration rates. From this information we chose those countries where Romanians are among the immigrants (see in *Figure 2*).

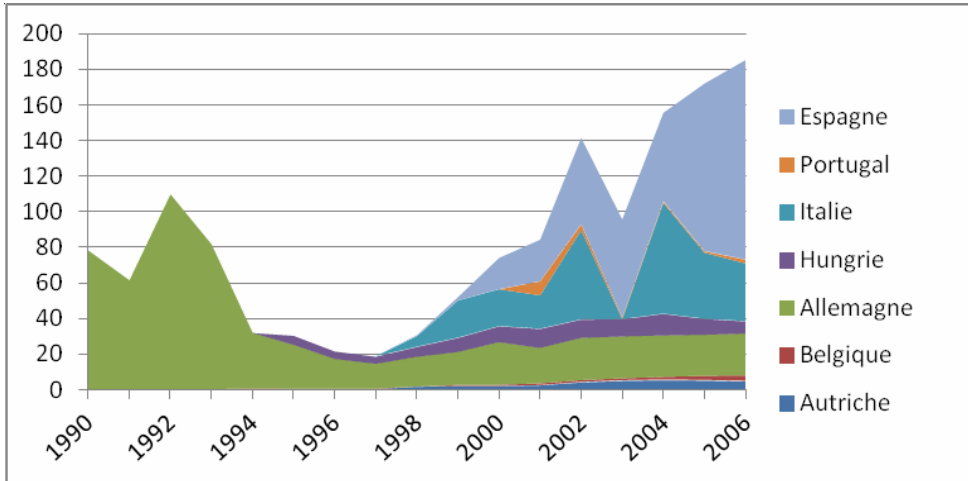


Figure 2. European countries where legally staying Romanians are among the top 10 nationalities of immigrants

Source: *International Migration Outlook: SOPEMI - 2008 Edition - OECD* © 2008

Because of the significant gap between the average income in Romania, and other EU countries, Romanians could choose almost any country of destination, while from a rational perspective they should choose the country where the income is higher, allowing them to achieve a maximum result from the rational choice of destination. In reality, Romanians do not choose the countries with the highest salary. To understand the mechanism that determines the destination choice, we intend to approach the general evolution of Romanian migration and, in continuation of our scientific research, to analyse the legislation on migration in other European countries.

If the emigration to Germany has dominated the migration movement towards Europe in the early years after the fall of communism, and due to ethnic reasons, in *Figure 2* we can see that other countries have become favourite countries of destination for Romanians. Migration to Spain and Italy, Romanians' most popular choices, is supported by the fact that Southern European countries are more tolerant with immigrants than Northern ones, explains Freeman. To test the validity of these assumptions and hypotheses, this study is trying to assess the permissiveness of Western Europe immigration policies. To illustrate the permissive nature of a specific immigration policy that limits the total number of legal

entries on its territory, we will use the regularisation of illegal immigrants as an indicator. More precisely, we will consider those countries having frequently and at short intervals regularised immigrants.

Starting from these grounds in our analysis, we support the existence of a direct link between the frequency of Western regularisation processes, and Romanians' choice of destination. That is, countries having known several processes of regularisation of the illegal immigrants are among Romanians' first choices. This argument can be backed up by the fact that prior Romania's EU accession, Romanians were not allowed to enter, travel, or work in EU member-states without visas, and getting to be regularised by a member-state's internal process was in fact the ticket to free movement inside of Europe. To validate this hypothesis, this study targeted those countries that sought to regulate illegal immigrants after 1990. The hypothesis is that the largest number of Romanian immigrants is found in countries where illegal immigrants' regularisation actions are constant and at short intervals. In this sense, OECD's statistics are relevant. (OECD, 2006 Edition).

By observing those countries that from 1990 to 2006 have gone through such procedures, we can conclude that they are mainly Southern countries: Italy, Spain, Portugal and Greece. It confirms in fact Freeman's assumption that Southern European countries are the most permissive European countries, when it comes to migration. It confirms Freeman's theory, and supports our own assumption that Italy and Spain were Romanians' favourite destinations. Without seeing the tolerant policies on immigration as the unique reason of why Greece, Portugal, Spain and Italy have become the most common destinations for Romanians, we can understand the connection between the regularisation process and the favourite destination country for the Romanian emigrants.

When inquiring on the nationality of the immigrants regularised in these countries, it is possible to extract that Romanians are among the main beneficiaries. Greece, Italy, Spain and Portugal are countries where Romanians are not only present, but the main nationality regulated by these procedures. Romanians are the third nationality regulated between 1997 and 1998 in Greece, the second in Portugal and the first one in Italy in 2002. Thus, we can state that the different policies implemented by various European countries have indeed played an important role in the choice of destination. Migrants from Romania have been choosing countries with the most permissive migration policies, or least applied laws. In addition, the increase of the Romanian population being settled by the various processes is a further indicator of the fact that immigration policies are an important factor in the choice of destination. Countries from the South, seen by Freeman as having the most permissive legislations, practice a 'laissez-passer' policy type, and have frequently initiated procedures to regulate migrants. Even though the EU imposed laws have been very strict with non-EU migrants, these countries had less stringent admission rules followed by the legalisation of these

people's stay. It has to be considered that the people who appeal to such a strategy in choosing the destination country, they are mostly people with a low education level, for whom it was very difficult, if not impossible, to have a legal stay in the EU during the pre-accession period. For other categories of people, such as doctors, dentists, engineers or others highly skilled professional, such a strategy was not necessary. In order to cover the deficit of highly skilled people, countries like France have developed specific policy strategies, considered exception from the general immigration policy, to attract more highly qualified workers, such as doctors, or dentists. The next researches could analyze and investigate other relations between immigration policy in hosting countries, and the mechanism of choosing the destination for the highly skilled migrant such as doctors, dental specialists, engineers or researchers.

All the before shown arguments point that, when it comes to choosing a destination, Romanians have been strongly influenced by the type of migration-policy endorsed by the host-country. Two indicators that support the hypothesis who links the migration policy to the destination choice are the presence of Romanian emigrants in countries with frequent legalisation procedures and the increased number of regularised Romanians from one procedure to the next one. Without being seen as the only reasons, Southerners' permissiveness, and regularisation procedures played a key role in the European migration context, even when the right to work and to a free movement represented a forbidden fruit for Romanians.

Conclusions

In an attempt to highlight the development of the Romanian migration, and the mechanism determining the choice of destination, we were able to draw the following conclusions: (1) To identify the mechanism that determines the choice of destination, we developed a two stages algorithm. We identified those countries where Romanian migration was highest, and how Romanians choose their destination when migrating. This reasoning allowed us to identify two reasons of why emigrants select the destination: the wage gap and the existent policies on migration permissive for the illegal immigrants on the spot; (2) A first example that explains one's decision to emigrate is the income difference between Romania and Western Europe. For the same type of work, abroad wages can be even ten times higher. Given the significant gap, Romanians have where to choose from. From a purely rational perspective, their choice could be the country with the highest income, and that would allow the maximum optimisation of their choice; (3) In fact, Romanians' options among the West states are not those countries with the highest wage level. This analysis showed that in the pre-accession stage, the European countries having demonstrated a tolerant attitude towards immigrants,

and underwent naturalisation or constant, at short intervals regularisation procedures, are better preferred by Romanian immigrants; (5) It once again supports Arango's statement that: 'the political factor has a bigger influence on migration than the wage gap'.

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