

## MIGRATION SYSTEMS AT THE REGIONAL, INTERNATIONAL LEVEL AND IN THE REPUBLIC OF MOLDOVA\*

Dr. Alexandru Mariț, University Professor

Moldova State University, Moldova

e-mail: alexmarit123@gmail.com; <https://orcid.org/0000-0002-3198-8398>

**Abstract.** Human migration is a major social phenomenon, which shows in the most effective way the changes occurring in the contemporary world. The difference in the level of development in different regions, the increase in international economic interdependence, progress in the field of mass media and transport, respect for the right of immigrants to family reunification, the increase in armed conflicts that lead to the appearance of an ever-increasing number of refugees and displaced people, are among the factors that generate population mobility. The phenomenon of international migration has always existed through transhumance, invasions, colonizations and crusades. There is no example in the history of any country that did not benefit from a dynamic demography that reflected to some extent on the economic or political situation of the country or that was constituted by an absolutely homogeneous population.

**Keywords:** human migration; legal; illegal; human movements; emigration; population immigration.

### 1. CURRENT STATUS OF THE INVESTIGATION

The phenomenon of migration has always existed, materialized through transhumance, invasions, colonizations and crusades, or caused, in general, by the attraction exerted by richer regions on poorer populations. Moreover, there was no example in history of any country whose political and economic influence did not benefit from a dynamic demography or from the action of a large and homogeneous population.

The demographic transition, the phenomenon of contemporary migration, in order to understand its specifics, content and future evolution, it is necessary to analyze both from the point of view of historical evolution, of objective

---

\* The article was prepared as a part of the project "Legal Analysis of Russia's Actions in Ukraine Since 2014 in Terms of Crimes of Aggression, War Crimes and Genocide, as well as Legal Solutions of Ukraine's Neighbouring Countries Regarding the Status of Ukrainian Citizens" (the agreement number MEIN/2023/DPI/2965).

and subjective determinations and of the possibility of introducing a possible control, aspects that will be the subject of the following explanations.

The directions of migration flows were internal and limited to the territory of one state – the Soviet Union. Migration processes were strictly organized and controlled by state bodies. Although voluntary migration existed, it did not have a significant influence on the entire system.

The situation changed after the Republic of Moldova gained independence. As in the rest of the countries of the former Soviet Union, in the Republic of Moldova, migration to the great rivers was a popular phenomenon due to the immediate lack of trade before and after the declaration of independence in 1992 and the economic crisis that followed. For the population of the Republic of Moldova, such migration was especially attractive due to the favorable geographical location of the country.

To begin with, it is necessary to present the content of three notions: migration, emigrating and immigrating.<sup>1</sup> Migration represents the movement of a population from one region to another, in order to settle there. It therefore represents movement and settlement. Emigrating signifies the action of leaving one's own country in order to settle in another country. Immigrating represents the activity by which one enters a country other than one's own, in order to settle there. In this sense, the term "foreigner" should not be confused with "immigrant", as is sometimes done by administrations that count residence permit holders as immigrants. A student studying in another country, diplomats or tourists are not immigrants.

Globalization and recession have determined the need to rethink the role of issues in the dimension of migration and asylum. If migrant flows are initially generated by wage differences, they are also influenced by social and political pressures in destination countries, which become increasingly restrictive towards new arrivals.

Migration, whether legal or illegal, is one of the main challenges to security, stability and economic development for the European space. Factors such as unresolved ethnic and territorial conflicts, border insecurity, weak democratic institutions and poverty create the conditions for uncontrolled migration from or to the region in Western Europe. Although the latest round of EU enlargement has catalysed the process of institutionalising regional cooperation in migration policy, the CIS countries and the EU continue to address migration issues in separate ways.

In our opinion, illegal migration should be defined as the entry into the country, exit beyond its borders, presence on its territory or transit of individuals in violation of the requirements of the legislation in force regulating these processes [Bessonov 2005].

---

<sup>1</sup> Law on Migration of the Republic of Moldova No. 1518-XV of 06.12.2002.

The dimension of migration and asylum at the EU level, in this sense the work will provide theoretical and practical support for both students and practitioners, who in their work come into contact with issues related to the migration process of individuals, the legal status of foreigners and refugees, and the conclusions and recommendations obtained can be used to improve the migration policy of the Republic of Moldova and to improve the legal framework in the field.

Within the European Union, there are very different positions when it comes to free circulation, which makes the migration problem of great importance when the subject of enlargement is addressed.

In the last decade, migration processes have been significantly stimulated and accelerated by the transformations produced in the post-communist country. In this context, the Republic of Moldova is an example of a country with intense emigration of the population, determined by the current economic situation.

Materials used and methods applied. The methodology used in the work indicates the interdisciplinary nature of the research, which corresponds to modern trends in the development of legal science. The conclusions and recommendations obtained can be used to improve the migration policy of the Republic of Moldova and to improve the legal framework in the field.

It also presents the specifics of the EU policy on migration and asylum, as well as the possibilities of integrating the labor market system of the Republic of Moldova into the European Union within the framework of a comprehensive investigation consisting in studying the nature and content of the strategies of the EU for regulating migration processes in the context of globalization, in order to achieve this goal.

Results and Discussion: The history of America began with the arrival of the first immigrants from Asia across the Bering Strait, approximately 14,000 years ago, towards the end of the Paleolithic, following herds of animals for hunting, to America. These American Indians left traces of their existence through petroglyphs and other archaeological materials. It is estimated that 2.9 million people lived in the territory that today belongs to the United States, before their numerical decline as a result of epidemics caused by infectious diseases, which arrived in the Americas by European travelers (although there are doubts about their exact number). There were also advanced societies, for example the Anasazi of the southwest, or the Woodland Indians, who built the center of Cahokia, located near St. Louis, which had a population of 40 in 1200 BC. The eastern coasts were visited around the year 1000 by Vikings from Iceland, under the leadership of Leif Eriksson, who had to cede the colony to the Netherlands in 1655.

The formation of the nation. The socio-political and religious crisis in Great Britain favored mass emigration to the eastern lands of America:

from 4,600 inhabitants in 1630, the population grew to almost 3 million inhabitants in 1780, of which a quarter were black slaves.

In the spring of 1775, open military actions began between the colonies and the metropolis.

The course of events definitively divided the population into patriots and loyalists, who sided with the colonists. Thus, with the beginning of the War of Independence, the civil war broke out in the colonies. As the supreme commander of the American army, Congress appointed George Washington. In a short time he organized the American army, which was able to ensure the independence of the colonies. After the end of the war, G. Washington was the first president of the U.S. He is rightly called the “founding father” of the U.S. After the armistice signed by Great Britain with the U.S. at the end of 1781, the Treaty of Versailles was concluded in 1783, which recorded the independence of the U.S., with a territory between the Allegheny Mountains, the Mississippi River, the Canadian and Florida borders.

In September 1862, Lincoln’s Emancipation Proclamation transformed the abolition of slavery in the South into a war goal and determined the British not to intervene.

The war, which is the conflagration with the most victims in the history of the United States, resulted in the deaths of over 620,000 soldiers, over 325,000 combatants reported missing, and an undetermined number of civilians, ended slavery in the United States, restored the Union, and strengthened the role of the federal government in within it. The social, political, economic, and racial aspects of the war marked the period of reconstruction that lasted until 1877 and continued to manifest itself throughout the 20th century.

As a result of this process, the US occupied the territories of the American Indians. These actions continue to have political implications today as some tribes demand these lands back. In some places, indigenous populations were destroyed or severely reduced by infectious diseases brought by Europeans, and so colonizers from the US easily seized these empty territories. In other instances, American Indians were forcibly removed from their traditional territories

A development that is worth noting is that since 2005, the number of unemployed people among those born in the US has been and is higher than the number of unemployed people from other countries on legal immigration criteria, this being a national development.

The most recent data, from May 2009, shows that immigrants represent 8.4% of the population of the Pacific region of the USA, namely California, Oregon, Washington, Alaska and Hawaii.

In the eastern part of the USA, in Ohio, Michigan, Indiana, Illinois and Wisconsin, immigrants represent 2.8% of the population.

## 2. RESULTS OBTAINED AND DISCUSSIONS

Friedrich Ratzel is the legal founder of geopolitics. He operated with the term political geography, thus titling his basic work: "Politische Geographie", published in 1897. By profession, a zoologist, he approached the study of geography, on the occasion of his trip to North America and Mexico where he studied the life of the inhabitants of German origin.

Simion Mehedinți appreciated this theme as being "intended to overturn and transform geographical literature," the state being no longer a cartographic fiction, it "is born, grows, decays and perishes in connection with certain physical circumstances." Simion Mehedinți even formulates a demographic axiom: "the power of nations increases and decreases, as their population increases and decreases" [Trebici 1975].

In this sense, we can ask ourselves whether Russia will resume its status as a great world power, given that its population is registering negative growth rates, and in 2050 it is estimated that it will occupy 14th place in the world from this point of view (being surpassed by countries such as: India, China, Pakistan, USA, Indonesia, Nigeria, Brazil, Bangladesh, Ethiopia, Congo, Mexico, Philippines, etc.) [ibid.].

Starting from a historical approach to international relations, Aristide Zolberg describes how the state's capacity to control, regulate, or even stimulate migratory flows changes over time. Thus, if, in the era of technical and scientific revolutions, migrations were susceptible to regulation by the state, then in the contemporary era, they are increasingly susceptible to control, which becomes a priority in the conditions of the difficulties of adapting to the new, more complex data of population movements.

James Hollifield looks at migratory flows from the perspective of the political economy paradigm. The migrant is seen as a good that can be managed according to market rules, like any other commercial good, and the legislation of states can have a decisive influence on migratory flows. His behavior depends more on collective than individual reasons, on political than economic reasons [Bertrand and Wenden 1993, 14].

Friedrich Ratzel also uses the term geo-space, referring to the extension of the civilizing force of a country to the level of an entire continent (he speaks of the American geo-space). In fact, this is the objective of pan-Germanism, to gather the population of Germanic origin within the same border. In 1841, Friedrich Liszt spoke of Germany's mission to reach the Black Sea along the Danube, "the course of the Danube shows the direction in which this emigration must go." There was in fact a German obsession with building an empire that would stretch from the North Sea to the Adriatic Sea, and Liszt had in mind a grand project, the realization of the Hamburg-Baghdad axis.

In fact, it was about the desire to impose the German nation as a civilizing force in front of other nations, to create a German geo-space [Ratzel 1998].

Thus, when the Roman Empire was strong, the Mediterranean Sea was the most important; when England became an empire, the Atlantic Ocean played a major role; currently, when the great powers are the USA, Japan, China, the Pacific Ocean has become the ocean of the future, the place where (according to Ratzel) the main confrontation between maritime and continental states will take place. F. Ratzel in his analyses goes beyond the boundaries of political geography and makes political analysis [ibid.].

Another key notion, launched by Ratzel, is that regarding the political-geographical position of a state. Position is what gives value to space. For these reasons, a state will have a good position that will own significant land areas but also sufficient openness to the sea. This explains Germany's desire for expansion and not only hers, Russia having been looking for "water and not land" since the time of Peter the Great. Access to the sea is what gives power to a state because from here you can reach the Planetary Ocean, and as the representatives of the Anglo-American geopolitical school stated, whoever controls the shore will control Eurasia. There is also talk of an intermediate position, regarding the status of buffer states. These had the role of separating two great powers. Thus Norway, Denmark, Sweden, Belgium, Luxembourg and Switzerland separated England from the continent, just as Finland, Poland, Romania, Yugoslavia, Bulgaria, Albania and Greece had the role of separating Russia from Europe. These buffer states are not artificial as Lord Curzon of Kedleston claimed, because even if they appeared at a favorable historical moment, their constitution took place on the principle of nationality. Friedrich Ratzel refers to the border as a peripheral organ of the state. At the border, states meet with their strength, in this consisting the ability to expand the space they hold at a given time. The border is a true compromise between two states.

On this occasion, Ratzel once again states that "treaties that guarantee borders are based on the illusion that it would be possible to put a stop to the living growth of a nation."

We note that the phenomenon of migration is therefore an international phenomenon and has as its starting point the country of origin of the emigrant and as its arrival point the country in which the emigrant will settle [Lee 1969].

### 3. THE CONCEPTUAL BASIS OF THE RESEARCH

In *neoliberal approaches*, migration is seen as an important mechanism for the spread of human potential, with increasingly effective development methods (TH. Sowell), an approach that is limited only to estimating the abilities of migrant resources, only the situation of the highly qualified labor

force. In Marxist research, however, migration is analyzed as a component of the mechanism for attracting capital. The emphasis is placed on eliminating the negative consequences of migration, as well as on the link between migration and the development of shadow economies, which gives rise to dichotomies in national labor markets [Takudis 2000, 224].

To get a broader picture of the volume of mobile flows of the world's population, we will highlight several forms and types of migration.

Taking into account the direction of the flows, we distinguish internal migration, which takes place between the regions of a country, and external migration (international or interstate) – which takes place between states.

The Sociology Dictionary [Boudon and Benard 1996, 168] designates by migration the movement of the population of a region to another region, especially from rural areas to urbanized ones, but also from one society to another. In both cases, those who move are not the poorest, but individuals capable of noticing the gap between their aspirations and the possibilities of achieving them, which has the effect of changing the roles of those who migrate, in the case of international migrations.

An argument in favor of sociology as a science capable of undertaking a complex analysis of the migration process is also the fact that this process has developed as a result of the large-scale modernization of society, the globalization of sociocultural, political, socio-economic and demographic processes, which characterize the dynamics of contemporary processes within society. In this sense, the theory of migration sociology [Yudina 2002, 104] was developed, which approaches migration as a “special” social process that has the following particularities: mass character (the migration process manifests itself through mass actions to change the place of residence); sustainability (the interdependence between the causes and consequences of migration processes); social content of the sources and results of migration processes (they are generated by the social problems of society and aim to solve them); individualism of participants in migration processes (migration refers to spontaneous social processes, generated by various factors and which develop as a social initiative). The migration process includes three phases: the formation of mobility factors; the very process of changing the place of residence of migrants; their adaptation to their new place of residence. On this occasion, Ratzel once again states that “treaties that guarantee borders are based on the illusion that it would be possible to put a stop to the lively growth of a nation.”

In an economic sense [Ghencea and Gudumac 2005, 15], population migration represents the actual movement of the labor force to other countries, as a result of the disproportion between the economic and demographic development of the country. Population growth at a rate higher than the country's economic development leads to the emergence of a surplus of labor force and, consequently, part of the population is forced to emigrate to find



a job. When migration reaches mass dimensions – this indicates not only the lack of correspondence between the level of development and numerical growth of the population, but also represents a reflection of the internal contradictions of society, the deepening and persistence of crisis situations in the country. Thus, the movement of human capital takes place that has been formed and trained through significant investments made by the country of origin. The destination countries – those to which the labor force moves – benefit from this cheap labor force, in which others have invested. From an economic perspective, a “product” with special properties is moving abroad – labor, which is distinguished from other products by the fact that it is itself a factor of production of other products. The country that exports labor, i.e. the country of origin of migrants, is “rewarded” for the export given by transferring back to the country of origin a part of the migrants’ income, which contributes to reducing unemployment and the entry into the country of a significant flow of foreign exchange from abroad.

According to the forms of organization of migration processes, we can distinguish organized migrations (directed by state bodies or with their help) and unorganized – individual migrations [Filchagova 1999, 74].

The International Labor Organization uses the notion of labor migration, according to which “migrant workers are persons who are allowed to engage in economic activity in a country other than their country of origin, and who do not hold the citizenship of the state in which they will be employed.”

According to the classification developed by the International Labor Organization, there are several types of migrants [Cozma 1999, 11; Filchagova 1999, 74].

Another typology developed within the International Labor Organization (W.L. Böhling) focuses on the economic content of various movements rather than on the images of sending states or on the individual intentions of migrants [Manolo 2005, 149].

From the point of view of international economic relations, international labor migration is the flow of the world economic circuit not subject to the contractual regulations of trade and cooperation acts, fluctuating and unorganized, comprising the active labor force in search of jobs.<sup>2</sup>

However, starting from the ideas of the sociology of transnational relations, revealed by James Rosenau, Bertrand Badie, we will observe how migratory flows will shake the classical categories that lie at the foundation of the state order. The principles of territoriality and sovereignty are threatened by new economic and cultural flows, which, taking on immeasurable proportions, can no longer be managed by the state. Thus, migratory flows increase uncertainties, limit sovereignty, and diminish the state’s ability

---

<sup>2</sup> *Dicționar de Relații Economice Internaționale*, Editura Enciclopedica, București 1993, p. 354.



to regulate them, which leads to a mismatch between state and migratory logic and fuels the undesirable phenomenon of illegal migration. A consequence of the development of events is also the increase in conflict in the countries of immigration.

The French researcher Catherine de Wihtol de Wenden [Wihtol de Wenden 1999; Idem 2004, 108-28], research director at the Center for International Studies and Research in Paris, consultant on migration at high international forums such as the OECD, the Council of Europe, UNHCR, etc., as well as a political scientist and lawyer, has addressed the topic of international migration from the perspective of the most diverse aspects: the factors driving the development of migration trends, especially towards Western European countries, national – state and community migration policies, etc.

Among the American researchers who have addressed various theories of migration are Stalker Peter [Stalker 2000], Manoli Abella [Manoli 1997], etc. Useful sources for studying the personality characteristics of the student period, a component part of the early adulthood age, were the works of Romanian researchers Neculau Adrian and Șchiopu Ursula, Russian researchers Rean N., Larionova-Krecetova A.A., etc. And an important source for researching the motivational foundation of the decision to migrate of young people were articles from the psychology magazine of Frieze Irene [Frieze 2004, 15-23].

Other extremely useful sources of information were the publications of the International Organization for Migration [Chauzy 2004, 7-17],<sup>3</sup> with reference to development factors and the impact of migration on the socio-economic situation of states; of the International Labor Organization, regarding the protection of migrant workers and forms of prevention and reduction of the phenomenon of illegal migration; and of some NGOs that work in the field of preventing negative phenomena related to migration such as illegal migration and human trafficking – Winrock International in Moldova, the International Center for the Protection and Promotion of Women's Rights "La Strada".

As for the local literature, a considerable contribution to the research of this topic was made by the extensive studies of the Moldovan researcher Moșneaga Valeriu [Moșneaga 2004, 24-35; Idem 1999; Idem 2003; Idem 2005], who, in the publications edited under his editorship, or even of which he is the author, analyzes the migratory trends of the Republic of Moldova, their causes and consequences on the internal socio-economic order. Another local researcher, Victoria Gonța, addressed the issue of the consequences of the emigration process in our country on children left without parental control, etc.

---

<sup>3</sup> *The Migration-Development Nexus: Evidence and Policy options*. IOM migration Research series, No. 8, Geneva 2002.

Migration is: territorial permutation of persons, accompanied by a change of place of residence<sup>4</sup> change of place of residence of persons or groups of persons, regardless of the reason and cause of the change of place of residence (from an international point of view) an integral part of the contemporary world economy.

An emigrant is considered a citizen of the Republic of Moldova who leaves abroad to settle permanently or temporarily on the territory of another state.

Labor migration is the voluntary departure of citizens of the Republic of Moldova abroad, as well as the voluntary entry of foreign citizens or stateless persons into the territory of the Republic of Moldova, in order to carry out work.

Illegal migration creates multiple problems related to legal employment, violation of the rights of citizens illegally abroad, illegal transit of other countries, illegal trafficking in human beings, aggravation of the criminogenic situation, both in the receiving and sending countries of migrants. Illegal migration is considered entry into the Republic of Moldova, stay and exit from its territory, in violation of the legislation in force of the Republic of Moldova.

Migration is, therefore, explicitly defined as a form of social mobility. Of course, operationally, for "cutting out" the migration phenomenon from reality, the temporary change or leaving of the permanent residence is a sufficient identifying characteristic; the essence of the phenomenon is not the geographical movement between localities, but the change of position in the social space. The definition that we give to migration implicitly assumes the following statements: any change of permanent residence between localities implies a phenomenon of social mobility; Any temporary and repeated leaving of the place of residence for work implies a phenomenon of social mobility; the change of social position is essential, in most cases, in the sense that it is more important for the human agent who endures it than the change of geographical position; in other words, the movement in geographical space affects the quality of life of those who migrate through their movement in social space.

To summarize, it can be said that the theory of migration flows involves four types of factors (variables): a) factors that determine the nature and degree of differences in development and interaction between different socio-economic areas, as well as the nature and magnitude of communication costs between the respective areas; b) for the case of our contemporary society, the main factors included in this category are: industrialization, scientific and technical revolution, urbanization, cooperatization and modernization of agriculture; c) variables that characterize the differences in the

---

<sup>4</sup> Law of the Republic of Moldova No. 1518-XV of 06.12.2002.

nature and degree of development and interaction of socially territorialized groups, as well as the differences in the cost of migration between these groups; d) latent, interpretative variables that make the differences in development, interaction and economic and psychosocial costs significant for migration, determine the variability of the characteristics of migration flows; e) variables defining the migration flow (volume, direction, rhythm, etc.) [Drăguțan 1978, 137-40].

At the level of the explanatory context of the fundamental formulations, specific features of migration appear, variable from one socioeconomic context to another. Thus, the fact that in the conditions of our society, industrialization, urbanization, and modernization of agriculture are planned processes, controlled at the macrosocial level, gives the migration process a similar feature of possible controllability. Like other forms of migration, commuting implies a change in social position and geographical movement; however, it only implies a temporary and repeated departure from the place of residence, in order to find another occupation in another place. Commuting is therefore a form of migration for work, achievable by temporarily and repeatedly leaving the place of residence. Demographers define the migration flow as the total 'number' of movements made during a period from a common area of origin to a common area of destination [ibid.].

Analyses undertaken, in particular by Theodor Anderson and Torsten Hägerstrand, on gravity models of migration have highlighted the fact that the importance of distance in predicting and explaining migration varies depending on a number of factors. The authors mentioned were particularly concerned with the technical aspect of the problem: how to weight the distance factor in order to obtain the best possible prediction of migration between two localities or areas. The theoretical significance of their main technical conclusions could be summarised as follows: the distance between origin and destination is all the more important for the volume of the migration flow the more: a) the area of origin is more isolated and smaller in demographic terms (or is rural); b) the migration flow has been triggered for a shorter period of time. As the duration of contact through migration between origin and destination increases, the influence of distance on the volume of the migration flow tends to decrease [Hillery, Brown, and Dejong 1965].

According to Paul Kennedy, today we are faced with the same problems that Malthus dealt with at a time when the population doubled every twenty-five years, when technological innovation was paving the way for industrialization, and the demographic transition was just beginning. Today, emigration remains possible, even if it is difficult, and technology produces effects even where there is no longer demographic growth. These problems were at the heart of the discussions of the Cairo Conference on Population and Development (it had as its theme: "United Nations Population Funds,"

6-13 September 1994). As we have observed, the world population has grown considerably in the last fifty years. Its evolution and distribution have evolved under the influence, on the one hand, of the dynamics of the populations of the Third World, and, on the other hand, of the progressive aging of the population of the richest areas [Malthus 1998].

In this regard, the mission of the International Organization for Migration in Moldova, starting with 2003, in addition to activities related to migration management, the fight against illegal migration, border management, family reunification and the fight against trafficking, providing assistance to asylum seekers, also carries out activities to encourage the return of migrants in crisis situations and skilled workers to the country.

Reducing illegal migration [Ghencea and Gudumac 2005, 31; Malthus 1998] is an aspect of the activities to prevent negative phenomena related to emigration that requires attention, especially for those who have already made the decision to migrate, which is a potential source of multiple risks. There are several reasons why it is important to reduce or prevent illegal migration, including: to support the policies of states to manage inevitable migratory flows; to ensure decent wages and normal working conditions for labor migrants; to avoid the emergence of employment sectors or businesses that are totally dependent on illegal labor, which have no interest in modernizing and improving working conditions, given the advantage obtained from cheap labor; to prevent the exploitation of illegal migrants by employers, intermediary agents or traffickers, by offering wages much lower than those of locals, or by being deprived of social protection. Measures focused on reducing illegal migration are associated with efforts aimed at reducing the degree of risk exposure of citizens – migrants.

Legalization of illegal migrants are devices to reduce the number of illegal migrants. Thus, once every 2-3 years, and sometimes at even greater intervals, the countries receiving migrants undertake actions to legalize clandestine migrants. Moldovan migrants illegally residing in Spain, Portugal and Italy also periodically benefit from such regularization actions.

Migrants' rights are regulated at the interstate level, based on bilateral agreements, which we talked about above, and at the international level through a series of international instruments. The International Labour Organization, the United Nations and the Council of Europe have adopted international instruments relevant to migrant workers, including: the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (UN, 1990), the Universal Declaration of Human Rights (UN, 1948), the Resolution on the Protection of the Rights of Migrants (UN, 2000), the Protocol on the Smuggling of Migrants (2000), the International Labour Organization Declaration on Fundamental Principles and Rights at Work (1998), the Conventions

on Migration for Employment (1949), on Migrant Workers (1975), the European Convention on the Status of Migrant Workers (Council of Europe),<sup>5</sup> the signing with some reservations of the Social Charter (1977), etc. [Moshnyaga, Rusnak, and Tsurkan 2004, 110].

From the point of view of immigration, Moldova is not an attractive country for citizens of other states. Policies on asylum seekers and refugees are gradually aligned with EU requirements, however, we have arrears in terms of respecting the rights of refugees and asylum seekers, providing decent living conditions and opportunities for social inclusion. Neighborhood with the EU offers us some advantages of collaboration and considerable financial support. The European Union contributes funds to strengthen cross-border cooperation. The Republic of Moldova was the first country to sign the EU-Moldova Mobility Partnership in June 2008, which opens up new perspectives for the Republic of Moldova in order to jointly manage migration flows. However, we do not capitalize on some advantages, such as the agreement on small border traffic with Romania, which we have not signed yet.<sup>6</sup>

## CONCLUSION

Next, we will list the conclusions reached, following the attempt to achieve the previously proposed objectives and tasks:

The development of the emigration phenomenon was stimulated both by external factors such as globalization, which facilitated the freedom of movement of people, goods and capital, the collapse of the Soviet bloc, which opened the gates of the West for citizens of the newly independent states, the worsening of economic crises in countries with economies in transition that set in motion a flow of migrants in search of well-paid jobs and more favorable social conditions, as well as by some internal factors such as social representations of a Western way of life, whose victims also become young people to whom rich countries promise much greater opportunities for growth and development than their countries of origin, and the high motivations of young people to seek more and better opportunities to pursue quality studies or obtain a better-paid job in the receiving countries.

However, illegal migration is one of the main reasons that currently worries European experts in the fields of international relations and security studies precisely because of the risks that this phenomenon poses. Most

---

<sup>5</sup> *International Instruments Concerning Migrant Workers*, International Labour Organization, Chisinau 2006, p. 34.

<sup>6</sup> *Migration trends and policies in the Black Sea region: the cases of Moldova, Romania, Ukraine*—Chisinau 2008.

often having socio-political causes, starting from the precarious standard of living to the repercussions of dictatorial regimes, illegal migration also represents a significant geopolitical aspect for 21st century Europe, being one of the main pillars that lie at the origins of the proliferation of organized crime. The specific effects are most often represented by the development of the underground economy, illegal work also determining an imbalance between the qualified local workforce and the market supply, prostitution and the intensification of drug and organ trafficking, etc. Moreover, social marginalization and socio-cultural differences can represent the foundations of sources of conflict between natives and immigrants, among whom extremist-terrorist sentiments can develop.

The social costs of human trafficking and the associated negative aspects of irregular migration are unacceptable to society. However, reducing migration could slow economic development, even if it would help reunite families and address some of the difficulties in the labor market, which is unlikely to happen as long as Moldova is facing internal social and economic problems and the demand for migrant labor is high. The likely scenario is one in which migration levels remain high, but are better controlled and flows are more regular. Some negative aspects may persist, but some policy interventions can be designed. The Moldovan government's efforts to improve the business climate have been ongoing for some time, with substantial support from external donors. Improvements require major changes in the public sector, cultural norms, and economic incentives faced by large groups of people. Such changes take time and are achieved gradually, at best. At the same time, the success of these reforms will ultimately be important for the future of the Republic of Moldova. There are other measures that can be used to expand the benefits of migration and remittances on growth, employment and poverty reduction. The first action concerns policies regarding the volume, characteristics and use of remittances.

One can also observe the development of an increasingly extremist European discourse and an increase in the popularity of the far right, corroborated with the statements of the German Chancellor and other political leaders who drew attention to the "death of multiculturalism". Bringing into discussion the actions against Muslims by Marine LePen in France, and the increasing sympathy she enjoys, only reinforces the above.

It is true that the Republic of Moldova does not enjoy a very good image at the present time either. The phenomenon of illegal migration is by no means a simple process to solve, and it cannot be limited to the securitization of the external borders of the European Union, which must thus become interested in the stabilization of the Balkans and the Caucasus. Europe will not withstand the pressure created at its borders, thus being forced

to get involved in the socio-political consolidation of these states, their creation as a buffer zone, and then their integration into the Union.

The analysis of the migration situation shows that the existing system of its regulation in the Republic of Moldova does not correspond to the real needs. The current legal framework does not ensure full respect for the rights of migrants, and the activity of state structures in the field of migration is insufficient, since they do not have a well-defined mechanism for recording and controlling migration flows, as well as the necessary levers for their management.

The new socio-economic and political realities require the state to take a special attitude towards the problems of population migration, which implies the adoption of an adequate strategy in this area and the development of the necessary legislative framework for promoting the migration policy of the Republic of Moldova.

Nowadays, demographic concern reappears due to the risks it gives rise to in the occurrence of crises, at local, regional, continental or planetary levels that could negatively influence the social order, or in the triggering of disturbances in ethnic or religious balances. The definition we give to migration has as its implicit premise the following statements: any change of permanent residence between localities implies a phenomenon of social mobility; any temporary and repeated leaving, for work, of the locality of residence implies a phenomenon of social mobility; the change of social position is essential, in most cases, in the sense that it is more important for the human agent who endures it, than the change of geographical position; in other words, the movement in geographical space affects the quality of life of those who migrate through their movement in social space. At the beginning of the century, developed societies faced with economic and social difficulties, as well as developing societies whose difficulties are much greater, are no longer able, if they do not adopt urgent and effective measures, to properly manage the demographic policy that can at any time become a real human bomb. The most difficult social, political and economic problem facing the Republic of Moldova is the migration of the labor force. At first glance, this should not surprise anyone, because this phenomenon is characteristic of all countries in the world in the transition to a market economy. However, we cannot ignore the fact that the share and scale of migration from our country is extraordinary. There is no other country in the world than Moldova, where a third of the population is abroad with the intention of never returning. The migrant labor force contributes to increasing the currency mass in the country and reducing monetary inflation, which leads to the socio-economic stabilization of the country, contributes to reducing social conflicts, strengthening the banking system, improving the material condition of the population, reducing poverty, and forming the



middle social class. One of the greatest challenges of the transition is adjusting vocational education to the new economy and new occupations that are in demand. Moldova is no different from other republics of the former Soviet Union and is facing the problem of reorganizing the vocational education and training system in terms of facilities, curricula, and subjects taught.

A simple recommendation, which could be addressed as part of a much more comprehensive bilateral agreement between Moldova and the relevant countries, is to offer some kind of “grace period” (the duration of which would be open to negotiation), during which migrants would be able to work and at the same time be free to clarify their status. Such an agreement could also include provisions related to providing assistance in accessing, understanding and completing documentation. The initiation of the implementation of this recommendation, quite simple and straightforward, seems to be a positive step in the right direction. In all eras, migration has generated ethnic and religious syntheses, economic changes and realignments of power relations at regional and global levels, all of which mean changes in culture, values or even political models. In addition to the political, cultural, economic or demographic changes that are brought about by the departure of people abroad under various forms of migration regardless of the position and direction they choose, whether the society they leave from or the destination society, these changes are based on the birth of a way of life with an aspiration for prosperity, individual freedom and democracy, beyond differences of ethnicity, religion or culture.

Finally, the quality of life in Moldova and, as a result, the incentive for people to live and work in the country rather than abroad will crucially depend on access to public services of an acceptable quality – from population safety to education and healthcare – as well as on an economic environment that adequately rewards people for the effort they put in and the investments they make. Since life abroad will probably become much more attractive over time, and more and more migrants will gradually legalize their status in most destination countries, the Government of the Republic of Moldova will soon find itself competing for internationally mobile people. However, the Moldovans who constitute the third wave of potential migrants could possess essential skills and entrepreneurial ambitions, generating major economic growth, for the benefit of all Moldovans.

The problem that the author set himself before researching the topic was to answer the question: what are the conditions in which the emigration phenomenon, in general, and illegal emigration from the Republic of Moldova, in particular, has gained momentum, what are the forms of diminishing this phenomenon, and in order to avoid such negative phenomena related to emigration, as clandestine migration, human trafficking.

## REFERENCES

1993. *Dicționar de Relații Economice Internaționale*. București: Editura Enciclopedica.
- Boudon, Raymond, and Philippe Benard. 1996. *La Rousse, Dicționar de Sociologie*. București: Editura Univers Enciclopedic.
- Badie, Bertrand, and Catherine Wenden. 1993. *Le défi migratoire, questions de relations internationales*. Paris: FNSP.
- Bessonov, A. 2005. "Criminal liability for organizing illegal migration." *Legality* 12.
- Chauzy, Jean Philippe. 2004. *Migration et développement*. Geneva: Edition de l'Organisation Internationale pour les Migrations.
- Cozma, M. 1999. "Bomba demografică." *Revista demografică* 4:11.
- Drăguțan, Aurel I. 1978. "Teorii despre Migrație." *Viitorul Social* 1:137-40.
- Everett, S. Lee. 1969. "A theory of Migration." In *Migration*, edited by J. A. Jackson.
- Frieze, I. H. 2004. "Psychological Differences in Stayers and Leavers: Emigration Desires in Central and Eastern European University Students." *European Psychologist* 9, no. 1:15-23.
- Friedrich Ratzel I. 1998. *Școala de Geopolitică Germana*. București.
- Filchagova, Irina. 1999. "Directions for regulating migration." *Vlast* 12:74.
- Ghencea, Boris, and Igor Gudumac. 2005. *Migrația de muncă și remitențele în Republica Moldova (2004)*. Chișinău.
- George Hillery, jr., James S. Brown, and Gordon Dejong. 1965. "Migration Systems of the Appalachians: some Demographic Observations." *Rural Sociology* 30, no. 1.
- Manolo, I. Bella. 2005. *Cum să gestionăm migrația forței de muncă*. Geneva: OIM.
- Manoli, A. 1997. *Sending workers abroad*. Geneva.
- Thomas Malthus I. 1998. *Eseu asupra principiilor populației*. București.
- Moshnyaga, V., G. Rusnak, and V. Tsurkan. 2004. The specifics of labor migration and the peculiarities of its regulation in the European CIS countries (from the experience of the Republic of Moldova)." *Moldoscopy. USM XXVI*, no. 2:110.
- Mosneaga, Valeriu. 1999. *Independent Moldova and Migration*. Chișinău.
- Mosneaga, Valeriu. 2003. *Labor Migration in Faces: People and Destinies*. Chișinău.
- Moșneaga, Valeriu. 2004. "Migrațiunea forței de muncă în Republica Moldova: cauze tendințe, efecte." *Moldoscopy (Probleme de analiză politică)* XXV, no. 1:24-35.
- Mosneaga, Valeriu., and G. Rusnac. 2005. *We are Building Europe and Beyond*. Chișinău.
- Stalker, Peter. 2000. *Workers without frontiers (the Impact of globalization)*. London.
- Trebici. 1975. *Mica enciclopedie dedemografie*. București.
- Takudis, Vasily. 2000 "Some considerations on the consequences of migrations." In *Moldova, Romania, Ukraine: European integration and labor migration*. Chisinau: Center for Political Analysis and Social Techniques Captes.
- Wihtol de Wenden, Catherine. 1999. *L'immigration en Europe*. La documentation française, Nancy.
- Wihtol de Wenden, Catherine. 2004. "L'Union Européenne face aux migrations." *Ramzes, Revue de Relations Internationales* 108-28.
- Yudina, T. N. 2002. "On sociological analysis of migration processes." *Sociological research* 10:104.