

Evolution of immigrants integration in a national context

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ABSTRACT

The study starts from an existing reality not only at the level of Europe, but also at the level of all the national states, increasing the number of immigrants, thus making a step towards completing the field of migration. There are presented aspects regarding the evolution of immigration in Romania in the last 100 years, as well as the study of the integration term. The analysis emphasizes the role of public administration in integrating immigrants.

KEYWORDS: *integration, immigration, public administration, national policies, cohesion*

1. Introduction

As the migration phenomenon has grown, national governments and public administration institutions have been assigned numerous tasks in this area¹⁾. In September 2018, in the countries of the European Union plus Norway and Switzerland, almost 52 000 applications for international protection were filed²⁾. Since the beginning of 2018, there have been almost 462,000 applications filed with those states, 14% less than in the same period of 2017³⁾.

In this context, the management of the phenomenon of immigration is an important activity of the states, including Romania, which handled a total of 4,820 asylum applications in 2017⁴⁾.

In the context of the increased immigration situation, the state must have the necessary resources for to respond adequately to this challenge. Whenever society

¹⁾ See Moroianu Zlătescu, Irina; Elena Marinică. 2017. *European Union Law*, Bucharest, Romania: University Publishing Academic Universe, pp.316, 317.

²⁾ See European Asylum Support Office. *Latest Asylum Trends*, September 2018, <https://www.easo.europa.eu/latest-asylum-trends>.

³⁾ Ibidem.

⁴⁾ See the Evaluation of the General Inspectorate for Immigration in 2017, Bucharest, February 13, 2018, http://igi.mai.gov.ro/sites/default/files/evaluarea_activitatii_in_anul_2017.pdf.

faces a crisis, irrespective of its concrete, political, economic, social, and financial form⁵⁾, public authorities are faced with new responsibilities that need to provide coherent and effective responses. Thus, public administration is an important player in coordinating immigration policies. With an increasing number of immigrants, the response of state authorities must also be based on promoting the integration of these people into society. At the same time, immigration becomes an administrative process and the methods used are of particular importance.

Research on the social integration experiences of migrants, refugees and asylum seekers has revealed that a new field has emerged in practice – integration.

Administration science is not only confined to studying the legal aspects of the administration but examines the interfaces of the subsystem with the social, political, legal environment, with the components of the global social system⁶⁾. The complexity of social demands raises a number of problems before the administration that need to be resolved⁷⁾.

The phenomenon of immigration calls for collective action by actors involved in a wide range of issues at regional, national and local levels. The main role in integration is the responsibility of public administration structures. This, through its regulatory power, through its procedures that have to respect fundamental human rights, is that which provides public services and public order⁸⁾.

Migration and integration policies are dispersed at different levels of government: national and local. Traditionally, migration policies and the regulation of international migration, as well as integration policies, have been a nation-state competence, as these national policies are often strongly correlated with national identity⁹⁾.

2. Romania and the evolution of migration in the last 100 years

Looking back over the past 100 years, Romania has in the past been a country of emigration and transit, the pre-existing practices being not very developed in terms of the integration of foreigners.

⁵⁾ See Dragoman, Ion. *Crisis of Administration and Crisis Management*, in Bălan, Emil; Iftene, Cristi; Văcărelu, Marius. 2015. *Public Administration in Crisis Situations*, Bucharest, Romania: Wolters Kluwer, p. 43.

⁶⁾ See Bălan, Emil. 2008. *Administrative Institutions*, Bucharest, Romania: C.H.Beck Publishing House, p. 21.

⁷⁾ Ibidem.

⁸⁾ See Bălan, Emil. *Missions and means of public administration – elements of an “administrative constitution” of Romania*, p. 4, available at http://www.icj.ro/Emil_Balan.pdf.

⁹⁾ See Lopizić, Iva; Novak, Goranka Lalić. 2018. *The Role of Deconcentrated State Administration in Migration and Integration Affairs: A Way Forward*, in *Croatian and comparative public administration*, p.294.

Although it is not the first time Romania faced migration and the challenge of integration, it is difficult to use past experience. We support this idea because there are important context differences (socio-economic, cultural and political), as well as the changing conditions of integration (economic, state facilities, immigrant integration policies). However, some key aspects of the past are easy. For example, integration into the labour market appears as a key point in the success of immigrant integration.

The 1921 Agrarian Law provided facilities for peasants, but also for ethnic minorities, the appropriation being made without discrimination. Thus, Unirea has benefited not only the local population, but also the minorities¹⁰⁾. In Transylvania, 63% of those owned were Romanian and the other 37% were other nationalities¹¹⁾. But after the Union, 200,000 Hungarians left Transylvania between 1918-1922. At the same time, the administrative division of Transylvania, based on ethnic criteria, highlights the disproportion.

On April 20, 1925, the law on the regulation of migrants was issued, whereby emigration and immigration were declared free, but some restrictions were established. Thus, with regard to immigration, much more detailed control was regulated than emigration. It is emphasized that the entry into Romania of the persons who were incapacitated to work, those without a job, as well as those who posed a danger to the state, the latter were not allowed to enter the territory even for the purpose of the transit of Romania, although the destination was different.

Between 1926 and 1936, 61,225 foreign citizens entered Romania, but most of them left the country in the years of the economic crisis¹²⁾.

In 1930, the stable population of Romania was 18,025,237 people, without being recorded separately citizens and foreigners¹³⁾. Over the past 10 years, in 1940, a first national analysis of migration in Romania was carried out. It is highlighted that the number of emigrants was recorded separately from the number of immigrants.

Romania was especially a country of emigration, especially following the political changes and territorial changes that occurred during and after the two world wars, when the transfer of minorities was also experienced. Approximately 70,000 ethnic Germans were deported by the communist authorities to the Soviet Union after the Second World War¹⁴⁾.

¹⁰⁾ See Negruți, Sorin. *Citizenship and Migration in Romania during 1865-1938*, in *Romanian Journal of Sociology*, new series, XXVIII, no. 3-4, Bucharest, Romania, 2017, pp. 201-215.

¹¹⁾ See Moroianu Zlătescu, Irina. 2014. *Migration and law*, Bucharest, Romania: IRDO Publishing, p. 56 et seq.; Cernea, Emil; Molcuț, Emil. 2006. *History of the State and Romanian Law*, Bucharest, Romania: Universul Juridic Publishing House; Voicu, Costică. 1985. *Romanian Law*, Bucharest, Romania: Faculty of Law Bucharest; Firoiu, Dumitru. 1976. *History of Romanian State and Law*, Bucharest, Romania: Didactic and Pedagogical Publishing House, pp.18-22.

¹²⁾ Ibidem.

¹³⁾ See *Current Population of Romania, Preliminary Figures of the General Census of 29 December 1930*, Publications of the General Population Census Directorate, Bucharest, Romania, 1931, p.3.

¹⁴⁾ See Moroianu Zlătescu, Irina. 2014. *Migration and law*, Bucharest, Romania: IRDO Publishing, p. 58 et seq.

At the same time, during the last century, after the Second World War and the establishment of the communist regime, Romania was, above all, an emigration country rather than one of immigration. Until the beginning of 1990, migration to Romania was linked to ethnic minority groups who sought to emigrate. Also, the communist regime has led a large number of Romanians to emigrate, a process that continued even after its fall.

Since 2002, the instruments have been gradually updated to meet the needs of the Romanian authorities to manage the migration field on their own territory.

After January 1, 2007, Romania becoming a member of the European Union, the population movement for economic purposes destined to Western European countries increased due to unrestricted access to the labour market.

The emigration phenomenon reached a peak in 2007, the year of Romania's accession to the European Union. Subsequently, the phenomenon decreased in intensity, decrease due to the change in economic and social conditions in the developed member states, affected by the economic crisis triggered in 2008. Analysing the emigration of 2003 as compared to 2014, we find that the number of male emigrants was higher than those of in 2003, a report that reversed in 2014 when more women emigrated than men¹⁵⁾.

In 2015, the number of immigrants in Romania was 1.16% of the total number of residents, a small percentage compared to Germany (14.88%), Greece (11.34%) or Italy (9.68%)¹⁶⁾.

According to the United Nations, in 2015 Romania was qualified as the second country with the largest increase in the population of emigrants (7.3% per annum), which is largely due to labour mobility within the European Union¹⁷⁾. But, despite the fact that Romania is a country of emigration, the number of immigrants who entered the state has increased. Thus, at the end of 2017, 116,830 foreign nationals from third countries and citizens of the European Union were registered with the right of residence in Romania¹⁸⁾. Also, during the same year, a total of 4,820 asylum applications were filed¹⁹⁾.

Given the growing number of foreigners in the region, integration becomes a real challenge for the public administration.

¹⁵⁾ See the National Institute of Statistics. *Romania's Demographic Yearbook*, 2015, p. 18-19.

¹⁶⁾ According to the International Organization for Migration, <http://www.iom.int>.

¹⁷⁾ See Anghelache, Constantin and others. *Migration and Remittances – Statistical and econometric models used in the analysis of the impact of remittances in economic development*, in *Romanian Statistical Review – Supplement no. 6/2017*, p.12.

¹⁸⁾ See the Evaluation of the General Inspectorate for Immigration in 2017, http://igi.mai.gov.ro/sites/default/files/evaluarea_activitatii_in_anul_2017.pdf.

¹⁹⁾ Ibidem.

3. The concept of integration

Understanding integration depends on the appreciation of several aspects, from the meaning of “integration”, to the complexity of policies in this area.

From the point of view of the evolution of the integration concept, initially the notion of assimilation implies the behaviour of the immigrants, in the sense that it was necessary for them to acquire the native population, to conform to the behaviour of the members of the host society²⁰). Thus, it was defined as “a process of interpenetration and fusion in which individuals and groups acquire the memories, feelings and attitudes of other persons and groups and, by sharing their experience and history, are incorporated with them into a common cultural life”²¹).

Integration was later formulated as a principle for a new practice in society and institutional reforms. In recent years, the term integration has been replaced by inclusion. The main question, of course, is whether new terminology only means a linguistic replacement or a new approach. Compared to integration, inclusion is considered to be a wider vision than integration because it covers many issues. Inclusion focuses on assimilating immigrants into the new society, while the state must be able to establish its own agenda, to have benefits. Inclusion also involves leaning on new perspectives, receiving Member States joining immigrants’ efforts through the implementation of new strategies. We appreciate that the difference between integration and inclusion is that integration refers to the process of educating immigrants, while inclusion involves a much deeper level of participation both of them and of the host country society. In other words, looking for the best solutions for the host society to fit the needs of immigrants is the fundamental pillar of inclusion.

Integration implies the evaluation and appreciation of all individuals, providing equal access and opportunity to the development of immigrants, by removing all the obstacles in terms of involvement in society. Integration is a dynamic and long-lasting process by integrating immigration into a set of actions to allocate and manage public resources to organize, plan, forecast, control and coordinate the flow of legally or illegally entering foreign citizens, within the limits of the policies that underpin the state’s attitude towards this phenomenon²²).

Social integration is the process of active participation of aliens who have acquired a form of protection or right of residence in Romania and citizens of the Member States of the European Union and of the European Economic Area in the economic, social and cultural life of the Romanian society in order to prevent and

²⁰) See Morales, Laura; Giugni, Marco. 2011. *Social Capital, Political Participation and Migration in Europe, Making Multicultural Democracy Work?*, London, UK: Macmillan Publisher, pp. 20-21.

²¹) See Park, Robert E.; Burgess, Ernest W. 2005, (1969) [1921]. *Introduction to the Science of Sociology*, Chicago, USA: University of Chicago Press, p. 735.

²²) See Vislie, Lise; *From integration to inclusion: focusing on global trends and changes in Western European societies*, in *Eur. J. of Special Needs Education*, Vol. 18, No. 1 (2003), pp. 17-35.

combating social marginalization, respectively in order to adapt to the conditions of the Romanian society²³⁾.

We believe that integration is the process by which all members of society, citizens or foreigners, should be able to use the same facilities, take part in the same activities in society, and enjoy the same experiences. In this respect, human rights and the way they are exercised are fundamental to overcoming barriers and promoting integration²⁴⁾.

Respecting the individual in providing services is not an optional problem, but a set of fundamental values for state reform. Human rights extend to economic, social, cultural, civil rights. Everyone's good can only materialize in the form of social good, that is, in respecting the good of another²⁵⁾. Living and welfare are two concepts that interfere with and mutually interrelate. The concept of well-being implies a decent living standard at both individual and company-wide levels. Ensuring a decent living standard implies achieving a living standard compatible with human dignity.

Welfare is an essential component of the human situation, it reflects a system of needs, correlated with the economic and social context in which every human being integrates. The presence of a large number of illegal residents has a negative impact both on the labour market, on illegal work and on the process of integration and social cohesion, being excluded from full participation in society, both in terms of contribution and benefit²⁶⁾.

Integration can be analysed as a system that mobilizes action to increase the effort to obtain favourable conditions, conditions that ensure human growth and development. The sources of successful integration come from the way society is organized, because human behaviour depends to a large extent on the objective conditions in which it lives. The precarious economic situation and difficult social policies, the destructive social tensions are not conducive to the development of the individual's ability to organize life, so all this undoubtedly contributes to the lowering of the level felt by the individual, regardless of whether he is a citizen or an immigrant.

²³⁾ See ORDINANCE no. 44 of 29 January 2004 on the social integration of aliens who have acquired a form of protection or a right of residence in Romania, as well as citizens of the Member States of the European Union and of the European Economic Area, Art. b, published in the Official Gazette no. 93 of 31 January 2004, as subsequently amended and supplemented, including GO 1/2014 for the amendment and completion of Law no. 122/2006 on asylum in Romania and GO 44/2004 on the social integration of foreigners who have acquired a form of protection or a right of residence in Romania, as well as citizens of the Member States of the European Union and the European Economic Area.

²⁴⁾ See Moroianu Zlătescu, Irina. 2008. *Human Rights – an Evolutionary System*, Bucharest, Romania: IRDO Publishing, p.131 et seq.

²⁵⁾ See Morosanu, Ion. 2001. *Legal Guarantors on Fundamental Rights and Freedoms of the Republic of Moldova*, PhD Thesis, ULIM Library, p.57.

²⁶⁾ See The Council Directive 2003/9/EC of 27 January, laying down minimum standards for the reception of asylum seekers.

Effective integration involves the members of society, creates a new whole, demands appropriate action structures and skills. The practice and experience of monitoring and managing the immigration phenomenon and, implicitly, the integration of immigrants have outlined the interconnection of at least two dimensions: the legislative-institutional dimension and the cultural-social dimension.

There is a deeper awareness of the challenges associated with decision-making in the process of integration in the intercultural context. However, the way in which institutions conceptualize diversity has significant implications for how these processes will be satisfactory²⁷⁾.

4. Public administration and its role in integrating immigrants

Understanding the role of public administration and its institutions is vital in terms of immigration issues and the integration of immigrants. Institutional rules regulate economic and social activity and direct to productive activities²⁸⁾.

In recent years, Romania's efforts in terms of integration have been visible. Romania has implemented measures to improve the social integration of immigrants and has taken measures to integrate into the labour market. However, the mechanisms do not automatically lead to effective integration, but clear and robust measures are needed to manage this phenomenon. Administration of integration is based on the participation of all institutions with attributions in this field, through efficient management and interinstitutional collaboration. Under these circumstances, the issues of instruments and mechanisms must be coherent.

The Romanian authorities have the objective to approach migration management in close correlation with objective and independent factors, including the geographical position of Romania, the trends of migratory phenomenon in South-eastern Europe. These features highlight a low number of immigrants in the Southeast, compared to Western Europe, which are more economically developed.

The main objective of the authorities is to maximize positive effects and to limit the negative effects of immigration, good management requires an efficient management system in this sphere. There are also concerns about social cohesion, national and public security, and serviceability²⁹⁾.

Integrating immigrants into the labour market and society as a whole is vital to promoting social cohesion and economic growth in host countries so that they

²⁷⁾ See Smith-Khan, Laura. *Different in the Same Way? Language, Diversity, and Refugee Credibility*, in *International Journal of Refugee Law*, Volume 29, Issue 3, 13 November 2017, Oxford Publishing, p.391.

²⁸⁾ See Coyne, Christopher J.; Boettke, Peter J. *Institutions, Immigration, and Identity*, p.138, <http://www.law.nyu.edu>.

²⁹⁾ See OECD and the European Commission, *Indicators of Immigrant Integration 2015*, p.15, <http://www.oecd.org/migration/indicators-of-immigrant-integration-2015>.

become productive citizens. Migration, if well managed, plays a positive role in the economy, stimulates economic growth.

Following the granting of the right of residence in the territory, it is intended to facilitate equal access to the labour market, the learning of the host country's language, unhindered access to social assistance, health care services, understanding of company rules and differences cultural.

Integration is, and must be, a multidimensional process, unsuccessful in any area of integration, jeopardizing progress in others. This is an adaptive answer to the encounter between a majority and a minority culture.

Immigrants bring important benefits to the labour market, they contribute in the long run to more taxes and social contributions than they receive, migration has an important impact on our society, and although it is a controversial subject, the role of the institutions is to maximize these benefits.

It can be said that integration is a process of harmonization in a society of different communities, groups, roles or organizations.

The integration process involves two parties involved: immigrants and host states. The interaction between the two determines the direction and the final outcome of the inclusion process.

After completing the integration program or when identifying a job, the General Inspectorate for Immigration directs the assisted person to the vacant job community and informs them about how to obtain a social housing, under the law.

Enhancing the size of migration determines aspects that cannot be overlooked at the labour market level. The main concerns of public administration authorities are to promote the recognition, preservation and promotion of identities in order to facilitate integration, thus ensuring that all participate in the evolution of society. Public administration authorities thus assume a major role in integrating immigrants and refugees.

Economic and social rights can be affirmed by any person, "the principle of equality is the cardinal idea of the struggle for human rights"³⁰. Economic and social rights are an integral part of all human rights, with an overwhelming role in strengthening social cohesion. Their observance is imperative for all human beings in order to achieve the living conditions indispensable to the development of individuals.

A specific objective for Romania is to facilitate the access of third-country nationals to the employment needs of the state (creation of the legal framework for attracting and maintaining the labour force according to identified needs)³¹. Also, the increase in workforce through third-country students directly influences the labour market, and they have the possibility of hiring after the completion of their studies.

³⁰ See Zlătescu, Victor Dan; Moroianu Zlătescu, Irina. 1994. *Human Rights in Action*, Bucharest, Romania: Romanian Institute for Human Rights, p.7.

³¹ See the National Immigration Strategy for the period 2015-2018.

Aliens who have acquired a form of protection in Romania have access to the labour market, under the conditions established by law for Romanian citizens, as well as working conditions equivalent to those established by law for their own citizens.

The National Agency for Employment has the obligation to identify vacancies for employers and to make them available to persons included in the integration program registered as jobseekers³²⁾.

The possibility is high enough for immigrants to face the risks of trafficking in human beings and forced labour, to be constrained by various conditions to work illegally or to be discriminated when they are looking for a job or even when they are employees.

On the other hand, with regard to access to housing, it may acquire certain characteristics, depending on the status of foreigners. Thus, for foreign students there is the possibility of accommodation at home, and foreigners with permanent residence have access to social housing.

The local public administration authorities are obliged to ensure, within the available resources, social housing for persons who have acquired a form of protection in Romania and are about to move to that community under the same conditions as the Romanian citizens.

Increasing the reach of local institutions in responding to the integration of immigrants is somewhat paradoxical, because crisis management is often associated with concentration of power, direction and control at central level³³⁾. However, many experts have estimated that local authorities are best suited to meeting the needs of immigrants and refugees, given their "proximity to the population, knowledge of the local context and their ability to develop policies and programs, to mobilize partnerships and to assess the impact"³⁴⁾.

At the same time, lack of participation in social activities leads to a risk in terms of integration. Migration for various reasons, whether political, social or economic, involves a connection at the level of the host state society, and we are adapting to the new community.

Poor immigration management is one of the most important causes of integration failure. As a consequence, adequate management of the phenomenon is a prerequisite for successful integration. Also, the features of the integration model are equally relevant to the success of integration. At the same time, the implementation of viable solutions to support integration is proving to be a difficult

³²⁾ See ORDINANCE no. 44 of 29 January 2004, art.26.

³³⁾ See Christensen, T.; Laegreid, P. and L. H. Rykkja. *Organizing for Crisis Management: Building Governance Capacity and Legitimacy*, in *Public Administration Review*, 76, 6, 2016, pp. 887-897.

³⁴⁾ See United Nations Expert Group Meeting on Sustainable Cities, Human Mobility and International Migration, Department of Economic and Social Affairs United Nations Secretariat. *Migrants and cities: A Public Administration Perspective on local governance and service delivery*, New York 7-8 September 2017, UN/POP/EGM/2017/11, 5 September 2017, pp. 5-7.

task. In the same sense, there are a number of risks arising from integration policies. Administrative frameworks should be fair and applied impartially, in particular human rights law. In this context, the principle of equity is very important. It includes the equal treatment of groups facing discriminatory practices, among these groups being immigrants. Clearly, with regard to integration, labour market issues, education, housing, healthcare, contact with the orientations of society and culture (including attitudes towards refugees) are very important³⁵.

Alternatively, states have chosen an approach based on the notion that factors other than government policies contribute to integration. Thus, civil society is a pillar of integration.

The long-term challenge is increasing the chances of integration for those who have gained some form of international protection. Thus, helping to bring refugees into society and implicitly participating in community-based activities involves the development of the labour market and economic integration, integration in education, housing and access to health services and socio-cultural integration. Public administration authorities are leading these lines, but it is necessary to work with members of civil society and humanitarian organizations. On the other hand, beyond national cooperation, effective functioning is required at regional and international level.

5. Conclusions

Recognition of deficiencies is necessary for policy development. This implies the involvement of a large number of actors, the actions of governments as well as civil society. It is fair to admit that migration management involves numerous risks. Sometimes, integration policies are defined by short-term and, at the same time, limited national interests. The ability to address this challenge depends on efforts in terms of cooperation between the actors involved. However, integration is regarded as an internal problem. At the same time, we appreciate that the failures of national integration have negative effects in other states.

In order to increase the efficiency of integration, we propose simplifying bureaucratic procedures as well as providing faster and easier access to state-owned facilities. For all stages of integration, efficiency is an imperative requirement for development, with public administration being responsible for providing efficient and fair public services by setting out detailed integration policies and mechanisms to eliminate discrimination, while allowing immigrants to retain their own identity distinct. We appreciate that inefficient integration has implications for the cohesion and stability of society.

³⁵ See Scholten, Peter and others. 2017. *Policy Innovation in Refugee Integration*, Rotterdam, Erasmus Universiteit Rotterdam Faculteit Sociale Wetenschappen Postbus 1738 3000 DR Rotterdam, p. 1.

Studying efficiency in public administration is a basis for strengthening democracy and good governance.

Efficiency and effectiveness in the field of immigration means analysing a set of conditions regarding competence, organization, assuming responsibilities, and allocating resources.

Policy dynamics is also very important. This implies, on the one hand, policy change and adaptation and, on the other hand, the stability of policies, thus achieving a balance. All these must focus on migration policies and on their diversity. We also appreciate the importance of leveling migration policies with the involvement of governmental and non-governmental actors to examine whether there is better institutional adaptation between specific policies.

At the same time, it should be underlined that multiple factors contribute to the integration process, including immigrant experiences, their physical and mental health or social support³⁶⁾. In general, there is a lack of understanding of diversity in society, and discrimination is an important obstacle to integration.

Over time, the role of local government has changed, evolved from the implementation of state law and direct service delivery to territorial public policy cohesion, strategic planning, and coordination of various local actors. Thus, the role of the administration has expanded even in the area of migration. State policies at the level of Romania must be uniformly implemented. In this context, the role of the administration is crucial in migrating and integrating immigrants, as these policies are usually developed at the central level and later implemented at different levels of government.

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³⁶⁾ See Robila, Mihaela. *Refugees and Social Integration in Europe*, United Nations Expert Group Meeting New York 15 – 16 May 2018, p.10, https://www.un.org/development/desa/family/wp-content/uploads/sites/23/2018/05/Robila_EGM_2018.pdf

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