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Republic Of Moldova Immigration: Volume And Policy

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Abstract

Migration of Moldovan population has been one of the main issues since Moldova's independence. Immigration in particular takes place for a variety of reasons: family reunification, study, work, repatriation to homeland, humanitarian reasons to save human life, health, honor and dignity given military, political, religious, racial conflict (refugees and persons who are seeking shelters), etc. It can carry both legal and illegal forms (illegal and illegal transit migration). In terms of volume, number of people, the immigration into the Republic of Moldova is much higher than emigration. Nevertheless, it can help fill in the need for qualified and professional labour-force that Moldova has as a result of mass emigration of its citizens.

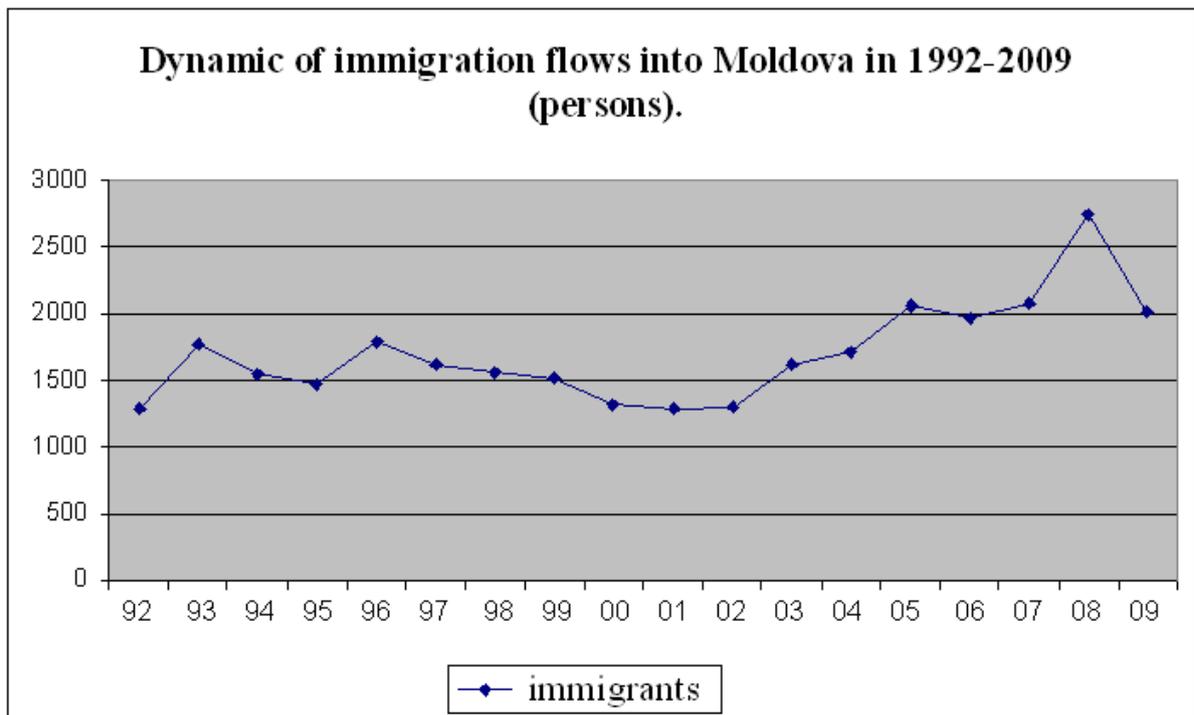
There is certain specificity in the regulation of immigration processes in Moldova. From the beginning the Moldovan government declared its openness to migration issues, while welcoming legitimate (regulated) and counteracting illegal (irregular) immigration. The immigration policy was based on the principle of "immigration and security". One of the first laws adopted was the law "On Migration" which aimed to counter the mass irregular immigration from other post-Soviet republics. After this, for a long time immigration was out of the real attention of the Moldovan authorities, due to a small number of immigrants and irrelevance of the issue to the national public opinion.

Under the influence of European institutions the attitude towards immigration is changing. Governmental agencies are becoming more active in regulating immigration. In an effort to solve the increasing problems of the national labor market, the Moldovan authorities are trying to guide immigration flows to the development of the country, to act on the basis of "Immigration - development". Using co-operation with international organizations, and the aid from the European Union, Moldova takes real steps to unify Moldovan policy framework with the European Union policy framework. At the same time the immigration policy of the Republic of Moldova is becoming more modern, integrated and consistent.

Volume of immigration flows

Integration of Moldova into international migration processes resulted in the rise of immigration. In 1992–2009 around 31 thousand people legally entered the country¹.

Fig. 1. Dynamic of immigration flows into Moldova in 1992-2009 (persons)²



Let us note that family immigration was dominant in 1992-1995, though there was a constant trend towards its decline in significance. Today the share of immigrants reuniting with the family constitutes 2/5 of the total number of immigrants. In 1998-2005 educational immigration became dominant. However, from 2005 labor immigration prevailed.

Moldova is a recipient of both legal and illegal immigration. One of the unofficial routes of illegal transit migration to Western Europe goes through Moldova. However, unlike other routes of illegal transit migration (through Belarus, Russia or Ukraine), Moldovan route is less popular due to greater complexity and risk. Illegal transit migration involves citizens of CIS, as well as South East Asia and Africa, who use relative ‘transparency’ of CIS borders and try to get to Western European countries. Illegal migration is mainly represented by CIS citizens who benefit from visa-free regime, coming and staying in Moldova to earn money.

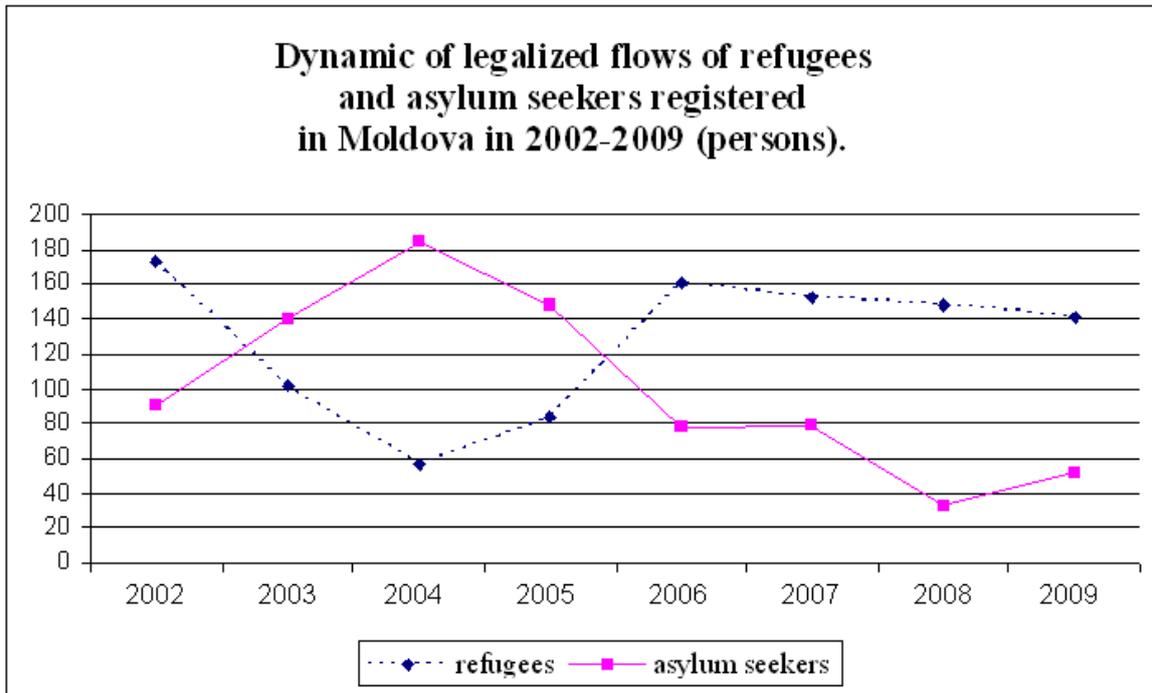
After having signed in 2002 the UN Convention (1951) and Additional Protocol (1967), Moldova started to actively participate in international programs of refugee assistance. The total of almost 850 people obtained the status of refugees over this period, and over 700 people were acknowledged as

¹ Moraru V., Mosneaga V., Rusnac G. Migration pendulum. - Chisinau, “Tipografia-Sirius”, 2012, p.19-26

² Mosneaga V. Moldova in the context of international migrations. In: International Migration of population: Russia and contemporary world. International migration of population in the post-soviet territory: two decades of successes, mistakes and expectances. Volum 25. – Moscow, Moscow State University Press, 2011, p.66

asylum seekers. Most people seeking international humanitarian aid came from Russia and were Chechens (around 50% of refugees and around 20% of asylum seekers)³.

Fig. 2. Dynamic of legalized flows of refugees and asylum seekers registered in Moldova in 2002-2009 (persons)⁴

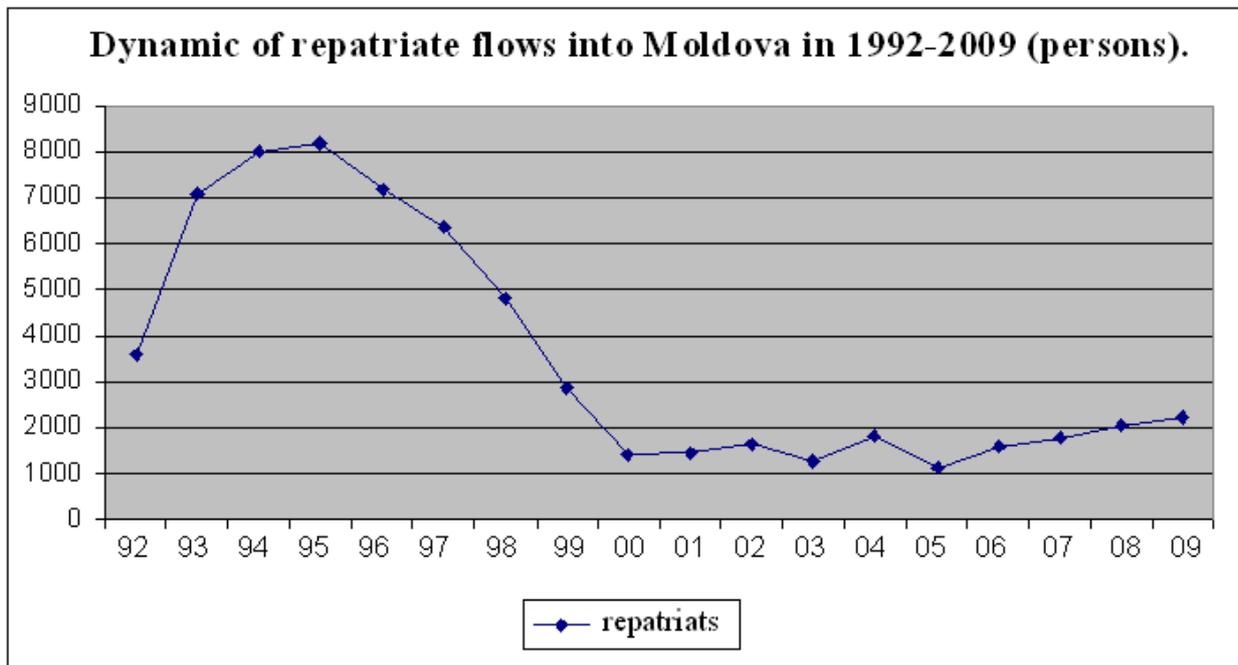


Emergence of the Republic of Moldova as an independent state gave an impetus to repatriation of Moldovans and representatives of other ethnic groups native of Moldova from other countries. In 1992–2009 around 65 thousand people repatriated to Moldova. The main share of repatriates comes from the CIS, primarily from Russia (over a half) and Ukraine (over one third). These two states give the total of 90% of all repatriates⁵.

³ Moraru V., Mosneaga V., Rusnac G. Migration pendulum. - Chisinau, “Tipografia-Sirius”, 2012, p.18-19

⁴ Mosneaga V. Moldova in the context of international migrations. In: International Migration of population: Russia and contemporary world. International migration of population in the post-soviet territory: two decades of successes, mistakes and expectances. Volum 25. – Moscow, Moscow State University Press, 2011, p.66

⁵ Moraru V., Mosneaga V., Rusnac G. Migration pendulum. - Chisinau, “Tipografia-Sirius”, 2012, p.15-17

Fig. 3. Dynamic of repatriate flows into Moldova in 1992-2009 (persons)⁶

Initially (1992-1997) 7-8 thousand people annually repatriated to Moldova. This can be explained largely by patriotic sentiments and willingness to live in one's home country. Difficult social and economic situation in the country forced people to be guided by financial considerations. So there was a drastic decline (5-6 times) in the number of repatriates in 1998-2009.

Moldova turned out to be unprepared to accept repatriates: there was no repatriation program and no real repatriation policy, and relevant financial and infrastructural capabilities were absent. In the end all this had a negative effect on attractiveness of Moldova.

Moldovan immigration policy

Formation of Moldovan immigration policy started during the Soviet period⁷. The principle 'immigration and security' was laid in its foundation. Moldovan state declared its openness in migration issues, welcoming legal (regulated) and counteracting illegal (unregulated) immigration. In December 1990 the law "On migration" was adopted, its main objective was to counteract mass unregulated migration from other Soviet republics, there was a quota policy for legal immigrants (quota was 0.05% of the present population). Quota was annually set by the corresponding law.

After becoming an independent state Moldova continued to develop its immigration policy (1994 – Constitution of the Republic of Moldova, laws "On departure from the Republic of Moldova and entry into the Republic of Moldova", "On legal status of foreign citizens and stateless persons in the Republic of Moldova", "On identity documents of the national passport system"). Immigration was not a priority for Moldovan migration policy. Until 2002 practically no specific measures were taken

⁶ Mosneaga V. Moldova in the context of international migrations. In: International Migration of population: Russia and contemporary world. International migration of population in the post-soviet territory: two decades of successes, mistakes and expectances. Volum 25. – Moscow, Moscow State University Press, 2011, p.64

⁷ Moraru V., Mosneaga V., Rusnac G. Migration pendulum. - Chisinau, "Tipografia-Sirius", 2012, p.63-99

in this field. Let us only mention the decree of Moldovan Ministry of Healthcare “On adoption of Regulation on arrangement and mandatory medical examination of immigrants and citizens emigrating abroad with a temporary employment purpose” (2000).

Interest towards immigration processes increased after 2001. This was associated, first of all, with institutional reform, i.e. establishment of a single institution (2001) – State Migration Service (from 2002 Department of Migration) that was to elaborate and implement migration policy in various areas.

The law “On migration” and Migration Policy Concept (2002) were adopted; they outlined a complex approach to migration, defined main terms and actors, placed an emphasis on migration policy and migration regulation, characterized the main actors, institutions and their competences. Repatriation, small cross-border traffic, human trafficking etc. started to be regarded in the context of immigration process, in addition to legal and illegal migration. An attempt was made to combine the principles of security and development with regards to immigration.

Second, under the influence of international institutions the Law “On refugees” was adopted, UN Convention (1951) and Additional Protocol (1967) relating to the status of refugees were ratified. Thus, Moldovan society got acquainted with the principles of human rights and immigration. Let us note that adoption of this law raised concern that it would open the door to numerous refugees and asylum seekers.

Measures are taken to improve population records, including immigrants (Concept and Regulations of the automated information system State Population Registry (2002), issuance of invitations to foreign citizens and stateless persons (2004).

Under the influence of the European Union, that became a neighbor of Moldova, immigration policy became intensified. Direct impetus to this process was given by the EU/Moldova Individual Action Plan (2005).

During this period a number of important legal acts were adopted to regulate migration: National Action Program and National Action Plan in the field of migration and asylum; concept of the integrated automated migration and asylum information system; legal acts on identity documents of refugees; National Plan on preventing and combating human trafficking; Law “On asylum in the Republic of Moldova” (2008).

Emigration processes (departure for permanent residence abroad and international labor migration) had a detrimental effect on the demographic situation, professional and qualification potential, the state of Moldovan labor market. At the same time new phenomena were manifested in the field of immigration.

Immigration quota (0.05% of the present population), annually set by legislation (from 1990), was not filled for a long time and hence the system was not functional. For the first time the problem of quota as a limiting factor for immigration flows emerged in 2007, when it was taken up in October.

Moldovan authorities correctly assessed the new trend associated with EU enlargement: this is a way to expand workforce by immigration. In 2008 quota for immigrants coming to the Republic of Moldova to work was changed, from then on it was set “annually depending on the needs of national economy”. This was reflected in laws “On modifying the law “On migration” and “On labor migration” (2008). In the law “On labor migration” the main emphasis was placed on attraction of immigrants, their labor and investment potential for development of Moldovan economy. Thus, an important step was made in migration policy towards using the principle “immigration – development”. Let us note that due to the global economic crisis of 2008-2010 this novelty is yet to function properly.

Cooperation with European institutions had a positive effect on migration policy of Moldova. The law “On regime of foreigners in the Republic of Moldova” was adopted (2010). Lawmakers stemmed from the need to harmonize Moldovan approaches with those of the European Union and rethink the

previous practice of regulating the status of foreigners in the country. The document is complex in nature and presents the overall Moldovan position with regards to this issue. The Government approved the National Plan for preventing and combating human trafficking in 2010-2011, introduced changes and additions to the Regulation “On education of foreign citizens and foreigners in educational institutions of Moldova” (2010).

Starting from 2011 Moldovan policy in the field of immigration became proactive again. National Program was approved to implement EU/Moldova Action Plan in the field of visa regime liberalization (2011-2012). It deals with document security, introduction of biometric passports, counteraction to illegal migration, strengthening of border security, introduction of complex management of state border and migration, improvement of law enforcement activities, combating corruption etc.

Specific steps were made to improve Moldovan migration policy. National Strategy in the Field of Migration and Asylum (2011-2020) and National Strategic Program in the Field of Demographic Security of the Republic of Moldova (2011-2025) were adopted. The Government approved Action Plan for 2011-2015 to implement National Strategy in the Field of Migration and Asylum (2011-2020), as well as regulations “On issuance of invitations to foreigners”, “On approval of technical concept of the automated information system Workforce Migration Records” and issued a decree concerning improvement of the situation in the field of immigration and creation of favorable conditions for foreign investors. The Ministry of Healthcare adopted a new Regulation on procedure of medical examination of migrants.

In 2012 the Government of the Republic of Moldova adopted a regulation “On additional measures for the National Program of implementation of the EU/Moldova Action Plan in the field of visa regime liberalization”.

Let us point out several positive aspects of Moldovan migration policy: its strategic, complex and future-oriented character, understanding of the main objectives, tasks and mechanisms of implementation of adopted programs, plans and specific decisions. Hopefully after completion of the new (second) Action Plan enthusiasm of Moldovan authorities in the field of immigration will not subside, as it happened after completion of the first EU/Moldova Action Plan (2005-2008).

Institutions of immigration regulation

At present the main public agencies⁸ responsible for migration and asylum management are the Ministry of Interior (elaboration of policy in the field of immigration, counteracting illegal migration, status of foreign citizens, asylum-related issues, readmission and repatriation etc.), Ministry of Labor, Social Protection and Family (policy in the field of labor emigration / immigration, social security of labor migrants, elaboration of pre-migration, post-migration and (re)integration policies etc.), Ministry of Foreign Affairs and European Integration (protection of rights of Moldovan citizens abroad, determination of visa policy etc.), Border Protection Service (counteracting illegal migration and cross-border crime). Some aspects of migration are within the scope of competence of the Ministry of Economy (financial transfers), National Bureau of Ethnic Relations (diaspora affairs within the country and beyond), Ministry of Education, Ministry of Healthcare etc. Efficient management of migration processes is possible only on the basis of complex approach and engagement of ministries and state agencies of different levels.

⁸ Mosneaga V. Regulation of labor migration in the Republic of Moldova: main stages and their specific features // MOLDOSCOPIE (Probleme de analiză politică). Nr.1 (XXXVI), 2007. – Chişinău: USM, 2007

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