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Illegal Moldovan Migration to the European Union

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Abstract

This article analyzes the illegal migration from Moldova into the EU countries. The main routes to the EU countries are through Romania, Ukraine, Turkey and other countries. Each route has its own specific features, such as transport availability, visa / visa free regimes, etc. The author researches illegal Moldovan migration patterns ("green zone" passage, fake ID passage, breaking of labour and residential laws of the receiving country, etc.). Much attention is also attributed to researching the activity of national actors and their cooperation, as well as organization and realization of illegal labour migration. An attempt to determine the scale and trends of illegal Moldovan labour migration is made, based on statistical data. The author also unravels the Moldovan counter-illegal migration policy.

Migration from Moldova is of a transient nature. This is due to the fact that Moldova is "sandwiched" between Romania and Ukraine, which are of little interest to the Moldovan labour migrants¹. Given that air communication with Moldova is insignificant, and the cost of tickets is high, automobile and rail transits are most common. The specificity of Moldovan illegal migration is such that persons enter the European Union not only through Romania, but also through Ukraine and third countries (Russia, Belarus, Turkey, etc.)

The main illegal migration routes to the European Union

The Ukrainian route. The majority of Moldovan citizens take advantage of the visa-free regime with the CIS and enter Ukraine legally by rail, road or air. Since 2006, the entry is granted upon a presentation of the passport. Prior to 2006, the entry into Ukraine was granted upon a presentation of an identification document. Due to various reasons, such as lack of passport or an entry ban, an insignificant portion tends to enter Ukraine illegally. Ukraine is a transit country for entry into Russia, Belarus, Turkey and the EU. From Ukraine, Moldovan migrants travel by road, rail, sea, or air. Often, for the entry into some EU countries (Slovakia, Hungary, Poland), illegal crossing of the border is employed.

In the meantime, Moldovan labour migrants travel to Ukraine via Russia, Belarus and Turkey, which, in their turn, can also be used as transit countries for entry into the EU. In this case, the Ukrainian scheme is employed in these countries.

The Romanian route. Road, rail and air transport is the main form of travel into Romania, which is the south-eastern border-country of the EU. Illegal crossing of border in the "green zone" is also registered.

Since 1991, Moldovans travelled to Romania on the basis of a visa-free regime that existed between Romania and Moldova. Originally, legal crossing of the Moldovan-Romanian border was carried out on the basis of identification documents. Since 2004, when the EU adopted a formal decision on the accession of Romania to the EU, legal entry was granted on the basis of a passport. Moldovan citizens travelled to Romania legally for tourism or to visit relatives. Moldovans travelled from Romania to the EU both legally (in possession of a valid Schengen visa) and illegally.

Romania is a member of the EU since 2007. In accordance with the requirements of the EU, it introduced a visa regime. The introduction of the visa regime for Moldovan citizens led to changes of tactics of irregular migration. The majority of Moldovans started to enter Romania legally with a valid passport and a visa obtained in the Romanian consulates in Moldova or Ukraine. Some Moldovan citizens

¹ Lucke M., Mahmoud T.O., Pinger P. *Migration and Remittances in Moldova*. Chisinau, IOM, 2007; *Moldova after the global crisis: promoting competitiveness and shared growth*. World Bank, April 4, 2011.

attempt to enter Romania illegally. In Romania, their migratory behaviour and plans are characterized by the same features that were typical of Moldovan migrants prior to the accession of Romania.

The Turkish (and other Mediterranean) routes. Moldovan citizens enter Turkey by plane (from Moldova and a number of Ukrainian cities), by road transport (from the Balkan region) and by sea (from the Moldavian port of Giurgiulești or from Odessa in Ukraine). Turkey serves as a transit country to the Middle East and North Africa. It can be noted that since the second half of the 2000s, an increasing number of illegal migrants attempt to enter the EU from the territories of Southern Mediterranean countries (Morocco, Tunis, etc.).² The illegal entry into Greece from Turkey via sea can also be mentioned.

The main routes for illegal border crossing

It should be noted that Moldovan labour migrants seek to minimize the risks of illegal migration and prefer legal methods of entry into the country of destination in the EU. While initially this was mainly done with a tourist visa, in 2013 the majority of migrant workers use either a valid EU passport (Romanian, Bulgarian, or other), or an individual employment contract.

Such changes became possible due to a combination of factors. The EU has started to pay attention to the fact that Moldovan travel agencies provide services not only in the field of tourism. Rather, using tourism in the disguise, they provide means of legal entry into the EU for further illegal stay and illegal employment in the host country.

Under these conditions, the Moldovan authorities have consolidated their efforts to combat false travel agencies both through the improvement of legislation, and through monitoring and countering the activities of false travel agencies.

The policy of granting citizenship on the basis of "restorative historical justice" that has been adopted by a number of countries of the European Union (Romania, Bulgaria), has created favourable conditions for visa-free entry into the European Union for labour migrants from the Republic of Moldova. These possibilities are widely used by Moldovan citizens, who started to acquire ("recover") the citizenship of these countries along with their own.

Emigration, mass labour migration, and the formation of communities of citizens and natives of the Republic of Moldova in the countries of the European Union gave impetus to the formation of Moldovan Diaspora and an extensive social network of relatives, friends, and fellow villagers. This network offers help to migrant workers by informing them about the situation on the labour market. It also helps to establish contacts with employers, assists in job search and employment (employment contract) in the host country.

A certain portion of Moldovan labour migrants seek means to enter the destination country illegally, with violations of border crossing rules in the countries of transit and destination. There are a number of channels for illegal border crossing, and they are widely known:

- a) Illegal crossing of the border in the "green zone". Current practices show that illegal border crossing in the green zone (through forests, mountains, swamps, rivers) in the most difficult and inaccessible areas of the state border is accompanied by frostbites, colds, and other health-related hazards. Frequent are human tragedies, as well as the death of migrants. Moldovan press frequently offers detailed accounts of such cases, when persons sought to enter Romania, Slovenia, Italy, Slovakia and other countries illegally. The most attractive zone (due to the complexity of border controls) for illegal immigrants is, as noted by the representatives of Ukrainian, Moldovan and Slovak border and immigration

² «Into the European Union with False Documents» [V Evropeyskiy Soyuz po fal'shivim dokumentam]. *Nezavisimaya Moldova*, February 13, 2008.

agencies, the mountainous forest area of the Ukrainian-Slovak border of approximately 100 kilometres. Interviews with migrant workers are representative in this regard. It should be noted that illegal migrants are quite inventive.³ Among the "know how" of the recent years, an attempt to cross the Slovak-Ukrainian border disguised as a mobile group of Ukrainian border guards can be named (2010).

- b) Illegal border crossing in large vehicles. In their attempts to cross the state borders illegally, migrants hide in vehicles that carry wood, wool, cigarettes, toys, metal, nails and carpets. These types of violations are most common on the Moldovan-Romanian section of the state border. The comparative analysis of violations of the Romanian border crossing in 2006-2007 by Moldovan citizens shows that there has been an increase in the number of Moldovan citizens seeking to illegally enter Romania or leave Romania illegally by hiding in vehicles⁴.
- c) Crossing the border at the legal crossing points with false (fake) documents, or documents that belong to another person. False visas and passports are also used. Thus, during the second half of 2000, an increased number of illegal migrants attempted to cross the Romanian border with false documents. While earlier false passports were used, at present, false identity cards are used⁵.

Illegal migration is associated with a high degree of uncertainty and risk. This is especially true with regard to illegal transit migration. In case of illegal crossing of the state border, mediators are indispensable as they ensure the functioning of different transit channels in the adjacent border areas of different countries. As the introduction of the visa regime between Romania and Moldova has shown, the complexities of obtaining a Romanian visa gave impetus to the emergence of mediators, who "provide" fake Romanian documents or identity cards/passports for 2,000-2,500 euro⁶.

If the route involves crossing the border in the green zone, searching for guides and hiring persons who know the local conditions, geography and the situation on the border, as well as the mode of operation of border guards, are important and necessary components. Additionally, persons involved in illegal transit migration require assistants not only for border crossing, but also for moving on the territory of the country unknown to them.

This role is often assumed by fellow compatriots who reside on the territory of a foreign country legally and carry out labour activity in the country of transit. The citizens of the country of transit can also play a role of intermediaries and agents of illegal transit migration. For a fee, they assist in the processes of organization, implementation and support of trafficking of illegal transit migrants. The process is frequently controlled by the international organized crime, which has branched networks on the territory of many countries.

The experience has shown that not only the citizens of the country of transit assume the function of organizers and guides. In-depth interviews with Moldovan labour migrants support this conclusion: the organized groups crossing the green zone are frequently guided by Moldovan citizens.

³ Mosneaga V. "Transit migration of Moldovan citizens into the countries of the European Union: the situation and the ways of minimization" [Neuregulirovannaya tranzitnaya migratsia moldavskih grajdan v strani Evropeyskogo Soyuza: sostoyanie i puti minimizatsii]. In *Transit migration and transit countries: theory, practice and policy of regulation* [Tranzitnaya migratsia i tranzitnie strani: teoria, praktika i politika regulirovania], edited by I. Molodikova and F. Duvell. Moscow, University Book, 2009, p. 246-271.

⁴ Pop A. *Moldova – Romania: Managing Migration and Combating Trafficking in Human Beings at the EU Eastern Border*. Chisinau: IOM, 2007, p. 40.

⁵ Moraru B., Mosneaga V., Rusnac G. *Maiatik migratsii* [Migration pendulum]. Chisinau: Tipografia-Sirius, 2012, p. 24.

⁶ Pop A., p.42.

Law enforcement agencies identify persons who provide technical support of migration. For example, in Moldova, firms engaged in manufacturing of false documents were identified⁷. Similar criminal and semi-criminal structures are also involved in forgery outside of the Republic of Moldova⁸.

It is worth noting there are cases of "protection racket" of illegal migration on the part of the Moldovan law enforcement agencies. For example, in 2006, an organized criminal group, headed by the deputy director of the Centre for Combating Trafficking of the Ministry of Internal Affairs of the Republic of Moldova I. Bejan, was eliminated at the international airport "Chisinau". Police officers and high-ranking officials were part of this criminal group⁹.

The scope of illegal migration

It is difficult to answer the question how many Moldovan labour migrants have participated in illegal migration. Some information is available from the EUROSTAT, the International Centre for Migration Policy and Development (ICMPD, Vienna, Austria¹⁰) and the "Söderköping process"¹¹.

The information regarding the number of illegal migrants can be calculated on the basis of number of persons detained after crossing the state border in the "green zone" and at designated points in the receiving countries, as well as based on the number of persons sent home or to a third country, from which they arrived as illegal migrants. As evidenced by the statistics (Appendix, Table 1), Moldovan citizens are massively represented in the process of illegal migration: their number approaches half a million during one decade (2000-2009). However, this does not mean that half a million Moldovan citizens participated in illegal migration flows. It should be taken into consideration that many participants of the illegal migration process have been registered more than once in their attempts to enter the European Union illegally (modification of documents, new documents on their mother's or wife's name, fake documents of other persons, fake passports of other countries, illegal border crossing, etc.).

In the meantime, the analyses of dynamics show a reduction of illegal migration.

⁷ "Prestupnaya gruppirovka razoblacena"[A criminal group uncovered]. *Nezavisimaya Moldova*, January 30, 2008.

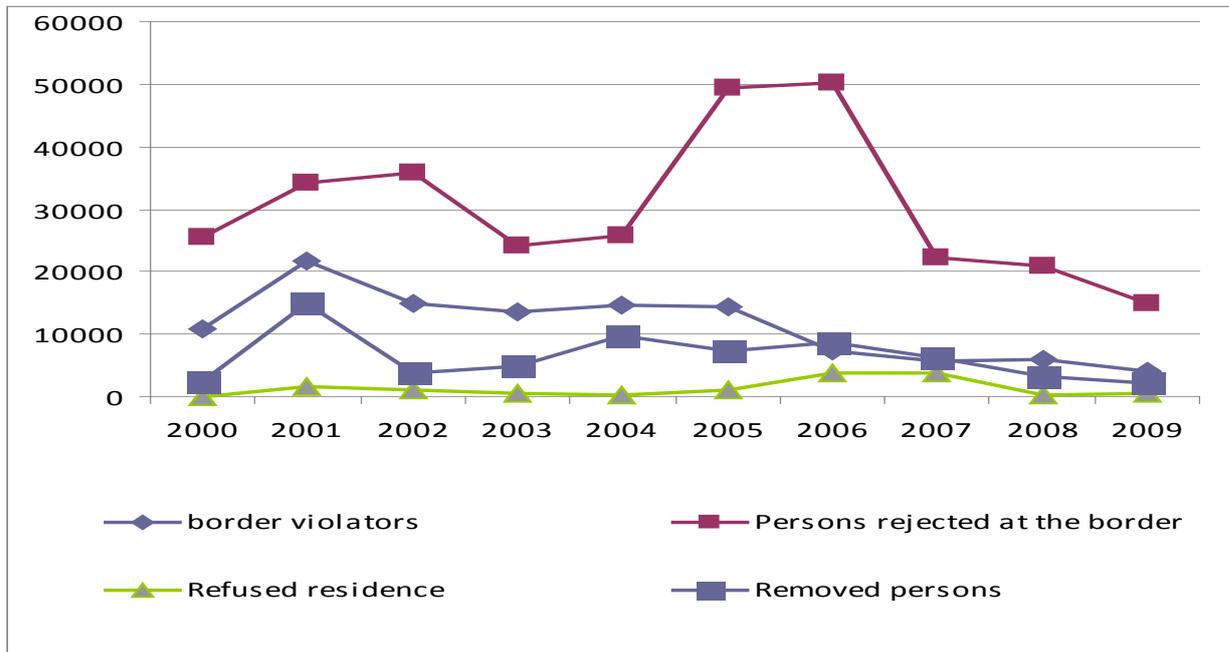
⁸ Mosneaga V., 2009, pp. 246-271.

⁹ Pop A., p.27.

¹⁰ Annual report on illegal migration and trafficking central and Eastern Europe (1999-2000) prepared by ICMPD liaison office, Budapest, January 2000; 2001 Yearbook on illegal migration and trafficking in Central and Eastern Europe. Prepared by ICMPD Liaison Office, Budapest March 2002; 2002 Yearbook on illegal migration and trafficking in Central and Eastern Europe. Prepared by ICMPD Liaison Office, Budapest May 2003; 2002 Yearbook on illegal migration and trafficking in Central and Eastern Europe. Prepared by ICMPD Liaison Office, Budapest May 2003; 2004, Yearbook on illegal migration and trafficking in Central and Eastern Europe. Vienna, ICMPD, 2005; 2005, Yearbook on illegal migration and trafficking in Central and Eastern Europe. Vienna, ICMPD, 2006; 2006, Yearbook on illegal migration and trafficking in Central and Eastern Europe. Vienna, ICMPD, 2007; Yearbook on illegal migration, human smuggling and trafficking in Central and Eastern Europe. A survey and analysis of border management and border apprehension data from 2007. – Vienna, ICMPD, 2008; Yearbook on illegal migration, human smuggling and trafficking in Central and Eastern Europe. A survey and analysis of border management and border apprehension data from 2009. Vienna, ICMPD, 2011.

¹¹ Pribytkova I. "Regular and Irregular Migration in Ukraine, Belarus and Moldova, 2004-2006", in *Migration Trends 2004-2006 Söderköping Process Countries*. Kiev: European Commission, 2007, p.3-34; Gromovs Iu. "Overview of Migration Trends in the Countries – EU Member States of the Söderköping Process for the period 2004-2006", In *Migration Trends 2004-2006 Söderköping Process Countries*. Kiev: European Commission, 2007, p.35-62; Leončikas T., Žibas K. *Migration trends 2006–2008 Söderköping process countries*. Kiev: European Commission, 2009.

**Figure 1. Dynamics of illegal migration of Moldovan Citizens in 2000-2009
(number of cases by types of violations)**

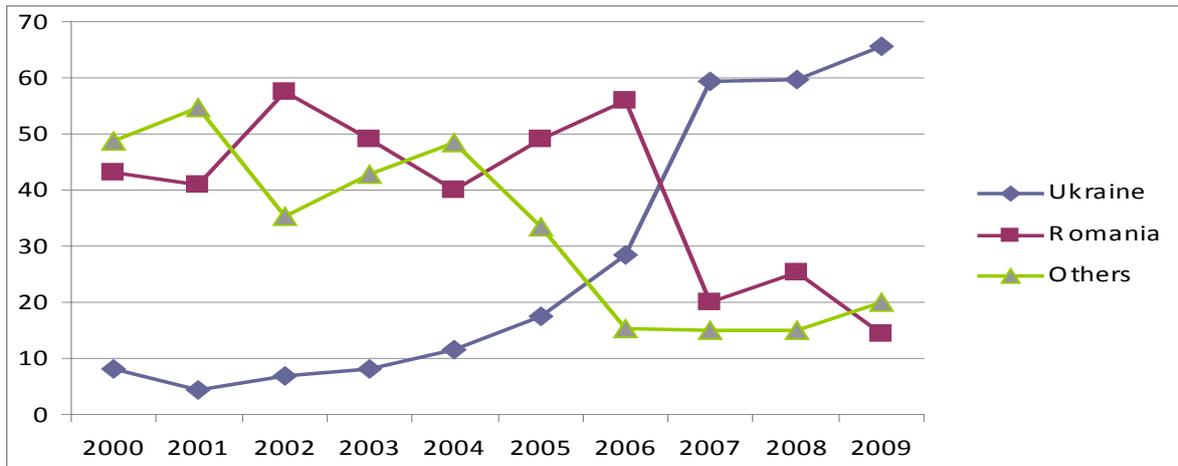


Source: author's calculations based on the data published by the ICMPD in 2000-2009

This is due to the fact that the problems of safety and migration are key issues in the migration strategy of the European Union. Accordingly, the border control between the European Union and the neighbouring countries is becoming increasingly strong. Many neighbours of the EU, which have become full members of the Union, are beginning to strengthen and consolidate their systems of border control.

It should be noted that Romania and Ukraine supply the largest number of cases of illegal migration. In 2009, their share approached 80% of cases (Appendix, Table 2). For comparison, in 2000, their share was slightly over 50%, and the majority of cases involved Romania. The implementation of the EU requirements regarding the Romanian border control regime forced the Moldovan illegal migrants to change their migration strategies and to enter the EU via Ukraine and other countries of the Eastern neighbourhood. As of today, the share of Ukraine is dominant (2/3 of all cases). This is related to the fact that in the context of Eastern Partnership Ukraine has started to adopt the European standards of border control.

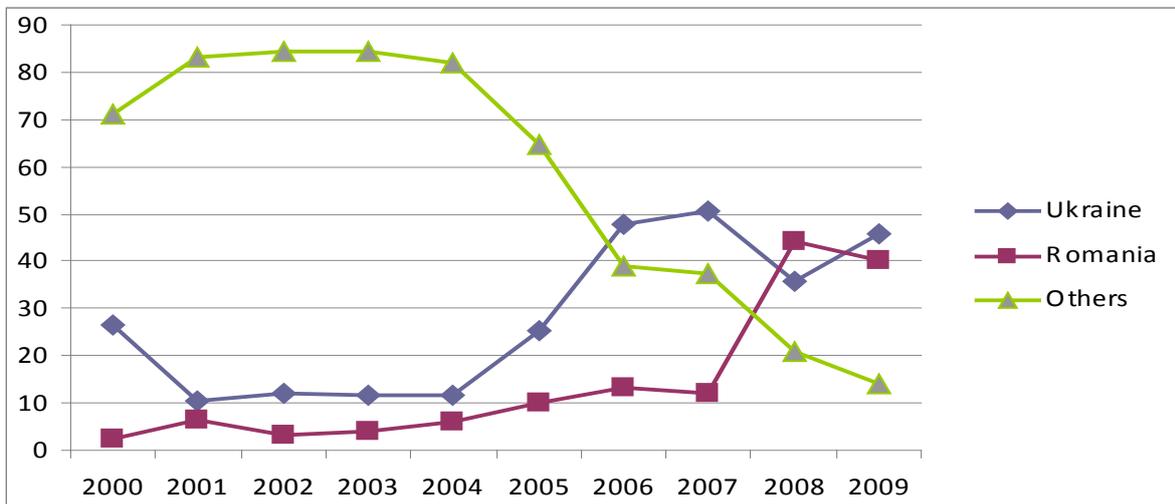
Figure 2. Dynamics of illegal migration of Moldovan population to Romania, Ukraine and other countries of Central and Eastern Europe (all types of violations) in 2000-2009 (in %)



Source: author's calculations based on data published by the ICMPD in 2000-2009

The number of registered violations of state border in the "green zone" show that the combined share of Ukraine and Romania accounts for over 85%. The following trend can be observed: the share of Romania increases and approaches the share of Ukraine. This trend became particularly visible when Romania joined the European Union and started to actively oppose such cases (Annex, Table 3).

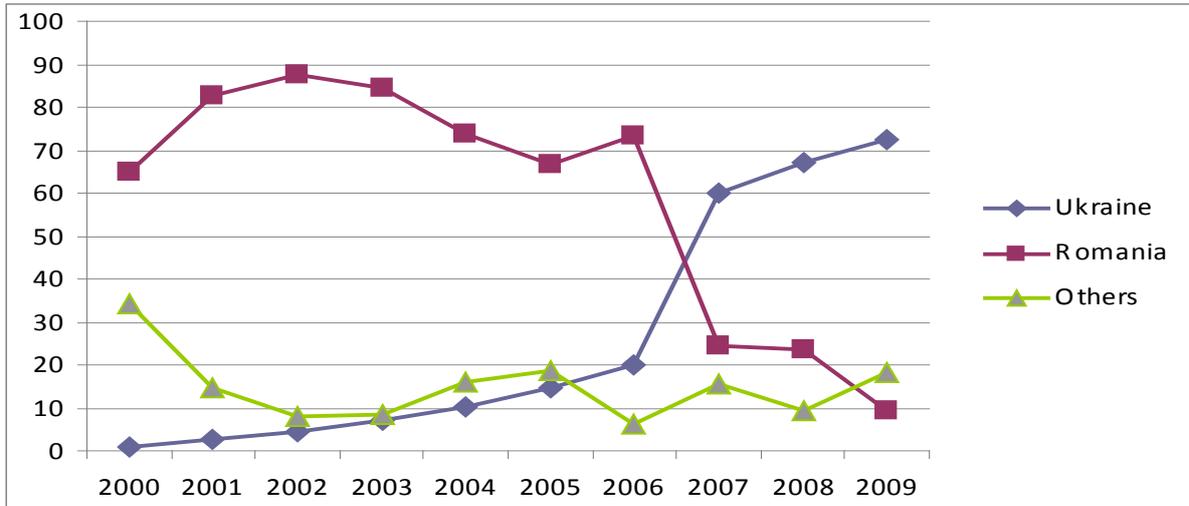
Figure 3. Dynamics of illegal migration of Moldovan population to Romania, Ukraine and other countries of Central and Eastern Europe (by border-crossing violations in the "green zone") in 2000-2009 (in %).



Source: author's calculations based on data published by the ICMPD in 2000-2009

The cumulative share of Romania and Ukraine accounts for over 81% of all arrests at the border-crossing points (Annex, Table 4). The following trends can be noted: those Moldovan citizens, who realized the futility of crossing the border on the basis of documents that do not meet the requirements of the Romanian border control, have reoriented themselves to Ukraine. It can be assumed that the improvement of technical control at the Ukrainian state borders will lead the Moldovan citizens to the realization of the futility of illegal border crossing and the inevitability of punishment.

Figure 4. Dynamics of illegal migration of Moldovan population to Romania, Ukraine and other countries of Central and Eastern Europe (by number of detentions at border crossing points) in 2000-2009 (in %)



Source: author's calculations based on data published by the ICMPD in 2000-2009

As the graphs show, there is a certain relationship between the number of illegal migrants and the existing border management regime. The change and the tightening of border control rules, prompted by the perspective of accession into the EU, or the accession itself, lead to an increased illegal migration at the borders and within these states (in this case, in Romania and Ukraine).

Policy against Illegal Migration

Combating illegal migration is one of the main goals of contemporary migration policy of the Republic of Moldova. To achieve this goal, various measures are undertaken.

1. Improvement of institutional and legal framework in the field of migration management. In May 2006, an institutional reform in this field was launched. The reform was conditioned by the change in the approach on behalf of Moldovan authorities to the problems of migration regulation, as well as by the desire to comply with the European Union standards pertaining to the unification of specialized structures that manage migration processes. The legislative and regulatory framework is focused on the study of migration, implementation and adaptation of the principles of international and community law in the fields of migration regulation, including combatting illegal migration.
2. The regulation of labour migration depends on the solutions that are put forward to combat poverty and increase employment. It is also conditioned by the growth of the social-economic potential of the country and the welfare of its citizens. Migration policy is considered in the context of social policy, linked to the prospects of development of the country. Special attention is paid to the development and implementation of migration policy and strategy. The state strengthens the comprehensive strategic and progressive approach to migration issues, which are included in a number of national programs and strategies (Strategy in the field of employment of labour force (2007-2015), Strategy addressing the problems of youth (2009-2013), Strategy for migration and asylum (2011-2020), Strategic plan in the areas of demographic security (2011-2025), etc.).
3. Monitoring the activities of travel agencies and employment agencies of Moldovan citizens abroad. The fight against organized illegal migration of Moldovan citizens abroad, anti-

corruption measures and the "protection racket" [*"krishevanie"*] of illegal migration on the part of law enforcement agencies and the Moldovan establishment.

4. Strengthening border control system of the Republic of Moldova, as well as technical and financial support of Border Police. An institutional reform of the Department of Border Troops took place. Today, this structure is part of the Ministry of the Interior. It changed the name (Border Police) and the essence of its activity (2012).
5. Close cooperation with the European Union in the field of combating illegal and illegal transit migration is taking place. Moldova carries out its migration policy in the context of migration policies of the European Union, such as mobility partnerships and circular migration (2008); EUBAM (EU Border Assistance Mission, 2003); a single EU visa centre (2007); Agreement on the Facilitation of Visa Regime and Readmission (2008). Cooperation takes place in the framework of Budapest and Söderköping processes. Regional cooperation in the context of "Black Sea Synergy" helps combating illegal migration and provides for technical modernization of border control, etc. This leads to the increased trust at the border, closer cooperation, and reduced illegal migration.
6. Moldovan authorities base their policy on the idea that the establishment of a visa-free regime with the European Union will reduce illegal migration and raise return migration of Moldovan migrants to their homeland. A national program to implement the action plan on visa liberalization between Moldova and the European Union was elaborated and signed (March 2011).

While taking into consideration the positive aspects of migration management in the Republic of Moldova that are largely due to the active and close cooperation with the European Union, it can be concluded that Moldova cannot become an economically attractive country for its population and to reduce labour emigration and the risks associated with illegal migration. Without a specific long-term policy of targeted investment on the part of the European Union, all measures undertaken by the Republic of Moldova will not lead to the desired success.

Effective opposition to illegal labour migration is a complicated, multi-faceted process that combines both enforcement and economic measures and requires multilateral cooperation with both international and national structures, public authorities and non-governmental organizations.

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ANNEX

Table 1. Dynamics of illegal migration of Moldovan citizens (by types of violations) in 2000-2009 (number of cases)

<i>Type of violation</i>	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	Total
Illegal crossing of the state border	10772	21820	14828	13583	14564	14340	7264	5576	5883	3950	113230
Ban to enter the country	25525	34279	35893	24278	25690	49316	50346	22172	20811	14862	299097
Prohibition to stay in the country	122	1684	967	424	342	1165	3774	3789	332	412	13259
Expulsion from the country	2577	15045	3875	4956	9656	7369	8720	6213	3365	2257	64955
Total	38996	72828	55563	43241	50252	72190	70104	37750	30391	21481	490541

Source: calculations of the author based on the data published by the ICMPD in 2000-2009

Table 2. Dynamics of illegal migration of Moldovan population to Romania, Ukraine and other countries of Central and Eastern Europe (all types of violations) in 2000-2009 (in %)

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Ukraine	8,14	4,53	7,03	8,21	11,47	17,48	28,57	59,52	59,64	65,53
Romania	43,18	40,9	57,57	49,00	40,15	49,17	55,97	20,09	25,34	14,38
Other	48,68	54,57	35,4	42,79	48,39	33,35	15,46	15,14	14,96	20,09

Source: calculations of the author based on the data published by the ICMPD in 2000-2009

Table 3. Dynamics of illegal migration of Moldovan population to Romania, Ukraine and other countries of Central and Eastern Europe (all types of violations in the “green zone”) in 2000-2009 (in %)

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Ukraine	26,52	10,34	12,23	11,69	11,79	25,13	47,8	50,5	35,8	45,62
Romania	2,43	6,34	3,26	3,83	6,11	10,11	13,09	12,05	44,3	40,25
Other	71,05	83,32	84,51	84,52	82,1	64,76	39,11	37,45	20,9	14,13

Source: calculations of the author based on the data published by the ICMPD in 2000-2009

Table 4. Dynamics of illegal migration of Moldovan population to Romania, Ukraine and other countries of Central and Eastern Europe (by detentions at the border-crossing points) in 2000-2009 (in %)

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Ukraine	0,89	2,56	4,29	6,93	10,07	14,79	20,19	60,08	67,22	72,37
Romania	64,94	82,85	87,57	84,48	73,92	66,61	73,47	24,4	23,43	9,22
Other	34,17	14,59	8,14	8,59	16,01	18,6	6,34	15,52	9,35	18,41

Source: calculations of the author based on the data published by the ICMPD in 2000-2009