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Migration in the Context of European Integration: The Impact of Romania's Accession to the European Union on Migration From a Neofunctionalist Perspective (1990–2024)

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Introduction

Over the past three decades, Romania has undergone significant changes in terms of its migratory status: from being a country with high levels of labor emigration in the post-communist period, it has increasingly become characterized by more complex migratory dynamics, notably a rise in immigration driven largely by regional conflicts (Popescu et al. 2018, 171), such as the refugee crisis caused by the war in Ukraine.

Following the collapse of the communist regimes in Eastern Europe, former USSR states made substantial efforts to pursue democratization and development within a context of economic and political integration. The idea of "returning to Europe" entailed aligning the acceding countries to a distinct set of values, political behaviors and a socio-economic structure (Grabbe 2004, 74). Regarding the aspiration for EU integration, Romania was determined to adopt new legislative tools and strategic frameworks regarding migration. The accession process marked a defining moment that deeply influenced how Romanian authorities approached migration, particularly through alignment with EU standards on border control, management of migration flows and the adaptation of the labor market to new demographic and economic realities. Furthermore, the conflict in Ukraine, which started in 2022 at Romania's border, underscored the need for a fair and efficient common policy at the EU level. Romania's response in this context provides valuable insights into how recently acceded EU member states are adapting to modern migratory challenges.

Methodology

This thesis seeks to answer the following research question: *What were the main legislative and institutional changes in the field of migration at the national level resulting from Romania's decision to join the European Union?* This question aims to identify changes in national migration policies in order to meet the EU standards, implying a gradual transfer of competences from the national to the supranational level (Bergmann and Müller 2023, 3007). Briefly, the study highlights the importance of understanding Romania's EU accession process by analyzing how EU standards shaped national efforts to align the migration policies and manage the migratory phenomenon within a common European framework.

The thesis pursues three key research objectives that have the purpose to guide the analysis: examining the role of supranational mechanisms in aligning national legislation on migration and asylum; conducting a comparative analysis of legal and institutional transformations in Romania's migration policies within the context of EU accession; and assessing Romania's role, as an EU member state, in managing the 2022 crisis of Ukrainian refugees.

The first research objective focuses on how EU member states cooperate to formulate common migration policies, proving how these efforts transcend national interests in favor of effective EU-level solutions, which are coordinated by European institutions (Lindberg 1962, 20). The second objective explores the legislative and institutional framework from the fall of communism (1990) until Romania's EU accession (2007), and then the post-accession transformations (Moga and Onu 2011, 64). The third objective analyzes Romania's role at the EU's external border and how it shaped its capacity to manage refugee flows through centers established at border crossings with Ukraine and Moldova (Bălan and Cozma 2024, 17).

In order to assist the central hypothesis, that *Romania's accession to the European Union led to gradual changes in national migration policies and in institutions' structures as a result of European integration*, in this study I will apply a mixed-methods approach, combining qualitative and quantitative research methods.

Qualitative research involves content analysis method, including different types of written documents, such as national legislation, official institutional documents on migration and human rights, and international Regulations or Directives issued by the Romanian Government, the Ministry of Internal Affairs, the General Inspectorate for Immigration, the European Commission, and the European Union Agency for Asylum. In other words, the content analysis method represents a relevant tool for researchers to observe the underlying meanings or patterns within written materials (Mayring 2000, cited in Atkinson 2017, 85).

Comparative historical analysis is used to assess developments over two time periods that are relevant for identifying institutional and legal transformations. A determining factor that changed the trajectory of these policies is necessary in order to make the comparison between the two periods of time (Babbie 2010, 461). In this case, the two periods examined are: the year which follows the fall of communism (1990) until Romania's accession to the EU (2007), and the post-accession period until last year (2024). The EU accession process itself constitutes the determining factor.

Additionally, by using statistical data analysis, this thesis evaluates relevant graphs and percentages found in studies and institutional reports from organizations such as UNHCR, IOM Romania or the General Inspectorate for Immigration. Quantitative research will rely on migration-related statistics published by national and European institutions, offering an objective perspective on migration trends and Romania's policy responses (Bălan and Cozma 2024, 18).

Theoretical Framework

From a global perspective, the European Union has reached a unique level of political and economic integration. Over 440 million European citizens share a space of solidarity, free movement, security, justice, and an internal market, forming an economic and political bloc that defines the region. In order to both achieve and sustain this level of integration, there were established firm institutions and new legal and political mechanisms have been developed. Moreover, significant competences have been transferred to the Union, all while preserving the democratic authority and legitimacy of member states. European integration has proven to be a mutually beneficial process for all the actors involved. For both state and non-state actors (interest groups, NGOs, enterprises), integration can offer vital economic and political benefits.

Thus, European integration is seen as a means to prevent conflicts and maintain peace through cooperation, marking a transition from an economic union to a political one, in order to lay the foundation for increasingly influential supranational institutions and growing interdependence among member states. The theoretical framework used in this paper is neofunctionalism, an explanatory perspective that argues that integration occurs through a *spillover* effect, causing a gradual need for coordinated action among political and institutional elites. This paper will analyze how European institutions, through their internal dynamics, succeed in generating a new loyalty to the supranational level, especially by developing new interest groups (Cuyvers 2017, 22).

The neofunctionalist perspective explains the development of jointly formulated policies at the European level, even though migration may still be seen as a sector of national sovereignty by some scholars. Given the emergence of supranational interest groups and the shift of loyalties towards the European level, new approaches and regulations regarding migration and asylum policies have become possible (Godowska 2012, 151). The increasing number of asylum seekers, refugees

and immigrants has required actions that exceed the individual governance capacity of nation-states. In order to highlight the role of supranational institutions, the European Commission has acted as an *entrepreneur*, building alliances with both state and non-state actors and fostering a favourable environment for the development of common policies (Godowska 2012, 151-52). Although member states still show reluctance to transfer competences to the supranational level, frequent interactions among national officials have created, over time, a “club atmosphere” based on trustworthy relationships, which has enabled the development of a collective responsibility during negotiations (Niemann 2006, as cited in Godowska 2012, 152). The goal was to create relationships of interdependence across sectors of modern policy and economies, generating new opportunities for migrants and refugees among Europe (Niemann 2006, 3-4). The entire idea of European unification is based on this principle, as migration and asylum policies require close cooperation to facilitate a safe life for individuals who arrive in the EU, looking for a better future.

Migration in Romania before the accession to the EU

More than three decades have passed since the beginning of the political and economic transition in Central and Eastern Europe. This period has been marked by massive transformations across nearly all socio-economic domains in neighboring countries, including human mobility. At the very beginning of the transition, most of the countries in the region could have been classified as emigration countries with low levels of immigration (Górny and Kaczmarczyk 2019, 5). The intensity of post-communist migration became concerning for Romania due to demographic decline. The fall of communism and the removal of many restrictions regarding the movement inside and outside the country determined significant structural changes for the migratory flows.

After 1989, several distinct phases could be identified in Romanian migration. Between 1990 and 1993, following the fall of the communist

regime and enabling broader access to Romanian passports, hundreds of thousands of citizens decided to move to the West, creating a new opportunity for Romanian emigrants. Gradually, a set of institutions and mechanisms developed to facilitate this migration process, along with the formation of networks among migrants. These included interpersonal relationships, means of transportation and various sources of information (Horvath and Anghel 2009, 393–94). Ethnic minorities predominantly migrated to countries with which they shared historical ties (Germany, Hungary, Israel, USA), illustrating *ethnic migration*. Ethnicity became a major factor of discrimination; in 1990, out of roughly 97,000 emigrants, 60,000 were of German ethnicity and 11,000 were Hungarian (Popescu et al., 175). With approximately 350,000 asylum applications between 1990 and 1994, Romanian citizens represented the second-largest group of asylum seekers in Europe, after those from the former Yugoslavia. Between 1994 and 1996, EU countries adopted stricter entry policies, and during these years, westward emigration remained relatively low (Horvath and Anghel 2009, 387–88).

The period 1997–2001 was characterized by a chaotic transition to a market economy, which reduced employment opportunities in Romania and led many affected by industrial restructuring to migrate to Western European countries. As a result, more Romanians left the country in search of work abroad, some of them settling permanently (Popescu et al. 2018, 175). During this time, countries like Italy, Spain, Ireland, and the United Kingdom emerged as new destinations for Romanian emigrants. From 1999 onwards, attempts were made to regulate migratory flows by encouraging compliance with recruitment policies and launching initiatives to combat human trafficking through national and international cooperation. Between 2002 and 2007, Romania's EU integration process accelerated. As of 2002, Romanian citizens no longer required visas to enter most EU countries. Consequently, emigration costs and risks decreased significantly, leading to an increase in emigration (Horvath and Anghel 2009, 389).

The intensification of emigration from Romania was driven by citizens' aspirations for better-paid jobs and improved living conditions abroad. This process has complex implications, with multiple effects on both the country of origin and the destination country. Benefits for the country of origin include reduced unemployment and less pressure on the labor market, potentially lowering the costs covered by the national budget. Thus, migration has a multidimensional impact, with both advantages and challenges at the individual, local, national and international levels (Mîndrican and Matei 2023, 199–200).

During the transition period between the fall of the communist regime and EU accession, Romania made significant legislative progress in the field of migration, adapting its regulatory framework to align with the European standards. Efforts focused on regulating the legal status of foreigners, border control, asylum and the management of labor migration. Notable legislation includes Law 156/2000, which protects Romanian citizens working abroad by setting labor and social protection conditions, and Law 248/2005 on the right of Romanian citizens to travel freely abroad. These aimed to protect workers abroad and facilitate freedom of movement, including through bilateral agreements and consular protection regulations. Provisions were also introduced concerning working conditions, recognition of professional qualifications, and the encouragement of *return migration* (Constantin et al. 2008, 17–19).

Before the EU accession, several Romanian governmental institutions, such as the Ministry of Labor, Social Solidarity and Family, the Ministry of Administration and Interior, and the Ministry of Education and Research, had specialized structures for managing migration and its effects: the National Office for Refugees, the Authority for Foreigners, the Office for Labor Migration, the Border Police, and the National Center for the Recognition of Diplomas. These collaborated with international organizations, such as IOM Romania, and local NGOs, like the Romanian National Council for Refugees and the Jesuit Refugee Service in Romania. The Department for Romanians Abroad also contributed to maintaining

connections with the diaspora, reflecting a growing interest in protecting and reintegrating Romanians living abroad (Constantin et al. 2004, 30–32).

Migration trends in Romania in the post-accession to the European Union period

Following its accession to the European Union in 2007, Romania underwent an extensive transition process in the field of migration, adapting its legislation and institutions to the European standards. Through continuous efforts to align the national framework with the EU *acquis*, the Romanian state adopted numerous legal acts, strengthened existing administrative mechanisms and created new institutions dedicated to managing migratory flows, asylum and foreigners' integration. While during the pre-accession period Romania was mainly perceived as a country of origin for migrants, in the years that followed, a clear trend emerged by transforming Romania into a destination country, observing a significant increase in the number of immigrants. The main reasons for establishing temporary residence in Romania are family reunification, access to education, and employment opportunities (Zlătescu 2014, 37).

It is also necessary to discuss the concept of return migration. This term refers to the process by which Romanians who have temporarily emigrated abroad choose, at some point, to return to their country of origin, being motivated by personal, economic, or social factors. Between 2009 and 2012, the global economic crisis had a significant impact on this phenomenon: the decline in external migration was accompanied by an increase in returns from European countries such as Spain, Italy, Portugal, and Greece, where the recession resulted in income loss, job cuts, and rising unemployment (Iftimoaei & Baciú 2018, 171).

After Romania's EU accession in 2007, the national migration legislation was significantly adapted to meet the new European standards. These changes focused on harmonizing the legislative framework and improving migration management. Emergency Ordinance No. 109/2007 expanded the scope of Law No. 200/2004 on the recognition of diplomas to include new professions (Romanian Government 2007). In addition, integration of immigrants became a priority: Government Decision No. 898/2011 established the legal forms of residence documents for foreigners, and Government Ordinance No. 25/2014 regulated working conditions for foreign nationals, preventing undeclared labor (Romanian Government 2014). Furthermore, the National Immigration Strategy 2021–2024, approved by Government Decision No. 884/2021, aims for a coordinated approach regarding migration, focusing on integration and efficient management (Romanian Government 2021). Similarly, Senate Decision No. 71/2024 reflects Romania's commitment to the principles of the New EU Pact on Migration and Asylum (Romanian Senate 2024).

Moreover, Romania has adopted and implemented a wide range of EU Directives and Regulations in the field of migration, asylum and integration, as part of its alignment with the *acquis communautaire*. Directive 2003/86/EC on the right to family reunification allows family members of third-country nationals legally residing in an EU member state to join them, promoting family unity and social integration (Council of the EU 2003). The revised Blue Card Directive (2021) facilitates access for highly skilled workers to the European labor market, contributing to EU competitiveness (European Parliament and Council 2021). In terms of asylum systems, the Dublin III Regulation and EURODAC system establish clear procedures for determining the member state responsible for examining asylum applications, preventing asylum shopping and ensuring a coherent and effective asylum procedure across the EU (European Parliament and Council 2013). The most recent act, to be implemented within two years, is the New Pact on Migration and Asylum,

adopted in June 2024, which proposes a balanced approach regarding responsibility and solidarity among member states (European Commission 2024).

Following the EU accession, Romania also reorganized and created new institutions to efficiently manage migration in line with the European standards. The most important national institution established in this context is the General Inspectorate for Immigration, created through the reorganization of the former Romanian Office for Immigration under Law No. 118/2012, which amended Emergency Ordinance No. 30/2007. IGI is responsible for implementing policies related to asylum and to the foreigners' integration, operating under the Ministry of Internal Affairs (General Inspectorate for Immigration n.d.). It also manages regional centers for asylum seekers that provide accommodation and social assistance.

Romania also collaborates with some EU decentralized agencies that support member states in internal affairs. These include the EUAA (European Union Agency for Asylum), which supports the implementation of the Common European Asylum System through training, expertise, and technical assistance; eu-LISA, which manages large-scale IT systems such as SIS, VIS and EURODAC, which are essential for border control and information exchange; and CEPOL, which provides training for law enforcement personnel and facilitates cross-border cooperation (European Commission n.d.). These structures assist Romania in responding to migration pressures and implementing European mechanisms.

Case Study

The proposed case study for this thesis focuses on Romania's role as an integrated part of the EU in managing the migration effects of Russia's attack on Ukraine. It highlights Romania's complex and strategic function in managing refugee flows during the humanitarian crisis triggered by the Russian invasion, emphasizing multidimensional efforts

to protect and integrate displaced persons. Given the scale of the crisis and Romania's proximity to the conflict, it was among the first countries which activated the EU temporary protection mechanism, implementing Directive 2001/55/EC through Emergency Ordinances and Government Decisions, in order to ensure access to housing, education, healthcare and labor market integration for the Ukrainian refugees. By March 2025, over 11 million Ukrainian citizens had entered Romania, with nearly a quarter receiving temporary protection (Romanian Government 2025, 1).

Authorities worked with the civil society and international organizations such as UNHCR, IOM and Red Cross to develop essential initiatives in order to support the refugees (Permanent Representation of Romania to the EU n.d.). These included legal, humanitarian, and logistical support, varying from regional integration centers and border information points to digital platforms, such as "Dopomoha" and "Un Acoperiş". Romania also activated additional EU mechanisms like EASO and the Civil Protection Mechanism for identifying human trafficking victims and coordinating emergency aid.

Nonetheless, integrating refugees within an economically strained and socially fragile environment remains a major challenge, worsened by politicians' nationalist discourses and risks of social polarization. Unlike the delayed response during the 2015 refugee crisis, the EU demonstrated greater anticipation and efficiency in managing the influx of Ukrainian refugees. This shift was accompanied by a more welcoming social climate compared to the perceptions of migrants from Africa, Asia, or the Middle East. However, migration remains a sensitive issue in the European collective mindset (Topliceanu 2023, 23–24). Such reactions are often rooted in fears of labor market competition, limited access to public services, and alleged threats to national identity. In this context, nationalist and anti-migration narratives gain visibility, promoting populist rhetoric that associates migration with social instability, economic tension, security risks and weakened social cohesion. In the long term, this trend could undermine democratic values and polarize

society, weakening the state's ability to manage migration policies (Topliceanu 2023, 15).

I will conclude this chapter by emphasizing that Romania's migration policies must be constantly adapted to the newest geopolitical and social realities. A coherent framework for European solidarity and the protection of fundamental rights is essential, underlining that a sustainable migration approach cannot be limited to reactive measures, but must include long-term solutions. These must be aimed at inclusion, cohesion and equitable regional development while avoiding the erosion of democratic values and societal polarization (Topliceanu 2023, 16).

Conclusions

In conclusion, following its accession to the European Union, Romania's approach to migration increasingly reflected the EU perspective that migration is a phenomenon requiring effective management, rather than a problem demanding immediate solutions. Strengthened relationships with European institutions, particularly with the European Commission, EU agencies such as the European Union Agency for Asylum, and bilateral cooperation with member states, have assisted Romania in adapting its legal framework and enhancing administrative capacity (Tănăsescu 2007, 134).

Nevertheless, accession occurred at a time when Romania was not fully prepared for the dynamics of a continuously evolving global labor market. It was necessary to reduce institutional fragmentation, to improve communication among stakeholders and to develop relevant databases and analyses in order to support informed decision-making (Constantin et al. 2008, 67–68).

Over time, the country shifted from a transit state to a destination one for a constantly increasing number of immigrants (Tănăsescu 2007, 134). Whereas migration before 1990 was primarily driven by ethnic and political motives, in the post-communist period the economic factor was decisive, particularly regarding circular labor migration. Simultaneously,

Romania began to be seen not only as a country of origin but also as a transit country for non-EU migrants aiming to reach Western Europe (Constantin et al. 2004, 98–99).

Thus, regarding migration policies, Romania maintained a reactive approach for a long period of time, being focused on aligning with EU requirements without a well-defined national strategic vision. However, once the legal and institutional framework compatible with European norms was finalized, the formulation of a national migration policy was anticipated (Constantin et al. 2004, 99–100). In order to answer the research question, the 2007 EU accession led to the harmonization of the national framework with the European standards, causing structural changes in the legal migration regime, asylum protection, border management and foreigners' integration. From a neofunctionalist perspective, this dynamic reflects the gradual transfer of competences to the supranational level and the consolidation of a model of European cooperation in which Romania has become a relevant actor, being involved in shaping common migration policies.

Considering the scale of economic, political and social challenges Romania faced between 1990 and 2024, it is remarkable that the country managed to approach the European standards. Thus, Romania's experience shows that the motivation for economic and political transformation was primarily driven by the EU's commitment to integrate Romania into its structures. However, corruption, politicization of the public service and internal instability remain major challenges that undermine democracy, the protection of fundamental rights and economic growth (Moga & Onu 2011, 70). Furthermore, although EU integration was a key factor in achieving internal modernization, there has been visible reluctance from a significant segment of the Romanian political class toward migration, being a factor that diminished the positive impact of pressure from European institutions (Moga & Onu 2011, 64).

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