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# DOCTORAL THESIS

## Migration and asylum in the European area

### SUMMARY

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## **Summary**

The recent challenges to European stability, such as the massive flows of refugees coming from Northern Africa and the Middle East and the rapid spread of terrorism and disease across borders, have made many European leaders and citizens perceive people on the move as a threat to security and prosperity. This research paper analyses the evolution of the European Union's migration and asylum policy and the way in which the Schengen Agreement has influenced the movement of people in the European area over time, respectively the reformation of the two in order to assure the efficacy and safety of migration and provision of international protection on European territories, with personal proposals at the end of the thesis for the achievement of this objective. The paper is structured on two main parts, which answer the following research questions:

- What are the shortcomings of the EU's migration and asylum policy and of the Schengen Agreement?
- What do the already proposed reforms bring new?
- What could be further improved at these instruments of influencing migration and asylum in the European area?

This thesis refers to migrants as people who leave their places of origin in search of better living conditions and opportunities, including economic, social, political, cultural, religious and educational opportunities. They move inside or outside the frontiers of a country for a shorter or a longer period of time. It is their decision to move away for what they consider to be a better life. They can return at any time to their places of origin, with no threats to life or human dignity. This paper focuses on international migration based on people's choice to move across the borders of a country. The thesis refers to refugees as people who leave their home countries forced by extreme violence mainly produced by large-scale conflicts which threaten their physical integrity. They move away because they fear their life is in danger, seeking asylum in other countries. Refugees are specifically protected under international law and cannot be sent back to their countries of origin as long as there are still threats to their life.

My reasons for writing about the European Union's migration and asylum policy and the Schengen Agreement are the actuality and the controversy over the topic and the fact that

migration and asylum affect all of us in a way or another. Migrants and refugees are present all over Europe and their movement influences decision-making and public policies, which inevitably affects the lives of all Europeans. I believe it is important to learn from the way in which European states managed migration and asylum on their territories and the consequences of this management to be able to frame effective policies of migration and asylum which would satisfy the needs of both European citizens and of the migrants and refugees present in Europe. The novelty of the topic lies in the multidimensional, overarching analysis of the migration and asylum phenomena in Europe, of the foreseen reforms and the effects these will have over European citizens' way of living and in the personal proposals brought at the end of the paper for a safer and more efficient management of migration and asylum in Europe.

This paper examines migration and asylum in the European Union and the signatory states of the Schengen Agreement since the formation of the first European Communities, investigates the relationship between the latest major events happening in the world, represented mainly by civil wars, huge migratory waves and spread of terrorism and disease, and the Europeans' need for reforms in their migratory and asylum policy and in the Schengen Agreement, analyses the present controversy over this topic and offers advice on the way in which the EU's migration and asylum policy and the Schengen Agreement can be improved for a better management of the phenomena in Europe by adopting an *exploratory case study design* with a *prospective-descriptive function*. The approach to the topic is both *descriptive* through the presentation of migration and asylum in Europe and the formulation of observations and conclusions about these phenomena, and *exploratory* through the new way of analysing the phenomena, a multidimensional way, which covers all of its aspects.

The analytical techniques used are the interpretation of qualitative and quantitative data collected through *questionnaires* completed by migrants, refugees and Romanian citizens, *semi-structured interviews* with a beneficiary of temporary protection and a representative of the Red Cross' Satu Mare branch and the Romanian Border Police's *answer* on the management of massive waves of people in need of international protection crossing the border from Ukraine to Romania, and *secondary data analysis* consisting of a scientific investigation based on information ranging from databases, international organisations' reports on the situation in Europe, specialty books and articles in academic journals and in professional magazines to newspapers presenting the situation of people directly involved in migration and asylum in Europe. In the secondary data analysis approach, we will examine both quantitative and qualitative data, using appropriate techniques of analysis such as *statistical analysis* of human movement towards European countries and *discourse analysis* of European leaders' speeches on

the migration and asylum phenomena. This is an analytic endeavour and the main method employed is the case study.

The paper is structured on two main parts dealing with the objects of analysis. The first part, organised in four chapters, presents migration and asylum with their causes, forms, characteristics and consequences. It also examines international agreements dealing with the protection of human rights signed by many European states, including the Universal Declaration of Human Rights, the Geneva Conventions and their additional protocols and the European Convention on Human Rights. The main objective of this part is to analyse the European Union's migration and asylum policy and the Schengen Agreement, the proposed reforms in the field of migration and asylum in the European area and their effects on people's access in Europe and on the whole functioning of the European Union and of the community created by signing the Schengen Agreement, answering in this way the **first two research questions**.

The first chapter presents the differences in meaning between the terms *migrant* and *refugee* and analyses migration, a complex phenomenon which affects individuals, societies, states, regions and the entire world, by mentioning the way in which it is described by international organisations, defined by specialists in the domain and included in international legislation, by referring to the main theories of migration, namely *neoclassical migration theory*, *behavioural models*, *new economics of labour migration*, *dual labour market theory*, *world systems theory*, *network theory*, *cumulative causation of migration* and *migration systems*<sup>1</sup>, and by presenting the stages of the migration process, namely *pre-migration*, *migration* and *post-migration*, the main types of migration, including *economic migration*, *family reunification* and *education migration*, and the effects of the COVID-19 pandemic on people's movement throughout the world expressed through several restrictions on human mobility including lockdowns, limitations on human movement inside and outside state borders, physical distancing and keeping the infected individuals in isolation and their contacts in quarantine. In today's reality, migration is a complex phenomenon produced by a combination of people's desires, aspirations and motivations, conditions in home countries, opportunities in host countries, differences between sending and receiving countries, influence of families, communities or migrant networks, expansion of international companies and other features of globalisation or capitalism.

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<sup>1</sup> Tuba Bircan *et. al.*, "Gaps in Migration Research. Review of migration theories and the quality and compatibility of migration data on the national and international level", *HumMingBird*, July 2020, p. 7, [https://www.researchgate.net/publication/343382422\\_Gaps\\_in\\_Migration\\_Research\\_Review\\_of\\_Migration\\_Theories\\_and\\_the\\_Quality\\_and\\_Compatibility\\_of\\_Migration\\_Data\\_on\\_the\\_National\\_and\\_International\\_Level](https://www.researchgate.net/publication/343382422_Gaps_in_Migration_Research_Review_of_Migration_Theories_and_the_Quality_and_Compatibility_of_Migration_Data_on_the_National_and_International_Level), accessed on 29.11.2020.

The second chapter analyses the provision of international protection since the end of the Second World War by showing the way in which it has been included in international legislation and by presenting the main instruments used for securing people's right to international protection such as the 1951 Geneva Convention Relating to the Status of Refugees and its 1967 Protocol, the main principles guiding states' responsibility to protect people in need including the principle of *non-refoulement*, the triggers of massive waves of refugees such as state failure, conflict, genocide and terrorism, international humanitarian organisations including the International Committee of the Red Cross and Médecins Sans Frontières, the difference in meaning between the terms *refugee* and *asylum-seeker*, the way in which refugee movements can destabilise entire regions, the role of the media in forming attitudes towards refugees and asylum-seekers and the effects of the COVID-19 pandemic on people's access to international protection such as limitation of people's access to international protection, reduced voluntary returns and resettlement to other countries of people in need of international protection and exacerbation of xenophobia and discrimination against refugees and asylum-seekers.

The third chapter analyses the phenomenon of international migration in the European area by presenting a brief history of international migration in the European area since the end of the Second World War with the establishment and the development of the main organisations in the area with an emphasis on the European Union and the creation of the Schengen area, the main instruments used to tackle international migration to the EU and the Schengen area including the EU Directive on family reunification, the EU Blue Card Directive, the EU Single Permit for Work Directive, the EU Seasonal Workers Directive, the EU Intra-corporate Transfers Directive, the EU Directive on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing and the Schengen Borders Code, the challenges of the new millennium facing international migration such as the effects of the 2007-2008 global financial crisis, politicization of migration and the COVID-19 pandemic on mobility in the European area, the present types of migration in Europe and the proposed reforms of the EU's migration and asylum policy and of the Schengen Agreement with a focus on international migration.

Based on the European Commission's 2016 Proposal for a Directive of the European Parliament and of the Council on the conditions of entry and residence of third-country nationals for the purposes of highly skilled employment which mentioned the weaknesses of the 2009 Blue Card Directive such as restrictive conditions of admission and provision of limited intra-EU mobility and suggested to modify the EU Blue Card Directive including to cover and enable international protection beneficiaries and EU citizens' family members who are nationals of third

countries to access the EU Blue Card, to oblige EU member states to grant only the EU Blue Card to highly skilled workers coming from third countries to their territories instead of national permits, to shorten the required length of the work contract or binding job offer, to make highly skilled employment fully accessible to holders of the EU Blue Card, to facilitate the access of EU Blue Card holders to long-term resident status, to allow their entry and residence in other EU member states for business activities and to facilitate their mobility between the EU member states by shortening the required period of stay in their first EU member state to one year and waiving several conditions when applying for the EU Blue Card in second EU member states, the EU's 2009 Blue Card Directive was repealed by the EU's 2021 Directive on the conditions of entry and residence of third-country nationals for the purpose of highly qualified employment.

The fourth chapter analyses the provision of international protection in the European area by presenting a short history of international protection in the area since the end of the Second World War with an emphasis on the management of the largest waves of people seeking international protection in the region occurring in 1945, 1989, the 1990s, 2015 and 2022, the main forms of international protection employed in Europe namely protection of refugees and asylum seekers, temporary protection and subsidiary protection, the recent challenges facing international protection in the area including the rise of populism, securitisation of refugees and the COVID-19 pandemic, the main instruments used to deal with people searching for international protection in European countries namely the Dublin Regulation, the Eurodac Regulation, the Reception Conditions Directive, the Qualification Directive, the Asylum Procedures Directive and the Temporary Protection Directive and the proposed reforms of the EU's migration and asylum policy and of the Schengen Agreement with a focus on the provision of international protection.

Whereas the division between European political leaders regarding the acceptance or refusal of people seeking international protection in Europe has been reflected in their engagement in politics of hope or politics of fear, the European citizens' attitudes towards the newcomers have been reflected in their empathy, compassion and support for the people in search for international protection or in their negative opinions and even bad treatment of those people perceived as threats to their security, identity, culture, religion or overall well-being expressed through fear, xenophobia, Islamophobia, racism, fierce nationalism, discrimination and crimes against people seeking international protection in Europe. Nonetheless, among the people seeking international protection in Europe, there have not only been victims but also perpetrators of violence as shown by the sexual harassment of more than 1,200 young women and the other crimes committed mostly by North African men in Germany in the 2015-2016 New

Year's Eve. The media representations of people searching for international protection in Europe as either victims of violence or threats to their host societies' well-being have also strongly influenced public perceptions and attitudes towards those people by either raising compassion and solidarity towards them or exacerbating negative feelings against them.

The European Commission's 2016 proposed Dublin Regulation aimed at extending the family members definition, setting shorter limits of time for different stages of the procedure, removing the conciliation procedure, deleting the early warning mechanism from the regulation and establishing a corrective allocation mechanism for the fair distribution of applicants for international protection between the EU member states in cases of disproportionate pressure on some EU countries' asylum systems, among others. The European Commission's 2016 proposed Eurodac Regulation intended to extend the scope of the Eurodac Regulation to include possibilities of storage and search for data on nationals of third countries or stateless persons not having applied for international protection and of transmission and comparison of data on nationals of third countries found to be staying illegally in EU member states and not having applied for asylum, to introduce EU member states' obligation to take the data-subjects' not only fingerprints but also facial images for their transmission to Eurodac's Central System and subsequent storage and comparison and to share data under strict conditions with specific third countries only for the return of individuals and the possibility of Frontex and European Asylum Support Office experts to take individuals' fingerprints and transmit them to Eurodac's Central System on behalf of EU member states according to those EU member states' decisions in this regard, among others. The European Commission's 2016 proposed Reception Conditions Directive aimed at extending the family members definition, clarifying that material reception conditions except daily allowances were not subject to reduction or withdrawal and making provisions for applicants' right to healthcare and dignified treatment even if found to be present irregularly in EU member states, the EU member states' obligation to assign specific places for the applicants' residence in specific circumstances such as in the case of the applicants' absconding as well as the EU member states' right to detain applicants for international protection who did not comply with their duty to reside in the assigned places, among others.

The second part and the last paragraphs of the paper answer the **first and the last research questions** by analysing the experiences, opinions and suggestions on migration and asylum policies of economic and religious migrants, international students, people in need of international protection, Romanian citizens who live in their home country and most of whom never migrated and have a lot of migrants in their countries, a representative of the Red Cross' Satu Mare Branch and the Romanian Border Police presented during semi-structured interviews



or through questionnaires or answers to requests and by making personal recommendations on the way in which the European Union's migration and asylum policy and the Schengen Agreement can be improved. The fifth chapter examines the experiences and opinions of 34 migrants living in European states, 11 people searching for international protection in Romania and 111 Romanian citizens expressed through their answers to questionnaires, the experiences and views of a person fleeing the conflict in Ukraine and seeking protection in Romania and of the representative of the Red Cross' Satu Mare branch related through semi-structured interviews and the way in which Romania's General Inspectorate of Border Police has been dealing with the massive waves of people coming from Ukraine and searching for international protection in Romania described through the institution's response to a request of information in this regard.

The 34 migrants who related their experiences and opinions on migration and asylum in the European area through their answers to two questionnaires were aged between 21 and 56 and were people migrating from Romania to the United Kingdom (26%), from Romania to France (12%), from Romania to Austria (12%), from the Republic of Moldova to Romania (12%), from Romania to Germany (9%), from Romania to Hungary (6%), from Romania to Spain (3%), from Romania to Belgium (3%), from Romania to Norway (3%), from Romania to the Netherlands (3%), from Romania to Denmark (3%), from Romania to Ireland (3%), from Romania to Portugal (3%) and from Italy to Romania (3%). They answered questions relating to the reasons behind their migration from their home to their host countries, their willingness to respect the law and the values of their host countries, the difficulties they faced during their journey to their destination countries or regarding their integration in their host societies, whether their rights were respected and their needs and expectations were met in their host countries, whether they helped their family/friends/community back home and in what form, the improvements that could be made at the level of the European Union for a better migration experience (travel, accommodation, integration etc.), their plans of staying to live in their current host country, going to live in another country or returning to their home country, the differences between their home and host countries that determined them to stay in their host countries, the way in which the conditions should be in their home countries to make them return, the way in which the terrorist attacks in several European states influenced migration in Europe and in which the measures taken by states to prevent the spread of the SARS-CoV-2 virus affected human mobility in Europe, their opinions about the European Union's preparedness to deal with phenomena such as refugee crises, massive migration and terrorist threats as well as their views about the ways in which the European Union could better manage migrant and refugee flows while ensuring the

security and prosperity of local populations as well as the protection and well-being of migrants and refugees.

The 11 people searching for international protection in Romania who related their experiences and opinions on migration and asylum in the European area through their answers to two questionnaires were aged between 27 and 66 and were people fleeing the conflict in Ukraine and seeking protection in Romania (73%) and people moving from Palestine to Romania in search of international protection (27%). They answered questions relating to the reasons behind their departure to Romania, a European Union Member State, their willingness to respect the law and the values of Romania and of the European Union, the difficulties they faced during their journey to Romania or regarding their integration in the Romanian society, whether they applied or were willing to apply for asylum in Romania, whether they were willing to integrate in the Romanian society, whether they were separated from their family, the location of the other members of their family and whether they were willing to reunite with them, whether their rights were respected and their needs and expectations were met in Romania, the improvements that could be made at Romania's and generally the European Union's treatment of asylum-seekers and refugees, their willingness to stay in Romania, go to another country or return to their home country after the end of hostilities in their home country or when the reasons behind their departure ceased to exist, the way in which the conditions should be in their home countries to make them return, the way in which the measures taken by states to prevent the spread of the SARS-CoV-2 virus affected human mobility in Europe, their opinions about the European Union's preparedness to deal with phenomena such as refugee crises, massive migration and terrorist threats as well as their views about the ways in which the European Union could better manage migrant and refugee flows while ensuring the security and prosperity of local populations as well as the protection and well-being of migrants and refugees. The same questions were used as an interview guide to find out the experience and opinions on migration and asylum in the European Union of a 38 years old person moving from Ukraine's city of Vinnytsia to Romania in search of international protection related through a semi-structured interview.

The 111 Romanian citizens aged between 20 and 71 and living with migrants or refugees in their home area expressed their opinions on migration and asylum in the European area through their answers to a questionnaire comprising questions related to whether they had ever been abroad (for work, study, family reunification etc.) for more than 3 months, their perception of migrants or refugees coming to live in their home area, whether they thought that migrants and refugees respected the law and the values of their host societies, their willingness to help

migrants and refugees integrate in their home society and in what form, the way in which they believed that migrants' or refugees' presence (would) influence(d) everyday life, security and the labour market in their living area, whether they (would) accept(ed) the cultural, religious, linguistic and ethnic diversity of migrants and refugees, their opinion about the way in which the local and national authorities as well as the European Union dealt with massive migration and refugee flows, whether they thought that the local and national authorities as well as the European Union ensured the security and the development of areas where local populations co-existed with migrants or refugees, their opinions about the European Union's preparedness to deal with phenomena such as refugee crises, massive migration and terrorist threats as well as their views about the ways in which the European Union could better manage migrant and refugee flows while ensuring the security and prosperity of local populations as well as the protection and well-being of migrants and refugees.

Mrs Rodica Margareta Borlan, the executive director of the Red Cross' Satu Mare Branch, presented the contribution of the Red Cross' humanitarian activities to the management of the massive waves of people moving from Ukraine to the Romanian county of Satu Mare in search for protection since the escalation of the conflict in Ukraine in February 2022, the difficulty faced by the organisation in its provision of humanitarian aid, the shortcomings in the overall provision of protection for the people in need and the improvements that can be made at the European Union's management of migrant and refugee flows through a semi-structured interview. She answered questions related to the daily flow of people crossing the border from Ukraine to Romania at the border crossing point where they received them since the beginning of the conflict in Ukraine, the physical/mental/emotional condition of people fleeing the conflict in Ukraine and coming to Romania, whether they had sufficient human, material and financial resources to carry on the humanitarian assistance activities with people fleeing the conflict in Ukraine and coming to Romania, the way in which the Red Cross' Satu Mare branch assisted people fleeing the conflict in Ukraine and coming to Romania, the obstacles to their delivery of humanitarian assistance to people fleeing the conflict in Ukraine and coming to Romania, whether she believed that the basic needs of people fleeing the conflict in Ukraine and coming to Romania had been satisfied, her opinion about the things that could have been done more by the local authorities or the Red Cross for the well-being of those people, the things that could have been/could be done more by the Romanian authorities or the European Union for a better management of the Ukrainian refugee crisis, her opinion about the European Union's preparedness to deal with phenomena such as refugee crises, massive migration and terrorist threats as well as her view about the ways in which the European Union could better manage

migrant and refugee flows while ensuring the security and prosperity of local populations as well as the protection and well-being of migrants and refugees.

In response to an invitation to an interview in which a representative of Romania's General Inspectorate of Border Police would have been asked about the number of Ukrainian citizens entering and exiting Romania both through the border crossing points and at the "green border" since 24<sup>th</sup> of February 2022, the measures taken towards the Ukrainian citizens entering illegally Romania since the beginning of the war in Ukraine, the number of Ukrainian citizens asking for asylum at the borders at the entrance to Romania, the differences in border control between the crossing from Ukraine (a non-EU country) to Romania (an EU Member State) and from Romania (a non-Schengen country) to Hungary (a Schengen state), the way in which the Romanian Border Police managed to deal with the massive waves of Ukrainian citizens at the Romania-Ukraine border and at the Romania-Hungary border since the escalation of the conflict in Ukraine and in which the measures taken by states to prevent the spread of the SARS-CoV-2 virus affected the crossing of the Romania-Hungary border and of the Romania-Ukraine border, the difficulties encountered in the management of the border crossings from Ukraine to Romania and from Romania to Hungary by the Ukrainian citizens since 24<sup>th</sup> of February 2022, the improvements that could be made at the border control procedures for a better management of border crossings by people fleeing conflicts, whether the European Union was well prepared to deal with phenomena such as refugee crises, massive migration and terrorist threats or not and the way in which the European Union could better manage migrant and refugee flows while ensuring the security and prosperity of local populations as well as the protection and well-being of migrants and refugees, the Information and Public Relations Office of the General Inspectorate of Romanian Border Police was enabled to offer information about illegal migration at the borders through an analysis regarding the illegal migration phenomenon related to the attempt of people detected to be crossing borders illegally.

The shortcomings in the European Union' and Schengen countries' management of migration and asylum mentioned by the respondents included difficulties in the adaptation to the host country's norms, social and medical systems, working conditions or the education system's requirements, in obtaining a visa or a residence permit, in finding jobs in the receiving countries, in finding places to rent or in learning the local language, the long lines and the long waiting times at borders, too late responses to situations of massive migrant and refugee flows, the favouring of migrants and refugees over the local populations and the lack of security at the EU's external borders.

According to the respondents, the ways in which the European Union could better manage migrant and refugee flows while ensuring the security and prosperity of local populations as well as the protection and well-being of migrants and refugees included the allocation of a shorter time to checks at the borders, the facilitation of a swifter transit through the customs control points and reducing as much as possible the checks and the other rigorous requirements at the border crossing in the European Union at least for some categories of migrants who settled down legally on EU territory, more accessible rents in the host countries, a strategy and a well developed plan, mixed education and cultural exchange sessions, duly prepared personnel at the border crossing points, equal employment chances in the public sector, making the most of and consolidating the human and material resources in the direct vicinity of the states or territories where migrants or refugees went for the facilitation of the management of the major flows, a psychological expertise for the people arriving from the Third World in Western countries, respecting the rights of migrants, refugees and local populations, a continuous communication between the European Union and its member states, the creation of plans in advance and of military or administrative exercises which would prepare societies for future obstacles, an adequate screening, assuring human security and letting only the migrants possessing identity papers on the territories of EU member states, the integration of people of all age categories, benefitting from migrants' and refugees' previous experiences, the provision of food, water, jobs, sufficient and at European level salaries, homes, accommodation, the strictly necessary things for refugees, support and psychosocial counselling for refugees, transparency, clear, specific and concise legislation, translators, volunteers, support personnel, facilities for the companies who employed migrants or programs for integration in the community and the creation of jobs, refugee camps, centres which would facilitate and monitor the integration of migrants and refugees in the society, proactive measures and policies with the main purpose of integrating migrants and refugees, a unitary collaboration agreement with all the countries irrespective of their being or not in the EU, well established procedures for all types of scenarios, contingency plans, social and educational facilities to discourage laziness and non-integration or positive policies for the wellbeing of the society.

Other ways in which the European Union could better manage migrant and refugee flows while ensuring the security and prosperity of local populations as well as the protection and well-being of migrants and refugees mentioned by the respondents included the allocation of (more, additional or sufficient) funds (to the areas affected by crisis or to the countries which accepted refugees), the preparation of the population for the integration of migrants and refugees, the facilitation of migrants' or refugees' access to healthcare, education and free transport or of their

integration (as faster as possible) in their host societies, the supplementing of the personnel who ensures national security and its proper equipment, the ensuring of humanitarian corridors, the better selection of migrants and refugees, the educating of EU citizens about tolerance or migrants and refugees about the need to obey their host country's rules or about their host society's culture, values, rules and current situation and about the situation on the labour market and opportunities, the integration of migrants and refugees in their host societies, the separation of individuals who pose a threat to the society (terrorists, criminals) through supervision and control of the level of integration, the simplification of the procedures for obtaining citizenship or the status of resident, the equal distribution of migrants, refugees or resources between the EU member states, the EU's intervention in the problematic area of origin of migrants so that migration could be a wilful act and not a necessity, the limitation of the number of migrants or refugees (concentrated in a certain area for their easier integration in that area), the clear assignment of countries and regions of countries where specially arranged spaces should be built for the reception, accommodation and caring for all migrants and refugees, a thorough control of migrants and refugees during border crossing, more EU involvement in the well-being of the less developed countries for a decent standard of living there, the monitoring of migrants or refugees, the acknowledgement of the importance of dialogue and constant communication, the enforcement of strict rules, a closer cooperation with local authorities, the better involvement and coordination of the competent local authorities, the discouragement of migrant and refugee waves, the practice of equity and fairness, periodic controls in refugee camps and the fair and efficient management of the funds allocated for projects aiming at creating jobs, homes or any other aid for the needy population.

The conclusions contain the clear answers to the research questions, offer policy advice with well-grounded arguments on the improvements that can be made at the European Union's migration and asylum policy and at the Schengen Agreement for an increase in safety and efficiency of the processes that migration and asylum in Europe involve and mention possible future research directions. The personal recommendations take into account the analysis of the present migration and asylum policies and of the proposed reforms in this field, the complaints of European citizens, European leaders, migrants, refugees and representatives of non-governmental humanitarian organisations and of public institutions, the analysis of the interviewed people's proposals, of the opinions of the people completing the questionnaires and of the Romanian Border Police's answer in this regard and the harmonisation of the European Union's policies. The possible consequences of these recommendations over human mobility in

Europe, the functioning of the European Union and the applicability and revision of the Schengen Agreement are also analysed in this part of the paper.

There remain three main possible future scenarios for the evolution of the European Union's migration and asylum policy and of the Schengen Agreement. The first of them implies more limitations on third country nationals' access to the EU and the Schengen area with an emphasis on the provision of security for the EU's and the Schengen countries' own citizens, the second one implies more freedom for third country nationals to access EU and Schengen countries and to move more freely within the EU and the Schengen area with the aim of increasing the competitiveness and developing more those areas and a third possible future scenario implying a combination of increased freedom for third country nationals and increased security for the local populations. The revision of the EU directives laying down the procedures governing third country nationals' entry and stay in EU member states for work, family reunification, study, research, training, voluntary service and au pairing in a way in which to enable third country nationals who are admitted to the territory of an EU member state or who reside lawfully in an EU member state to enjoy free movement in the entire EU and the possibility to engage in any working activity in any EU country during their stay there would make the EU more attractive to third country nationals and could contribute to the EU's competitiveness and the EU member states' and migrants' development and well-being. The free movement of third country nationals admitted to or residing legally in EU member states within the entire European Union would imply strengthened security at the EU's external borders, thorough controls through which only the people who don't pose any threat would be offered access to the free movement area.

The current Dublin Regulation places the burden of dealing with large influxes of third country nationals seeking protection in the EU on those people's first EU member states of entry. Close cooperation and solidarity are needed from all EU member states in the management of massive waves of people searching for protection in the European Union through support in those people's security screening at their entry in the EU and their fair distribution between the EU member states based on an allocation mechanism agreed upon and respected by all EU member states. Open communication and negotiation are needed for an agreement on such an allocation mechanism as all EU countries have their own particularities, level of development, possibilities and experience in dealing with people in need of international protection. The EU must act like a union, in which members help each other in difficult times for the collective good and the possibility of developing better together than individually. The European Union has mainly had reactive migration and asylum policies, the European Commission making proposals

for the modification of the existing instruments influencing migration and asylum as a reaction to certain situations such as massive flows of people in need of international protection at the EU's borders. In this way, EU action has often come late also because of the time it took for an agreement to be reached between the EU countries on the management of the specific situations. The European Union needs a strong proactive common migration and asylum policy, it has to think about possible future scenarios when drawing up and adopting migration and asylum policies or to analyse the existing policies, think about what could go wrong and come up with solutions to possible future destabilising situations, taking into account essential things such as the evolution of events on the international arena, the technological development and the effects of globalisation and climate change or keeping up with the latest trends. Reactive EU policies should be the exception, not the rule.

Moreover, people should be allowed to enter or stay in EU member states only if they (are willing to) respect those countries' laws and values, learn the official language, study or work to contribute to those countries' well-being and development not only to be a burden on those countries' social systems and if they want or try to integrate in their host societies if they want to remain there. Those who commit crimes, including migrants or refugees, have to be punished properly. The EU should ensure the creation of (more) accommodation places where people in need of international protection in transit could rest and have their basic needs satisfied in EU countries, increase support for the areas where local populations co-exist with migrants and/or refugees to ensure security and the development of those areas, increase support for the development of poor or underdeveloped areas of the EU and pay special attention to the agreements that its member states make with different tribes or organisations living or operating in refugees' countries of transit not to let its member states engage in activities contrary to their obligations which would put refugees' lives at risk. EU actions in the areas of migration and asylum should be more visible to make the EU gain (more) credibility. Surveys could even be carried out to get knowledge of EU citizens' satisfaction with EU policies of migration and asylum. Future research in this field should focus on the interaction between migrants and refugees and their host communities. Many Romanian citizens who completed the questionnaire believed that the European Union favoured migrants and refugees and such perception could make natives reluctant to accept the new arrivals. The peaceful coexistence of migrants and refugees with their host European populations depends on mutual respect for each other's differences and feelings of solidarity and responsibility and represents the best way forward.

The limits of the analysis lie in the current stage of the reformation process of the migration and asylum policy as there are still important decisions to be made and implemented



and the effects of these reforms can only be inferred on the long run, and in the fact that only the opinions and suggestions of migrants from Romania to other European countries, of migrants and people in need of international protection coming from other countries to Romania and of Romanian citizens are analysed in this paper. Nevertheless, this study can be a starting point for further research in the field and can be taken into account by European policy makers when drawing up migration and asylum policies.