Consultation on the European Union's (EU) legislation on the legal migration of non-EU citizens (Fitness Check on EU legal migration legislation)

About IASCI | NEXUS

NEXUS is an integrated service provider for Moldovan migrants and communities, implemented by International Agency for Source Country Information (IASCI), an NGO based in Austria. The first phase (2012 to 2015) was funded by the European Union in the context of the “Thematic Programme of cooperation with third countries in the areas of Migration and Asylum” and co-financed by the Swiss Agency for Development and Cooperation (SDC). Phase II is ongoing and supported by the SDC under a Swiss Mandate.

The overall objective of NEXUS Moldova is to foster links between migration and development at the local level, by developing durable capacities and systematic collaboration among national and sub-national authorities, civil society and private-sector stakeholders. It does so by building integrated service delivery and public-private collaboration modalities for supporting efficient circular migration, including return and reintegration. NEXUS interacts directly with Moldovan migrants through six service offices covering all the regions of Moldova. One satellite office is being established in Paris.

Impact of facilitated migration on the decrease of trafficking in human beings for sexual and labour exploitation

Facilitated international travel contributed to important changes in the situation of Moldovan migrants. For example, regarding human trafficking, in 2008 Republic of Moldova was included in the Tier 3 Ranking by the Department of State of USA, having been upgraded in 2011 to a Tier 2 Ranking.¹ Also, the purpose of human trafficking in Moldova changed from mostly sexual exploitation before 2010, to mostly labour exploitation after 2010.

These improvements are likely to be related to more accessible migration options. Three factors can be mentioned:

• The visa free regime for EU countries, operational since April 2014.
• The high number of holders of a European passport (especially Romanian and Bulgarian). According to a SOROS Romania foundation research², in 2014 there were 450.000 holders of Romanian citizenship with residence outside Romania - most them Moldovan nationals -, with 150.000 pending applications.
• The high number of persons having an EU residence permit. Italy, hosting the biggest Moldovan diaspora in EU countries, has granted residence to around 140.000 Moldovans citizens.

³ The Moldovan Community in Italy, Annual report on the presence of immigrants – 2013, p.58, Sursa:http://www.integrazionemigranti.gov.it/Attualita/Approfondimenti/Documents/rapport%20tradotti%202012%20luglio%202014/2013-ComunitaMoldava_en_def.pdf,
The visa free regime has made it easier for Moldovans to migrate. The table below shows the number of residence permits awarded to Moldovan nationals between 2013 to 2015, according to EUROSTAT figures. Only two countries (Poland and Romania) are mentioned in the EUROSTAT statistics as destination for Moldovan migrants. However, Moldovans travelling in EU mostly make use of their additional Romanian or Bulgarian citizenship. This considerable group is not reflected in the latest EUROSTAT data.

<table>
<thead>
<tr>
<th>Year</th>
<th>Country</th>
<th>Nr. of residence permits</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>Romania</td>
<td>1,909</td>
</tr>
<tr>
<td>2013¹</td>
<td>Poland</td>
<td>6,746</td>
</tr>
<tr>
<td>2014</td>
<td>Romania</td>
<td>1,401</td>
</tr>
<tr>
<td>2014²</td>
<td>Poland</td>
<td>6,072</td>
</tr>
<tr>
<td>2015</td>
<td>Poland</td>
<td>7,987</td>
</tr>
<tr>
<td>2015³</td>
<td>Romania</td>
<td>1,847</td>
</tr>
</tbody>
</table>

The EUROSTAT data shows a preference for Poland and Romania for the holders of Moldovan biometric passports. Emigration to Romania can be explained by the common language and culture. Migration to Poland is stimulated by simplified employment regulations for Moldovan citizens⁷. From personal discussions with NEXUS clients, no specific labour visa needs to be issued in Moldova, for employment up to one year in Poland.

According to IASCI research (data for 2013), recognised officially by the Bureau of Statistics of Moldova: 411,000 or 12.4% of total population is in long-term international migration. Of this, 370,000 are labour migrants: 56% (or 206,000) of these labour migrants are in Russia, 22% (or 81,000) in Italy, and between 2% and 3% (or 8,000 to 10,000) in France, Turkey and Portugal. 109,000 Moldovans are engaged in seasonal migration, representing 3.3% of the total population and impacting on 7.7% of all households in Moldova. 81% of seasonal migrants have opted for the Russian Federation (or 88,000 persons), and only 7% went to Italy (or 7,700 persons).⁸

### Risks in the recruitment sector

In the day-to-day contact with migrants in NEXUS centers, IASCI has observed that starting with 2014, the interest from Moldovan migrants shifted from "how to emigrate", to simply “how to find a job abroad". Consequently, the most common requests in NEXUS are related to employment opportunities in the EU.

Also, IASCI observes a sharp increase of business in the Moldovan recruitment market. NEXUS centres register many cases of individuals that have been proposed irregular employment in EU countries. Frequently these offers are made by informal recruiters, which contrary to international norms charge

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⁶ Residence permits for non-EU citizens EU Member States issued a record number of 2.6 million first residence permits in 2015, [http://ec.europa.eu/eurostat/documents/2995521/7715617/3-27102016-BP-EN.pdf/ca706fa0-14fc-4b71-a2e2-46b2b933f8f8](http://ec.europa.eu/eurostat/documents/2995521/7715617/3-27102016-BP-EN.pdf/ca706fa0-14fc-4b71-a2e2-46b2b933f8f8)

⁷ [http://www.migrant.info.pl/Declaration_of_the_intention_to_entrust_a_job_to_a_foreigner.html](http://www.migrant.info.pl/Declaration_of_the_intention_to_entrust_a_job_to_a_foreigner.html)

money from migrants for their intermediation services. According to IASCI | NEXUS research\(^9\), for a job in Poland they take approximately 500 EURO, and the fee for a job in UK or Germany starts at 1,000 EURO.

As for Moldovans without EU citizenship regular employment options are rare or difficult to obtain, many migrants accept these illegal practices.

Based on recent developments in migrants’ flows from Ukraine and Georgia benefitting from the new visa free regime for most EU countries, a substantial increase of irregular migration and in particular employment can be expected. Even more so because, compared to Moldova, there is an insignificant number of Ukrainian and Georgian nationals with EU citizenship. In addition, the local recruitment industry and the lack of effective regulations and official control might contribute to more irregular employment.

**Recommendations**

Abuse of the visa free regime leading to this increase of irregular labour migration from Moldova, Ukraine and Georgia to the EU should be prevented, through the following actions:

- At the government level, following the example of Poland, EU member states should be encouraged and consulted to introduce attractive circular, short-term migration opportunities;
- At the private sector/employers level, associations of industries in countries of destination, traditionally looking for short-term, i.e. often seasonal workforce, should be informed and stimulated to offer employment schemes that would facilitate a better legally managed circular migration flow;
- Information regarding such circular and temporary legal employment options should be made available for Georgian, Moldovan and Ukrainian citizens;
- Countries of origin should be advised to better regulate and control their recruitment industries.

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