

FREEDOM OF MOVEMENT WITHIN THE EUROPEAN UNION VS. BORDERS` SECURITY

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ABSTRACT. THE FREEDOM OF CIRCULATION OF THE EUROPEAN CITIZENS INSIDE DE COMMUNITARIAN BORDERS REPRESENTS ONE OF THE MOST IMPORTANT ACHIEVEMENTS OF THE EUROPEAN CONSTRUCTION. THE ISSUES BROUGHT TO THE ATTENTION OF THE STAKEHOLDERS BY THE SUCCESSIVE WAVES OF IMMIGRANTS IMPOSED, FOR A LONGER AMOUNT OF TIME, AN INCREASE IN THE ATTENTION GIVEN TO THE RULE IN THIS FIELD. THE RECENT EVENTS THAT AFFECT THE INTERNATIONAL SECURITY ENVIRONMENT, QUESTION EVEN THE EXISTENCE OF THIS FREEDOM. WHAT THIS PAPER AIMS TO INVESTIGATE IS TO WHAT AMOUNT THE FACILITIES RELATED TO CROSSING FRONTIERS CAN STILL BE KEPT FOR THE EUROPEAN CITIZENS, AND, AT THE SAME TIME, ENSURE A CLIMATE OF SECURITY ACROSS THE CONTINENT. THE DEBATE REGARDING COMMON SECURITY VERSUS INDIVIDUAL FREEDOMS IS NOT A RECENT ONE, BUT THE RECENT EVENTS IN THE INTERNATIONAL SCENE BRING TO THE PUBLIC ATTENTION THE RISKS INVOLVED BY THE POLITICS OF THE PAST DECADES. ”FORTRESS EUROPE” IS A CONCEPT THAT NOW HAS MORE APPLICABILITY THAN EVER, THUS BEING DESIGNED NEW MODELS OF DEVELOPMENT.

KEY WORDS. MIGRATION, SECURITY, FRONTIERS, EUROPEAN UNION, CIRCULATION.

I. Circulation within the European Union. Freedom of movement.

“Any citizen of the European Union has the right to travel and establish his or her residence, freely, on the territory of the member states”[1]

Two divergent mobility patterns coexist in the current European space, and these two groups are often being analyzed differently, depending on the reasons for their decision to emigrate: when referring to the citizens with greater incomes, from the first 15 member states, the expression “European mobility” is being used, while when referring to those coming from the newer member states, they are still being called “immigrants”. The social consequences of such difference in treatment are significant, because the latter ones often face discrimination from the inhabitants of their host countries, regardless the fact that, at least from the legal point of view, they share the same status as European citizens. These expressions are only being used at an informal level, but, despite all this, creating and applying differential treatments among citizens is being continued through time and even becomes more consistent, leading to proving

the hypothesis of certain scholars, who argue that even inside the common European space continue to exist significant differences.

Furthermore, from the legal point of view, in the European Legislation there are several position regarding migration. At least for now, the member state`s rules regarding this field are still in action, being given the fact that national security, borders control and population safety are being considered, from the geopolitical point of view, some of the essential attributes of national sovereignty, that the member states are not yet ready to give up. However, important evolutions have been recorded in this area at the European level, more than in any other type of international organization. When examining the advantages of an increased freedom in the circulation of persons, and constrains of more demanding forms of control, one cannot deny the essential aspect, the need to ensure national and individual security. Consequently, the only way European citizens can actually enjoy the freedom of circulation and unrestricted access to a free labor market, is to impose a very strict control on the way this politics are being practically enforced.

The Single European Act[2] (adopted in 1987) represented the first official document of the European Union in which the freedom of circulation of the persons within the European Community was established. It was defined as one of the four fundamental freedoms of the Internal Market. The natural consequence of this new status was the acceleration of the process of expansion of the freedom of circulation to new categories of persons (students, persons with no economic activity, but have enough resources to support their living).

The frame concept that provided the possibility to grant and guarantee this freedom was the “European citizenship”, first introduced by the Treaty of Maastricht (1993), from which moment the right to free circulation and residence across the territory of the European member states was granted for all the citizens. The politics promoted by the European Union regard creating a European area of freedom, security and justice, inside which border controls will be eliminated, regardless the nationality of those who cross them.

Along with the freedom of circulation for products, the free circulation of services and capitals, the person`s freedom of movement represents one of the four freedoms of the internal market and of the common European policies.

One of the fundamental rights of the European citizens is to travel and live wherever they desire, across the continent. But the freedom of circulation can be actually ensured only if the prerequisites of safety and justice are fulfilled, prerequisites met by the Amsterdam Treaty by progressively creating an area of freedom, security and justice. Furthermore, by the Convention for Implementing the Schengen Agreement[3], the objective of eliminating the internal borders ‘control was also fulfilled. One of the main objectives of the Roma Treaty, essential in creating the common market, is the free circulation. This freedom consists, de facto, in eliminating all the discriminations in the treatment applied to the citizens by the member states on the territory of which they are, or work and by the citizens of all the other member states that live or work on that territory. Bu ensuring a non-discriminatory regime the differences in the conditions of entrance, travel, work, employment or wage are being eliminated.

From the moment of its appearance, the meaning of the concept of “freedom of movement” has had numerous changes, meaning that the individual is no longer being regarded as an economic agent, but also as a citizen of the Union, regardless of his field of work or his nationality.

In 2004, the European Union adopted a directive regarding the right of the European citizens to free circulation and establishment in the member states[4], aiming to reunite in a single document all the separate regulations that existed in the field up to that point (4th paragraph of the Preamble). This document was also meant to encourage the citizens of the Union to exercise their right to free circulation and settlement on the territory of the member states, purpose thought to be reached by reducing the administrative formalities and letting go of the aspects considered as not being essential (14th paragraph of the Preamble), as well as by defining exactly what the family member status implies (5th paragraph of the Preamble). Other initiatives taken into account were the limitation of the refuse to enter the country or the expiration of the right to stay and introducing a new right to permanent settlement. Not only the citizens benefit from this new regulations, but also the public authorities, the assumed intention being to minimally reduce the formalities that need to be fulfilled by the citizens and their family members in order to enjoy the free right to settlement.

This proposal has the role, on the one hand, to rule the conditions in which the citizens of the Union[5] and their families[6] exercise the right to free circulation and settlement in any of the member countries, as well as the restrictions that apply to the rights previously mentioned, the reasons taking in regard public policies, public safety or public health.

The 5th article of the Directive states that all the citizens of the European Union have the right to enter any member state with a valid identity document or passport. No exceptional situation justifies the need for a visa to enter the country, and in the situation that said citizens do not own a valid identity document, it is the obligation of the host country to grant them the possibility to obtain the required documents, or, depending on the situation, to demand their expedition.

In regard to the family members who do not have the citizenship of a member state, they enjoy the full amount of rights as the citizen they accompany. The only observation in the text of the Directive is that a visa can be required from these persons for short term stays, respecting the CE Rulement no. 539/2011. In this situation, the stay permits will be considered as equivalent to the short term visas. Therefore, the only request applicable to the European citizens in the case of periods of stay shorter than three months is to hold a valid identity document or passport. The hosting member state can require these persons to announce their presence in the country in a reasonable and non-discriminatory amount of time.

In regard to the right of stay for a period of time longer than three months, it is still under certain conditions. Various possible situation were taken into consideration, and several obligations for each of them[7]. Among these, the obligation of the person who requires it to be engaged in an economic activity (either employed or free-lancer), or to be able to prove that they have sufficient living resources, as well as a health insurance in order to prove that they will not become a burden for the social service of the host member states throughout their stay. The member states may require a minimum amount considered sufficient, but they should also take into account the personal situation. Another situation taken into consideration in the one in which the person in question is taking professional courses, in which case they should prove that they have enough resources and a health insurance. The last situation taken into account is the one concerning a family member of a citizen of the Union who finds himself in one of these situation.

Although the stay permits are no longer required for the European citizens, the member states have the possibility to demand them to register with the authorities within at least three months from their arrival.

The IVth chapter of the Directive states the right of the citizen of the Union to acquire the right to permanent settlement in the destination member state, in the case in which he already had uninterrupted judicial residence there for the previous five years, under the condition that no expulsion decision was adopted against them. This right to permanent settlement does not depend on any other condition. The same rule applies to the family members who are not citizens of a member state and who have been living with a citizen of the European Union for the previous five years. The only case in which the right to permanent settlement can be lost is when the person has not been present in the host country for two years. The citizens of the Union hold the possibility to receive a document proving their right to permanent stay, if they should require so. In maximum six months from the date of the request, the member states issue permanent stay permits with unlimited viability for the family members from third countries that can be automatically renewed every ten years. The citizens can use any generally accepted evidence to prove that they have been living in the host country without interruption.

The final part of the Directive (articles 34, 35, 36) state that the member states have the possibility to adopt the necessary measures in order to refuse, stop, or withdraw any granted right, in the case of abuse or rights or fraud, such as convenience marriages. The fact that this Directive does not forbid the application of national legislation or the administrative procedures that include more favorable treatment is also stated.

The main document that currently rule on the European level the freedom of circulation and the rights of the migrant citizens are the following[8]:

1. *The Treaty creating the European Community*[9] stated in the first paragraph of the 48th article that the free circulation of population should be accomplished within the Community, including the elimination, among the workers in the member states, all the discriminations on grounds of nationality, regarding employment, wage, and other working conditions.

The freedom of circulation is not to be enjoyed only by the citizens of the European Union. The freedom of settlement implies access to independent activities as well as to build and handle enterprises in the member states. It implies settlement in the destination country in order to develop an activity, therefore create a business. Like the free circulation of workers, the freedom of settlement is made up of two elements: free access to a profession and freedom in exercising the profession[10].

2. *The Schengen Agreement*[11] was one of the most important steps in the evolution towards a real internal market, by eliminating the obstacles in the path of the persons` freedom of movement. At the external borders of the Schengen space the citizens of the European Union only need to present a valid identity document, and the citizens of third countries, that are part of the common list of the countries whose citizens need an entrance visa, only need to be in possession of a unique visa for the entire Schengen area. However, each member state has the possibility to request a separate visa for the citizens of third countries

3. *The Single European Act*[12] defined the freedom of circulation as one of the four fundamental freedoms of the internal market. The free circulation of persons and the elimination of the controls at the internal borders are part of a larger concept, that of internal market, that cannot be realized if the internal frontiers still exist and the circulation of individuals is

restricted. The purpose of this freedom consists in eliminating the discriminations among the citizens of the member state on the territory of which they live or work, and the citizens from other member states who live or work in the same state.

4. *The Treaty of Maastricht (TEU)[13]* introduced for the first time in the European vocabulary the concept of *European citizenship*. In this treaty the rights to free circulation and free residence inside the borders of the European Union for all the citizens of the member states were introduced for the first time. By the fact that in the TEU the fact that all the citizens have the right to settle freely on the territory of the member states is being stipulated, the controversial and tensions regarding the free movement of persons were somehow ended. This rule reinforces a freedom achieved long time ago, and whose purely economic purpose had been lost right before the TEU[14].

5. *The Amsterdam Treaty[15]* introduced rules regarding the visas, asylum, immigration, and other policies regarding the free circulation of persons, and granted a period of five years until the moment when the communitarian procedures would be applied to these situations. Great Britain and Ireland refused to take part in adopting such measures, and Denmark chose to participate only in the matters of visa policies.

6. *The Nice European Council[16]* (December 2000) brought along the *Chart of Fundamental Rights*, in which all the civil, political, economic, or social rights in a series of international, European or national documents were set in a common frame. Regarding the subjects of law, the Chart makes no difference between the citizens, reuniting (for the first time) in a single document the rights of all the people that are legally located on the EU territory. The first paragraph of the 15th article of the Chart speaks about the right of every European citizen to seek employment, work, establish, or provide services in any other member state[17].

7. *The Treaty of Lisbon[18]* substantially altered the 6th article of the TEU, meaning that: it established the status of the Chart of the Fundamental rights of the European Union; it opened the path for the EU to join the European convention for protecting the human rights and individual freedoms; it specifically mentioned a principle developed by the European Court of Justice: the fundamental rights, as guaranteed by the European convention and resulting from the common constitutional traditions of the member states, are general law principles of the Union.

8. *Regulation (EU) no. 92/2011 of the European Parliament and of the Council from the 5th of April 2011 regarding the free movement of workers in the Union* states that accomplishing the freedom of movement involves eliminating any type of discrimination among the workers of the member states on grounds of citizenship, regarding employment, wage and other work conditions, as well as the right of these workers to move freely across the Union in order to have a paid occupation, under the restrictions justified by reasons of public order, public safety and public health. It is also indicated that certain dispositions permitting the accomplishment of these objectives in articles 45 and 46 from the Treaty on the functioning of the European Union regarding the freedom of circulation need to be established.

The principle of non-discrimination among the citizens of the EU implies, for all the residents of the member states, recognition of the same priority in hiring, as the one of the workers who are residents of that member state, The mechanisms of contact and compensation, especially by a direct collaboration between the central services for workforce occupation and, also, the regional services, as well as the coordination of the information action, usually ensure

greater transparency of the labor market. The workers who wish to travel need to be constantly informed about the living and employment conditions[19].

9. *Directive 2004/38/CE of the European Parliament and the Council from April, 29th, 2004 regarding the right to free circulation and settlement on the territory of the member states for the EU citizens and their families* states that the citizenship of the Union gives each citizen a fundamental and individual right to free circulation and settlement on the territory of any member state, under the reserve of the limitations and conditions foreseen in the Treaty and the measures adopted in order to apply it.

10. *Regulation (CE) no. 562/2006 of the European Parliament and the Council from March, 15th, 2006 for creating a new Communitarian Code regarding the individual frontier crossing (the code of the Schengen frontiers)* whose objective is adopting measures based on article 62nd point 1 of the Treaty, in order to ensure the absence of any control on persons when crossing internal frontiers.

11. *Regulation (CE) n0. 883/2004 of the European Parliament and the Council from April, 29th, 2004 regarding the coordination of all social security systems* establishes the fact that the coordination rules of the national systems should respect the freedom of circulation and should contribute to the improvement of the life standard and conditions of employment. The Treaty does not establish any other competences than the ones mentioned at article 308 for adopting the necessary measures in the field of social security of other people than employees. The replacement of the coordination rule for this system by modernizing and simplifying them is, therefore, essential in order to reach the purpose of free circulation for everyone. It is necessary to respect the characteristics of the internal legislation regarding social security and to create a unique coordination system. The European Union intends, in the future, to place more emphasis on the politics regarding migration and visas for short term visitors, tourists, students, researchers, businessmen and their family members.

The Union could simplify or even eliminate the visa granting conditions, if the partner countries apply the agreed standards, including in fields such as migration, asylum and frontier management.

II. The circulation of people from non-European states

The Europeans are not the only ones to enjoy the right to free circulation. Once they arrive on the territory of the European Union, and the Schengen Space, the residents of third countries also benefit, indirectly, from this freedom, in a practical sense – regardless they have a legal permission to live or work there- due to the lack of control on internal borders. The implications of this reality, along with the contemporary challenges that Europe is facing regarding its external borders add pressure to the concept of freedom of movement.

For this very reason, the main issues currently discussed at European level regarding migration flows refer to the South-Mediterranean region, or, more specific, the waves of immigrants coming from northern Africa. The European Commission proposed, in Brussels[20], a package of measures for better management of the migratory flows from the South Mediterranean region, as well as certain changes in the ruling regarding visas, in order to be able to guarantee the fact that the possibility to travel without visas does not lead to the appearance of abuse. The solidarity with the member states most exposed to the press ion of immigration, as

well as tighter cooperation with third countries still represents essential elements in the policy of the European Union regarding migration.

All residents of the member states benefit from the freedom of movement and settlement, as a universal right of the European citizen, this freedoms being progressively generalized in their favor and that of their family members. In general, the citizens coming from third countries do not benefit from the freedom of movement and settlement, but there is certain resemblance between their situation and that of the European citizens. For instance, from the moment they occupy a legal working place on the Territory of the European Union, they also obtain the right to settle, as an accessory. One of the very interesting aspects, considering the social effects that such liberty represents, is the fact that they do not also benefit the freedom of circulation *de jure*, meaning they do not have the possibility to move freely inside the communitarian space, regardless the conventional frontiers. Despite this, in the moment they cross borders, they are usually not subject to any legal control. But, in case they lose their status as employees, they also loose this right of settlement.

Considering these ideas, one can withdraw the conclusion that the current legislation grants immigrants and their families the same conditions of access to working places, salaries, right of speech, access to social security systems as the locals; the reality is that immigrants are in fact being discriminated, due to their special status in the countries that “use” them. Their vulnerability is not to be argued, adding to the obstacles they meet in host countries, such as lack of familiarity with the new society, the difference in judicial status, discrimination and the impossibility to have influence on the decisions that directly affect them. The experience previously obtained in some of the main destination countries showed that migrants will be able to benefit from acceptable treatment in certain fields only if the measures adopted in order to integrate them will actually be set in practice.

From the legal point of view, Western European Countries have been treating the immigrants’ issue differently. Germany, for instance, adopted a thorough legislation, but which favored temporary migration. A work permit is issued for one year and can be renewed twice for two years. In 1965, the working permits for limited periods of time become the exception, are family reintegration is hardly tolerated[21]. England was also one of the states that opted for temporary migration. The laws in the field of citizenship had the purpose of encouraging settlement of the citizens from the Commonwealth, as well as settlement of those coming from India, Pakistan or the Antilles. France, on the other hand, opted for a mixed system that included, first of all, the use of work force from the countries in its former colonial empire, and in addition, workforce recruitment from the Southern European areas, with poop population, such as the Portuguese.

The European Union decided for the use of the following procedures in order to transform the policies in the field of migration in a real action model:

- ✓ Crating platforms that facilitate the exchange of information, such as the web sites (E.g.: „Migration Policy Group”, European Migration Information Network (EMIN), the European network for information regarding migration, COMPAS – Center of migration, policies and society, British center organized by the Oxford academic environment).
- ✓ Crating and adopting, by the European Council, of a set of principles that highlight the fact that integration consists of respecting and maintaining the fundamental European values.

III. Borders` security. Common security

The institutional complexity of the EU often presents a challenge to understanding the context and significance of its external policies (policies governing relations with other regions and nonmember countries)[22]. Since the Treaty on European Union (also commonly known as the Maastricht Treaty) established the modern EU in 1992, EU external policies have been formulated and managed under one of two separate institutional processes:

- The Common Foreign and Security Policy (CFSP), which includes a Common Security and Defense Policy (CSDP), is intergovernmental in nature: the 28 member state governments, acting on the basis of unanimous agreement in the European Council (the heads of state or government) and the Council of the European Union (also called the Council of Ministers), are the key actors.

- External policies in areas such as trade, foreign aid, and EU enlargement are shaped and executed under a supranational or “community” decision-making process involving all three of the main EU institutions—the European Commission is arguably the most significant actor in these areas, although the member states (represented in the European Council and the Council of Ministers) and the European Parliament also have important decision-making roles[23].

Another issue highly discussed nowadays at European level is that of granting visas, which is an essential component of an efficient European policy in the matters of migration. The current European legislation regarding the policy in this field does not allow rapid decisions to be made; the procedure for lifting or introducing the obligativity of visas follows the usual codecision procedure, and, therefore, it can even take several years. The proposed changes regard the introduction of a safeguard provision, according to which, in certain exceptional conditions, the temporary reintroducing of visa obligations for third countries citizens is permitted. This mechanism would provide the European Union an instrument that can only be used in exceptional situations, in order to compensate any important negative consequences of visa liberations, especially the entry on the territory of the European Union of a large number of illegal immigrants or asylum seekers who do not have good grounds for doing so. The proposed alterations will contribute to the growth of the faith of the member states in the visa governance and in the future visa liberalizations.

Free mobility and the Schengen system are not static concepts, and the relationships upon which they are predicated will continue to evolve. While not likely to infringe on the overarching principle and practice of freedom of movement within Europe, it is possible that contemporary developments will continue to test solidarity and trust between Member States. But Europeans are not the only population that utilizes the right to free movement within Europe. Once within the borders of the European Union and the Schengen area, third-country nationals also benefit from free mobility in practice – regardless of whether they have permission to legally reside or work in other countries – because of the lack of internal border checks. The implications of this reality, together with the contemporary challenges facing Europe's external borders, have placed significant stress on free movement. The zone operates like a single state for international travel purposes with border controls for travelers travelling in and out of the area, but with no internal border controls. It represents the globalized vision for community, security and freedom of movement, which makes its influence crucial to the European market economy and enlargement goals[24].

IV. Conclusions

Therefore, the perspectives for creating a believable, efficient and correct European policy in the matter of migration embodies the initiation of dialogues regarding migration, mobility and security with the states from the North of Africa. The dialogue should include all the aspects regarding migration in the future relation of the European Union with the countries in the region. The partnerships for mobility will be agreed so as to have the capacity to handle as good as possible the opportunities for legal migration and will be specific for each partner country, being realized along with that certain country and in cooperation with the member states. The partnerships should allow countries to better value the potential of their workforce, for instance by offering assistance in designing recruitment programs, recognition of competences or by assisting migrants returning to their country of origins who wish to contribute to the consolidation of its development. Also, a structured cooperation of this kind should allow member states to correct their deficiencies on the labor force market.

Of course, in order to facilitate the freedom of circulation sufficient guarantees should be created. Within the dialogue mechanism, European partners will need to make sure that all the efficient measures to prevent illegal migration will be adopted, and that the return of the citizens who do not have the right to stay in Europe will be facilitated[25].

The freedom of circulation, along with that of settlement, represent some of the most important acquisitions of the concept of European citizenship, and major benefits for those who have this status, therefore careful rulement and strict control of the way in which they are being applied would in no case represent abuses, but, on the contrary, they are elements that guarantee the respect of the rights and freedoms of the European citizens.

The expansion of illicit migration within the international migration of workforce is one of the biggest issues that contemporary societies are facing. Being given the fact that all over the world there is a growth of illegal migration, and as a consequence, the restrain of circulation of foreigners from one country to another, the phenomenon of illicit migration, the European Union has created a strong legal frame for the safety of the European citizens. The establishment and consolidation of their rights as citizens, consumers and workers in various fields, including mobility, health and safety, social insurance, work conditions, information and consulting, gender equality and nondiscrimination.

Creating such an immigration policy is part of the European efforts to create a space of freedom, security and justice. Even from the start of the European construction, the member states gave increased attention to handling this matter, the process evolving to the target of a common European policy in the field of asylum and migration, based on the solidarity of the member states of the European Union and which is correct for the residents of the third states, as stated in the *Treaty regarding the functioning of the European Union*[26]. Besides, all the European Treaties include distinct chapters ruling on the management of the migration and asylum issue by the member states.

REFERENCES

- [1]. The EU Chart regarding the fundamental rights – Article 45
- [2]. The text of the Treaty is available at <http://eur-lex.europa.eu/ro/treaties/index.htm#other>, consulted on 15.04.2015.
- [3]. Signed at 19 June 1990 and entered into force at 26 March 1995.
- [4]. Directive of the European Parliament and the Council 2004/38/CE from April 29th 2004 regarding the right to free movement and settlement on the territory of the member states for the EU citizens and their family members, of altering Regulation no. 1612/68 and annulment of Directives 64/221/CEE, 68/360/CEE, 72/194/CEE, 73/148/CEE, 75/34/CEE, 75/35/CEE, 90/364/CEE, 90/365/CEE and 93/96/CEE.
- [5]. Citizen of the EU: any person with the citizenship of a member state.
- [6]. Family member: husband/wife; direct descendants aged under 21; direct ascendants if dependent on the person.
- [7]. Art. 7 from the Directive of the European Parliament and the Council 2004/38/CE from April 29th 2004 regarding the right to free movement and settlement on the territory of the member states for the EU citizens and their family members, of altering Regulation no. 1612/68 and annulment of Directives 64/221/CEE, 68/360/CEE, 72/194/CEE, 73/148/CEE, 75/34/CEE, 75/35/CEE, 90/364/CEE, 90/365/CEE and 93/96/CEE.
- [8]. Also consult Alexandra Porumbescu, *Inițiative europene de asigurare a respectării drepturilor cetățenilor migranți*, în Prevederi legislative interne și internaționale privind drepturile omului, Craiova, Editura Sitech, 2012, p. 89-100.
- [9]. Signed in Roma on March 25th, entered into force on January 1st 1958.
- [10]. Dan Drugă, *Legislația Uniunii Europene în domeniul migrației*, în Revista Sfera Politicii, nr. 166, p. 125.
- [11]. A Protocole attached to the Amsterdam Treaty embodied the Schengen Agreement (and Acqui) in the institutional and legal system of the EU.
- [12]. Signed in Luxemburg on February 17th and in Haga at February 28th 1986, entered into force on July 1st 1987.
- [13]. Signed by the European council on February 7th 1992.
- [14]. Valentin Constantin (coord.), *Documente de bază ale Comunității și Uniunii Europene*, Iași, Editura Polirom, 2002, 445.
- [15]. Signed on October, 2nt 1997, and entered into force on May, 1st, 1999.
- [16]. Signed on February 26th, 2010 and entered into force on February, 1st, 2003.
- [17]. Ileana Pascal, Ștefan Deaconu, Codru Vrabie, Niculae Fabian, *Libera circulație a persoanelor*, București, Centrul de Resurse Juridice, 2002, p. 12
- [18]. Signed on December, 13th, 2007 and entered into force at December, 1st, 2009.
- [19]. Dan Drugă, *op. cit.*, p. 126.
- [20]. Further information regarding the elements of a global policy regarding migration (Comunicarea Comisiei din 4 mai): [IP/11/532](#) și [MEMO/11/273](#)
- [21]. Information available at the Federal office for migration and refugees, <http://www.bamf.de/EN/Infothek/Statistiken/statistiken-node.html>, consulted on 20.04.2013.
- [22]. Kristin Archick, *The European Union: Questions and Answers*, CRS Report RS21372, 2015, p. 5.
- [23]. Derek E. Mix, *The European Union: Foreign and Security Policy*, Congressional Research Service, 2013, p. 2.
- [24]. Alexandra Porumbescu, *Migration Policies in the European Union: Espoused Perspectives and Practices-In-Use*, Revista de Științe Politice, No. 46/2015, p. 172. 165-175
- [25]. Communication of the Commission from May, 4th, 2011.
- [26]. Dan Drugă, *op. cit.*, p. 169.