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**LEGAL REGULATIONS REGARDING THE PHENOMENON OF MIGRATION AND
ITS CONSEQUENCES ON STATE SECURITY**

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CONTENT

CONCEPTUAL MARKINGS OF THE RESEARCH	4
THESIS CONTENT	10
GENERAL CONCLUSIONS AND RECOMMENDATIONS	23
BIBLIOGRAPHY	26
LIST OF PUBLICATIONS OF THE AUTHOR ON THE THEME OF THE THESIS	29
ANOTATION (english, romanian, russian)	31-33

CONCEPTUAL MARKINGS OF THE RESEARCH

The topicality of the research theme and the importance of the problem addressed.

The issue of migration is a highly debated topic in international politics. This is present in the security policies of the EU's migration practices, which has aimed to control irregular migration since the Schengen Agreement [1]. The actuality of the problem of national security in the age of migration and socio-economic mobility (21st century) becomes a problem of concept, that is, it becomes a very complicated problem from the perspective of the "discursive" approach. Migration therefore has a catalytic effect on security conditions in the 21st century. In this sense, it is important to emphasize that limiting the political space for maneuver in which NGOs can operate also affects the ability of societies to deal with radicalization and violent extremism, both of migrants and citizens of host states.

Description of the situation in the research field and identification of research problems. What is today a problem of "conceptual definition of migration and national security" for developed states, especially those in the EU, becomes equally important for the Republic of Moldova, a state located at the confluence of the two neighbors (the EU and the Russian Federation) . This thesis aims to explain the process of securing migration policies from the perspective of ensuring the national security of states, in accordance with the international regulations of human rights, refugee rights and, last but not least, migrant rights.

The relevance of the subject is determined, first of all, by the fact that the state actor needs sufficient institutional and political authority to outline the results of the anti-migration policy or to secure the effects of migration. Second, the public must be receptive and allow state actors to legitimize measures against the constructed threat and allow security policy to address migration in accordance with international regulations and respect for human rights.

The purpose and objectives of the thesis. *The purpose of the doctoral thesis* is to determine some priorities for strengthening the national security sector of the Republic of Moldova from the perspective of reconceptualizing some theoretical elements resulting from the international legal regulations regarding the phenomenon of migration and its consequences on the national security of states.

Ensuring the proposed goal implies the achievement of the following *objectives* :

- to highlight the theoretical-methodological aspects of approaching national security from the perspective of various theoretical approaches: realist, liberal, constructivist and of the Copenhagen School;

- to research the normative and institutional framework for ensuring national security from the perspective of legal regulations regarding the phenomenon of migration at the level of developed states;
- to examine the aspects and dimensions of the European security system from the perspective of managing the migration phenomenon and their legal regulations regarding the security-migration relationship;
- to determine the main threats and vulnerabilities to the national security of the Republic of Moldova due to the phenomenon of migration from the perspective of national security risks;
- issuing some recommendations regarding the adjustment of the national strategy to include objectives related to the management of the phenomenon of migration in the Republic of Moldova.

The methodological basis of scientific research. From a methodological point of view, our research is interdisciplinary and comparative, using the analysis of the literature in the given field as the main point of reflection. Regarding the studied problem, a lot of research has been carried out and significant material is accumulating for the application of various techniques for assessing the impact of migration on the significant components of national security. In particular, this applies to economic security. European researchers are particularly interested in the problems of international migration generated by the new humanitarian crises [2], while these problems are getting worse over the years. Many studies are devoted to the impact of migration on the labor market structure of industry [3] and the most important political issues of migration. The theoretical framework of the present research is a multidisciplinary one, which includes specific analytical data for the problems addressed in each chapter.

The novelty and scientific originality of the obtained results consists in the attempt to approach the concept of national security of the states (with some references also for the national security strategy of the Republic of Moldova) through the prism of the main threats and vulnerabilities related to the phenomenon of migration, which has been perpetuated for over 30 of years and which must be analyzed strategically: from the perspective of the decline in the birth rate, the lack of qualified labor, etc.

The important scientific problem solved in the field of political sciences and security studies consists in the identification of some approaches and activity priorities of the state, intended to contribute to ensuring national security, in the context of the new realities imposed by social mobility, changing mentalities through unlimited access to information, demographic decline and the breakdown of transnational organized crime linked to illegal migration circuits.

Importance . The theoretical significance of the paper consists in the attempt to approach the edification and consolidation of the fundamental notions of the constitution of national security strategies related to the phenomenon of migration through the prism of the principles of the Copenhagen School. From this perspective, migration must become one of the objectives of the states' security strategies and must be exposed in a clear political-legal discourse, on the following segments: socio-cultural risks of migration, economic risks, social-legal risks, with an emphasis on the criminal side (eradication of criminality related to illegal migration flows, through border control and prevention of cross-border crime).

The applicative value of the work. In terms of application, the proposed theoretical-methodological approach and the results obtained can be used by decision-makers in the process of evaluating the main threats, risks and vulnerabilities to the national security of the Republic of Moldova and in the development of effective policies to counter them. The obtained results could serve as theoretical support for the university courses "Theory and practice of security", "Public policies", "European integration" and could be useful for researchers concerned with the issue of security, in general, and the national security of the Republic Moldova, in particular.

Main scientific results submitted for support: This thesis is based on the theories developed within the framework of the Copenhagen and Paris security schools, to show how the security process is present in EU border and migration practices. Main results obtained scientific findings reveal the following: the Republic of Moldova has recently been facing problems with regard to the development of national security policies and ensuring the fundamental rights of migrants on the territory of the state; the process of securitization is persistent in border security practices, despite the paradigm shift towards a humanitarian discourse, and the research displays the complexity of the European anomaly of humanitarian border security; together with terrorism, illegal migration has come to be represented as a problem to be 'combated', and readmission agreements and improved border control have been identified as means of removing or neutralizing threats.

The implementation of the scientific results of the research can consider the implementation of a series of measures, among which we list: the elaboration of strategic documents, which would consider not only the social problems of the migrants themselves, i.e. economic security, but also the formulation of objectives, interconnected with various elements of national security; parameters must be measured by change of state and quantitative assessments. New values of these criteria should be introduced (for example, the maximum and minimum number of foreign nationals employed in different sectors of the economy), as well as indicators characterizing the positive and negative impact of migration on elements of national security; a deepening of cooperation between external and internal security actors is necessary,

both at the political and operational levels, as well as in terms of organizational structures; an overreaction to terrorist and extremist threats can worsen the security situation by unintentionally increasing people's sense of fear and uncertainty; The Ministry of Defense must consider a further increase in the number of requests from civilian authorities for support in the fight against cross-border crime, in particular with regard to the specialized capabilities of the armed forces.

Approval of scientific results: The main results were presented and approved at 9 national and international conferences.

Publications on the topic of the thesis. The research results were reflected in the reports presented at national and international scientific meetings (colloquiums, conferences, congresses), as well as in a series of scientific publications, among which we list the most important:

- *Ethics and integrity in volunteering* . In the context of: the Regional Conference "Ethics and responsibility in volunteer activity", the first edition, organized by the Roman Catholic Diocese of Iași - the Community Assistance Center "St. Teresa of Calcutta", in partnership with the National College of Social Workers from Romania - Branch Territorial Iași, Alexandru Ioan Cuza University in Iași, Faculty of Philosophy and Social-Political Sciences and Faculty of Roman Catholic Theology, Petre Andrei University in Iași and Caritas Diocesan Center Iași. December 7, 2018, Iasi.
- *Brief foray into the history of domestic violence*. In: International Conference, 3rd Edition "Violence on women. Hypotheses. Explanations. Interventions" organized by the "Alexandru Ioan Cuza" University in Iași, the Faculty of Philosophy and Social-Political Sciences in partnership with the National College of Social Workers from Romania - Territorial Suculeala Iași, the Professional Training Center of DGASPC Iași and the "Aproape de Oameni" Association . On November 23, 2018, Iasi.
- *Legal Regulations and Consequences of the Migration phenomenon on State Security* In: 12th LUMEN International Scientific Conference – RETHINKING SOCIAL ACTION. CORE VALUES IN PRACTICE. Iasi, Romania, May 15-17, 2019.
- *Theoretical aspects regarding the evolution of the migration phenomenon in the European space* . Within: Scientific-practical conference with international participation "Theory and practice of public administration" TRAP - 2019. Materials of the scientific-practical conference with international participation 17 May 2019 ISBN 978-9975-3240-4-5.

- *The legal status of Romanian emigrant families working abroad*. Existing rights and obligations. The National Conference THE FAMILY IN CONTEMPORARY SOCIETY, the 6th Edition, organized by the Iași Territorial Branch of the National College of Social Workers from Romania and the General Directorate of Social Welfare and Child Protection Iași in partnership with the Pro Roma Association, the Association of Students and Graduates of Orthodox Theology - Social Assistance Iași, Faculty of Orthodox Theology Duitru Stăniloae Iași-Social Assistance Specialization, LUMEN Publishing House, AFECT Association, Palace of Culture Iași and Association Close to People - ADO from July 6, 2019.
- *Migration and the Problematic Issue of State Security*. The Need of Securitization of Migration at the Level of European States. Logos Universality Mentality Education Novelty: Social Sciences; Covered in: ERIH PLUS, CEEOL, Index Copernicus, CrossRef, CrossCheck, J-Gate, Google Scholar, Ideas RepeC, Econpapers, Socionet, KVL, WorldCat 2019, Volume 8, Issue 1, pages: 70-81; two: 10.18662/lumenss/18. ISSN: 2284-5976, e-ISSN: 2501-0409;
- *Short Incursion in the History of Domestic Violence*. Logos Universality Mentality Education Novelty: Law. Covered in: ERIH PLUS, CEEOL, Index Copernicus, CrossRef, CrossCheck, J-Gate, Google Scholar, Ideas RepeC, Econpapers, Socionet, KVL, WorldCat. Volume 8, Issue 1, pages: 35-46. Doi:10.18662/lumenlaw/8.1/34. ISSN: 2284-5968, e-ISSN: 2458-1046
- International Scientific Conference Promotion of social and economic values in the context of European integration, University of European Studies of Moldova – Rep. Moldova, University of Management TISBI – Russia; DANUBIUS University of Galati – Romania. December 12-13 2019, Chisinau-Cazan-Galati.
- *Migration as a (Non) Traditional Security Issue of the Risk Society* . PostModern Openings, volume 12, issue 2, page 387-409, published June 2021. ISSN : 2068-0236, eISSN 2069-9387. <https://doi.org/10.18662/po/12.2/314>,
- *Brief foray into the history of domestic violence* . Published in: "Unseen faces of violence", Alexandru Ioan Cuza University Publishing House in Iasi, 2021, ISBN : 978-606-714-610-3;
- *The effects of migration in society and the family* . The National Conference "Family in contemporary society", Copou park, Carol I boulevard, Iași, 7th edition, organized by the Iași Territorial Branch of the National College of Social Workers from Romania in partnership with the Social Alternatives Association, the National Museum of Romanian Literature Iași , General Directorate of Social

Assistance and Child Protection Iași, Archdiocese of Iași, Social Assistance Office of the Diocesan Center, Alexandru Ioan Cuza University in Iași, Faculty of Philosophy and Social-Political Sciences, Dumitru Stăniloae Faculty of Orthodox Theology in Iași - Specialization in Social Assistance, The Faculty of Roman Catholic Theology-Social Assistance Section, the Association of Students and Graduates of Orthodox Theology Social Assistance from Iasi, LUMEN Publishing House, ProRoma Association and Apoape de meni Association. June 4, 2021;

- *The implications of illegal migration and undeclared work on the security of Romanians abroad.* National Conference of Penitentiary Social Assistance with international participation, 2nd edition, Iași April 14-16, 2021. (event held online).
Workshop: Career in prison social assistance. Dialogue between professionals, today and tomorrow

The volume and structure of the thesis includes: introduction, three sections, general conclusions and recommendations, bibliography of 408 titles, 140 pages of basic text.

Keywords: national security, migration, security policies, international security, illegal migration, threat, vulnerability, security sector reform, international migration, illegal migrants, migration policies.

THESIS CONTENT

In **the Introduction** , the topicality of the research theme, the importance and necessity of the investigation, its inclusion in international and national concerns, in an inter- and transdisciplinary context, are argued, the purpose and objectives of the research are formulated, the methodological and theoretical-scientific support of the work is identified, the methodology is outlined research, the scientific novelty, the theoretical and applied value, the implementation of the results, the structure and volume of the thesis are described.

In **Chapter I**, entitled *Theoretical dilemmas regarding the definition of the correlation between the phenomenon of migration and the national security of states* , we discussed the fact that migration is a complex process, which raises many security problems and has direct effects on the countries of origin and destination. Many states face various challenges associated with migration, some of which affect national security.

Security is built on a set of discourses or narratives and historical practices based on institutionally shared understandings, thus becoming a political and social construct. During this process, power elites, analysts and experts define the risks and threats existing at a given moment and for different levels (national, regional, global). It then justifies its validity with the community, subsequently activating, when possible, the means to neutralize them. Thus, the inclusion of a specific security approach, in state practices or in international organizations, tends to be derived from an existing power structure. The process of globalization has added new functions to the responsibility of the state and changed some of the previous ones, because the traditional function of guaranteeing the defense of its territory and political independence is now attached to the obligation to ensure economic independence, cultural identity and social stability. Globalization transforms existing risks and threats, impossible to neutralize only by focusing on the state and with a national security strategy limited to national borders.

The analysis carried out in this chapter demonstrated that all schools provided fundamental information on security studies in general and the migration and security relationship in particular. However, they all suffer from certain disadvantages that raise normative, analytical and methodological problems. First, the state-centric and militaristic conceptualization of security in traditional security studies does not provide a critical engagement on the securitization of migration. More specifically, far from providing a precise methodology to be followed to understand whether migration has been addressed as a security issue, their approach treats migration as an objective threat and reproduces security discourses and practices.

The Aberystwyth School has broken new ground in security studies, challenging the orthodox premises of traditional security studies. However, their approach also suffers from

certain limitations when looking at the relationship between security and migration in an empirical and analytical way. As Waever observes, they do not deal with the concept of security as such, nor do they provide a consistent methodological approach to explore how a given issue is constructed as a threat to security, but rather focus on the construction of this .

On the other hand, the Copenhagen School's conceptualization of security and, in particular, their theory of security "provided a middle ground" in security studies, broadened the concept of security beyond its military aspect, but also provided a boundary between social issues that are secure and those that are not, and preserved the analytical utility of the concept of security itself.

Indeed, as already shown, the strongest criticisms were made by the School of Paris. However, in order to further clarify the limits of the Copenhagen School approach, it is necessary to analyze the dissatisfaction of those scholars who are not strictly connected to any of the respective schools, but who integrate the concept of security into their analysis for a variety of analytical purposes. At the heart of these criticisms are the Copenhagen School's exclusive focus on the "speech act" as a vector of national security and the internal analytical and methodological problems in using their theory. Consequently, it is widely argued that without being explicitly discussed as a security issue or accepted by certain "audiences", a problem can be transformed into a security question.

In section I, entitled *"Theoretical notions and concepts regarding migration and the national security of states "*, I explained that migration is a hotly debated issue in various scientific fields (history, sociology, political science, security studies, etc.). The literature related to migration exceeds thousands of monograph titles and articles . Since the late 1980s and early 1990s, a fierce academic debate has emerged about what the notion of "security" means and how to study security issues. More precisely, this debate has been structured along three basic dimensions [4].

First of all, the perspectives of broadening security studies were included on the agenda of institutions empowered to discuss national security issues. Thus, researchers began to discuss the scope of security studies, namely which issues, which dangers or threats should be included in the analysis of national security related to the phenomenon of migration. The main concern has been whether security studies should be limited to military threats and war or should be expanded to include non-military issues, from the environment, economy, identity, migration [5].

The second dimension of this debate is related to deepening the objects of reference (i.e. what is to be secured), which means that security studies should use state-centric themes, focusing mainly on "the security of states and their citizens" [6, p. 3], or objects of reference should be

moved beyond these centrist approaches and pay attention to the security of a wide range of subjects, such as individuals, societies or humanity in general.

The third dimension refers to the 16 epistemological and ontological discussions about how to perceive security, as well as the nature of security [5]. Here, the division between objectivist and subjectivist understandings of security has driven academic polarization and brought constructivist and deconstructivist approaches to the fore.

In the section entitled *"The perception of migration as a risk factor for the national security of states"* I showed how the concept of "security" was introduced for the first time by the Copenhagen School of Security Studies. Unlike traditional realist approaches to security, which focus heavily on relations between states, national security theory has taken the notion of security to another level by focusing on the social construction of threats. The defining feature of national security, according to Buzan, Waever and De Wilde, is a "linguistic action" or a "speech act" marked by a specific rhetoric of "urgency" and "priority" [5]. The link between migration and security has been extensively studied by Bigo [7] and Huysmans [6], who developed their analysis by focusing on the sociology of power and its importance in the institutionalization of a specific discourse.

The broadening of the concept of security was pushed by the Copenhagen School towards the assumption of "new" risks and threats, which require new security processes, the stimulation of preventive diplomacy, good governance and economic and social development, in order to save a society from reaching a crisis point. Population dynamics have become more important with the rise of human security, as they represent a major source of pressure on individual security and, consequently, on national security. Thus, securing migration tends to include four different axes: 1. socioeconomic, due to unemployment, the growth of the informal economy, the crisis of the welfare state and the deterioration of the urban environment; 2. security, given the loss of a narrative of control, which associates sovereignty, borders and internal and external security; 3. identity, if migrants are considered a threat to the national identity and demographic balance of the host societies; 4. politics, as a result of anti-migrant, racist and xenophobic discourses.

Lee's push-pull theory [8] explains the irregular pattern of migration and migrants. According to Lee's theory, in the context of migration, push-pull factors are significant. Muniz, Li and Schleicher define the concept as follows: "Push factors are negative factors at the place of origin, while pull factors are the positive ones at the place of destination" [9]. In addition, Lee suggests that "the decision to migrate and the migration process is influenced by factors associated with the area of origin, destination, intervention factors, personal factors and fluctuations in the economy" [8].

The section entitled "*Coercive political approaches in security and migration discourses in the EU*" looks at the fact that Europe has a long history of dealing with migration. After the Second World War period, migrants and refugees were considered a useful workforce that could contribute to the period of economic recovery. However, the end of the bipolar conflict increased the waves of external migration to Europe, which marked a "clash of civilizations". This created an emergency discourse, through which fear was linked to the idea that the migrant is "the different, the foreigner, the undocumented migrant, the refugee, the Muslim, the non-European" [10, p. 22]. As a result, migration has been the target of political discourses, with a "new focus for insecurity" in Europe [11]. This practice of moving the discourse on migration to that of security is a consequence of the logic of national security, which has been at the center of the last growing years [11].

The current refugee crisis can be understood as a puzzle for modern identity politics. As Ceyhan and Tshoukla noted, in "political discourses, security, culture, migration and identity are linked together through the perception of the migrant as a 'cultural other' who comes to Western countries and disrupts their established cultural identity for centuries" [10, p. 28]. The terrorist attacks of 9/11 built the "age of unrest" [12], transfiguring "global anxieties about migration into a governance system oriented towards securing migration" [13, p. 413]. Thus, "full security" in the face of new migration-induced challenges is based on three basic elements: "existential threats", "emergency action" and "effects on interstate relations". Although the relationship between humanitarianism and security has a long history of academic interest [6], the humanitarian-security correlation with respect to migration is itself a very recent theoretical conception.

Political action and the media are key elements to deconstruct these associations between migration and terrorism, and migration and crime, thus encouraging more tolerance and acceptance. In the era of globalization, international migration is a large-scale phenomenon that exceeds the sovereignty of the national state and translates into a transnational problem, as well as a problem of global priority for the international community.

Chapter II, entitled "Non-traditional security issues and interdependence and regional security cooperation in relation to migration", aims to analyze the ways in which developed states treat migration as a security issue, from the perspective of multilateralism and security governance.

The relevance of the theoretical part presented was to set the stage for the investigation of the empirical part, providing a consistent framework of analysis, and to contribute to the understanding of the multiple levels of cooperation needed to face new, multilateral and cross-border threats to security. While a multitude of works have studied the likelihood of regional

models of cooperation and the need for a multilateral and comprehensive approach to meet the new security challenge, few of them have highlighted the aspects that a security dimension can determine on overall processes of governance. Differences in migration security regulation between states are capable of destroying epistemic normative community, as a certain group of countries see migration as an opportunity and others see it as a threat to security by its very existence.

After examining the theoretical issues, I introduced the legal and institutional framework of forced migration in the European Union. The research revealed the effects of EU institutions on the development of refugee law in Central European member states. Among all forms of regional cooperation, the European Union is the most advanced in terms of human rights guarantees and the international protection of refugees. Despite this success, some flaws in integration and delays in legal harmonization are quite evident, and huge differences can be seen in the refugee protection practices of the Member States. These differences were shown and analyzed in chapter 3.1. and 3.2. Member States have tried to go beyond the guarantee system of the universally accepted refugee conventions and have acted accordingly. However, decisions and directives aimed at harmonizing asylum procedures and housing development have provided only limited results.

The first section, *"The EU as a security actor and security provider in migration issues"*, shows how, in addition to a common asylum and migration policy, an "external dimension" of EU cooperation in justice and internal affairs (JAI) with transit countries. As noted by Williams and Mountz [14], since then two main directions have been taken to control and limit flows through foreign policies: the outsourcing of traditional EU border control tools has focused on engaging third countries in controls on illegal migrant flows, trafficking and drug smuggling and the migrant transporter sanctions project. Accordingly, a preventive approach focused on the reasons that determine the abandonment of the countries of origin and focusing on the provisions of regional arrangements for the protection of displaced persons [15] was considered. Also, in the last case, the final objective was to reduce the pressure on the EU at the borders.

This section also presents the specific legislation, responsible institutions and efforts made by some European states in the field of migration, with reference to: Belgium, Czech Republic, Finland, Germany, Greece, Hungary, Ireland, Italy, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Slovakia, Slovenia and Spain.

The second section of Chapter II, entitled *"Policy of legal regulations and cooperation of EU states regarding national security resulting from the phenomenon of illegal migration at the border"*, shows that, with regard to migration, the lack of a complete political framework was observed, in apart from family reunification and the admission of students and researchers. As

regards asylum, the common standards for asylum procedures, for the qualification of refugees and the reception of asylum seekers (in 2004) produced low results. Although migration legislation and policies depend on Member States, the EU has played an increasing role, especially after the Schengen Agreement [1] and the Treaty of Amsterdam [16], which gave the EU new powers to control on borders, bilateral agreements, the visa system and asylum.

From Tampere (1999) to Stockholm (2010), with The Hague (2005) in between, the first decade of common migration policy focused more on creating a policy reference, addressing border control and illegal migration. Although recent large flows of asylum seekers and refugees have highlighted the diversity of national approaches to asylum and issues of cooperation within the Common European Asylum System (CEAS) Common European Asylum System”), this is not new, as it has been a major issue of European asylum policy for the last two decades. Since 2015, the migration crisis has moved to the center of European and national political agendas, at a time when member states were still unequal and slowly recovering their economic growth. The EUGS (European Union Global Strategy) is a key tool for understanding the EU's foreign and security policy and the current view of the security challenges posed by migration issues, as the EU still awaits a white paper on the future of "European security and defence".

Particularly strong were the EU's fears about the potential flows of illegal migrants coming from the east, from the neighboring states, which acquired a key role in the internal / external correlation of the JHA (Justice and Home Affairs) cooperation and were seen as a source of "soft security threats" for the EU, being both countries of origin and countries of transit for illegal migrants [17, p. 89]. While the EU is taking steps to ensure a common and coherent approach to migration through the Treaty of Lisbon [18], which will extend decision-making to a supranational level, the introduction of mobility partnerships seems to have directed these moves towards a reverse direction, leading to a new approach based on differentiation and political incoherence. International organizations, NGOs and the diaspora are among the actors involved informally. Being recognized as flexible policy instruments, able to extend and incorporate new projects and suggestions by partner member states, mobility partnerships have the potential to evolve towards more balanced instruments. Success in achieving the desired balance depends largely on three major elements, which were the focus of the current research.

The third section, *"Security Strategies in Combating Terrorism: Migration Considerations Applied by Some Developed States "*, deals with the threats against terrorism, which have received enormous attention in recent decades in the United States of America, and the war on terrorism in the US offers various approaches against terrorism.

The strategy comprises three steps. The first step is to distinguish between migrants and terrorists, by developing effective policies and tactics. This step is based on "achieving a balance

between the competing concerns of national cohesion, economic impact, a range of human rights issues, compassion for refugees, and combating human trafficking and maintaining the constitutional order of states" [19] , maintaining a "balance of social unity, prosperity and justice" depending on the country's security and legitimacy. The second step is to improve a country's ability to restrict terrorist movements, which requires studying the movement of terrorism and ways to counter and exploit it. The third step is to use an effective "terrorist mobility strategy" within the National Counterterrorism Center to achieve three main goals. The defensive purpose includes "securing channels of travel, migration, and transportation, at US borders and worldwide, from undetected terrorist movement to attack." The offensive goal includes "exploiting the vulnerabilities exposed by terrorists' needs for clandestine transnational and domestic movement, to disrupt the involvement of these individuals and groups in terrorist acts" [19]. Finally, the goal of deterrence is preventing terrorist attacks by any means necessary.

In Canada, although the refugee determination system is under federal jurisdiction, legal aid in such matters has been left to provincial legal aid regimes without ensuring adequate funding. In Europe, the detention of asylum seekers has become systematic. There are a variety of places of detention, ranging from prisons, such as in Germany and Ireland, to detention centers in the Greek Islands, which are unplanned and built in makeshift buildings, like buffer camps, which mark the actual border of eu

In 2000, two new protocols were drafted to the UN Convention against Transnational Organized Crime [20] dealing with trafficking and smuggling, namely the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Crime [21] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children [22]. The security agreement with third countries can create an unprofitable market for smugglers, who transport asylum seekers across the border illegally. This happened in Europe with the implementation of the safe third country provisions of the 1990 Dublin Convention [23]. Migration controls are now part of the "national security of the public space" phenomenon. In this framework, the creation of new structures corresponded to the large-scale development of the policy of developing methods to prevent the penetration of migrant flows into a certain territory. The anti-terrorist mobility strategy involves the comprehensive use of migration policies and counter-terrorism strategies.

Chapter III , entitled "Analyses on the legal regulations regarding the phenomenon of migration and its consequences on the security of states ", many arguments were made regarding international migration in the scientific debates, but the aspects related to the legal regulation and security policy still remained unexplained. In recent years, international migration and especially forced migration have appeared on the political agenda as an increasingly frequent security risk,

and this has been noted by Bigo [7] and Huysmans [6]. Security measures fail to stop illegal migration flows, instead diverting them towards more dangerous routes, often relying on smuggling networks, which the EU has made it its mission to combat. Under the empire of compassion, the EU has succeeded in producing militarized policies, whereby the lives of migrants identified as vulnerable can also become a target for security agencies.

The recent (since 2015) migration crisis has been difficult to address, and its future seems to depend on two critical uncertainties: the evolution of political and social instability in the Middle East and North Africa region and the future of the EU. Under globalization, one would expect a blurring of notions of border and a push towards a transformation of the concepts of citizenship and sovereignty, perhaps even the threat of the nation state. However, the globalization of migration has led to increased flows of irregular migration and the strengthening of border control, has led to an increase in the frequency of nationalist discourses, and has strengthened the separation between nationals and others (foreigners). These tensions between the global and the national level show that globalization is still an ongoing process, which is opposed by many forces of resistance. Migration and asylum policies within the EU depend on how the EU deals with globalization and avoiding new waves of protectionism among member states that avoid conflict situations.

These challenges test the EU's responses to controlling both internal and external borders, dealing with a humanitarian crisis and managing asylum policies. In order to create a common migration and asylum system, it is necessary that the concern for these issues is further reflected between national and European institutions regarding: (i) the role of the EU in a new world order and how it affects the Northern Partnership -Atlantic and the European neighborhood policy; (ii) how important migrants can be to national economies and to sustaining existing support systems in the context of population aging and decline; (iii) how to avoid far-right nationalism and populism in Member States' political systems; (iv) acceptance of a multicultural European Union, with ethnic, religious and cultural differences. Considering that EU integration is still dealing with intergovernmentalism versus supranationalism, post-Stockholm uncertainties and the future of EU asylum policies are understandable, as the Common European Asylum System showed several inadequacies after the migration crisis of 2015. This has led the European space towards an asylum policy dependent on a dissociated and decentralized cooperation between the member states. Although the European Union Global Strategy for Foreign and Security Policy (EU Global Strategy – EUGS 2016) can be a standardization tool for future national strategic reviews, both the EU and the Member States need more effective strategic harmonization to make to the current migration crisis and to move towards an effective common migration and asylum system.

The first section, entitled "*The legal reflection of migration in relation to national security*", begins by discussing the terminology in the field of migration. Some important terms are the terms migrant and refugee, which refer to a politico-legal status under the 1951 Refugee Convention [24] and its 1967 Protocol [25] under the legal branch of international law. Most of the recent EU institutional documents make this distinction, as many of the forced migrants are still awaiting the definition of their legal status and are therefore not yet called refugees but asylum seekers due to several bureaucratic constraints. So we will avoid using the phrase "refugee crisis" and instead use "migration crisis", considering here different categories of forced migrants, both asylum seekers and refugees.

The dichotomy between the state's legitimate interest in ensuring national security, on the one hand, and its international obligations, on the other, has become evident since September 11, 2001. Thus, there is a real tension between international human rights law and the exercise of state sovereignty, especially in the current era of globalization, when control over the movement of masses of people across national borders has become the last bastion of territorial sovereignty. The official discourse of the EU's Justice and Home Affairs focused on the word "change", often presented as an imperative, as something already in the making. Mobility partnerships, in this sense, were a crucial step. Thus, since the Seville European Council, migration "security" has intensified. Migration was identified as a "threat" that required urgent measures to be "combated", "controlled" and "restricted" [26]. At the same time, however, the security of migration in the EU has led to the construction of an unfavorable image externally - that of a "City Europe" [27].

An immediate result of the 'global approach' was the introduction of mobility partnerships. These were considered important legal instruments to implement in practice the rhetorical objective of this new "global approach", on the basis of which the European Union undertook to "develop an innovative way of addressing migration issues in all their complexity" [28, p. 14]. The official aim of the Mobility Partnerships was therefore to go beyond the EU's exclusive focus on security issues by incorporating the facilitation of legal mobility, focusing mainly on promoting a specific type of legal mobility, so-called 'circular migration'.

The latter is a relatively recent concept and was first introduced into the international migration discourse as an effective mechanism in exploiting the development potential of migration, which would lead to a triple win. The win-win-win scenario has also become a central component of the innovative approach to mobility partnerships. Thus, the major objectives that signal the novelty of the approach to migration from the EU to third countries consist in the notion of "achieving a balance" between restrictive and progressive migration measures in the EU, through the policy and the idea of a "triple win", which would make migration work to the benefit of all parties concerned.

Along with the development objectives, the partnerships were, however, conditional on certain security-oriented commitments, which were requested from third countries as a precondition for the start of the negotiation process. The few studies conducted to date reveal the predominance of the coercive, security-oriented approach, and less of the more progressive means that are supposed to facilitate legal mobility [29]. Apart from being subject to the EU's economic objectives, the proposed opportunities for facilitated labor mobility are also "instrumentalized" in the EU's external relations as a "complementary incentive in promoting the EU's readmission policy" [29]. Pilot regional protection programs have been started in Ukraine, the Republic of Moldova and Belarus and in sub-Saharan African countries that have seen huge inflows from East Africa and the Great Lakes region.

The second section, entitled "*Legal Mechanisms for Managing the Global Migration Phenomenon* ", refers to attempts at migration reform legislation, which included provisions that would have as a starting point the existing technical basis at borders and migration control with systems visa systems and updated infrastructure that help governments better manage current and future migration flows, allowing scarce resources to be focused on real security threats. Legislative reform proposals have also contributed to improving and strengthening the national security of states.

The issue centers on the fact that the phrase "border security" has been a call to action for the public and politicians most concerned about illegal migration. The notion of "border security" has been juxtaposed with that of "migration reform." Completing a synchronized entry-exit system has been included as a key piece of immigration reform proposals in past years in the U.S. Security experts agree that the best way to quell illegal migration is to expand channels for legal migration. Updating these channels to address today's current economic and geopolitical realities allows for more effective enforcement and alleviates the pressures that drive much of today's unauthorized migration. For example, the evolution of Canadian standards applicable to aliens under the combined effect of the Canadian Charter of Rights and Freedoms [30] and the increasing use of international human rights law as a guide in the interpretation of Canadian legal standards illustrate this trend.

The current migration context, which is characterized by an emphasis on security and a narrower reading of the rights and interests of citizens, has a negative impact on the implementation of the standards that Canadian law contains for foreigners in general and, in particular, for asylum seekers. The right to seek and benefit from asylum is guaranteed by a number of international and regional instruments. Although the right to grant asylum is exercised at the discretion of states, international law recognizes an absolute prohibition against the forcible return of a person to a country where that person may be subjected to torture and therefore

requires the implementation of effective remedies to guarantee the protection of this right. The principle of non-refoulement, which has traditionally been defined in refugee law, thus applies to all persons, not just refugees. This principle has found expression in various international and regional instruments, such as the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984) [31].

The protection of migrants has improved considerably as a result of constitutional protection of human rights and the increasingly extensive use of international human rights law in the interpretation of domestic standards. There remain two categories of people who do not fully benefit from these standards: migrant workers [32] and illegal migrants. The broader dimensions of illegal migration have led states to recognize that addressing the root causes of illegal migration is critical to successfully addressing the problem. The European Union has prioritized policing and border security, notably by recently adopting a plan creating "rapid border intervention teams", including a Mediterranean coastal patrol network.

The dimensions of cross-border crime related to illegal migration can be seen as a monster that takes many forms [33]: from human trafficking, to computer crimes and money laundering, to trade in counterfeit goods. The preceding considerations underline the fact that, in the context of cross-border crime, globalization and internationalization can also be seen as accelerators of the criminal market. On the other hand, the long-term effects of migratory flows can contribute to overturning the supposed correlation between migration and development: in many cases, migration can be seen not as a consequence of lower economic development of some states, but as the cause of growth economies of developed states, which attract migratory flows for a better and more prosperous life.

However, we should be cautious about the potentially ambivalent role of diaspora and migrants, both as a resource for development and peacebuilding, and as a spoiler for inclusive solutions to future conflict escalation. On the one hand, differences in actual aid flows appear to be largely allocated in favor of increased border controls and other security measures, including strengthening human capacity and endowments for law enforcement agencies, thus targeting immediate consequences, rather than the root causes of migration.

The third section, entitled *"Implications of migration on national security in the Republic of Moldova: proposals regarding national security and the risks of migration"*, shows how, selling a specific settlement, the Republic of Moldova belongs to a space dominated by special political-military risks and is avoided from this reason for international investors. The location on a double periphery, between two centers of power - the European Union and Russia - increases the degree of risk of our state's situation. But, despite these circumstances, the map of the current foreign relations of the Republic of Moldova shows an increasing openness towards the West.

Isolation and political neutrality in the international arena are not a suitable strategic option for the 21st century. The consolidation of the state capacity of the Republic of Moldova must be carried out in parallel with interstate and interregional international cooperation. Analyzing the security policy of the Republic of Moldova, it is necessary to emphasize the fact that it adopted, in 1995, the National Security Concept [34], but its provisions were partially modified. In 2005, a new draft of the National Security Concept [35] was proposed, which turned out to be like a political statement, as it was not legally binding.

In the spring of 2008, the National Security Concept project proposed in 2005 was amended and the National Security Concept was adopted. The new Law for the approval of the National Security Concept of the Republic of Moldova (112-XVI 22.05.2008) established the objectives to be achieved in order to ensure national security, the basic guidelines of the security policy of the Republic of Moldova, general values, principles, risks and vulnerabilities in this field [36]. The complex and interdependent character of security is also reflected, with the main threats to the national security of the Republic of Moldova to be taken into account in order to ensure its security.

In the Law for the approval of the National Security Concept of the Republic of Moldova, the problem of the system intended to ensure the state of national security of the Republic of Moldova is also mentioned, with the specification of the process of reforming this system. Another important angle of approach to the geopolitical security of the Republic of Moldova is the one taken in the context of the theory of *sustainable development of a state*. The "Moldova 21" Strategy Project [37] is the first complex document in which an attempt is made to argue the imminence of our country's involvement in the global process of humanity's transition to the principles of *sustainable development*, exposed worldwide in the Action Plan for the Third Millennium, known under the name of "Agenda 21" (Rio de Janeiro, 1992) [38]. The Republic of Moldova is on the periphery of global geopolitical projects. The "security" component is essential in these projects and our analysis starts from outlining the main security risks of the Republic of Moldova in relation to the developments in its neighborhoods.

It should be mentioned the major danger that the transparency of the eastern border of the Republic of Moldova, on the entire perimeter of Transnistria, represents for regional and international security. The lack of control over this territory, where weapons are stored, produced and sold, constitutes a huge risk to stability and security in the entire region. In the context of organized crime, the Republic of Moldova is a transit country, in the sense that it is the place where people, money and goods cross borders. Organized crime in the Republic of Moldova is characterized by smuggling people, drugs, weapons and stolen vehicles, underground banking and tax and excise evasion. Illegal cross-border trade, such as the trade in cannabis and counterfeit

goods, is the main source of financial profit carried out through the uncontrolled border area of Transnistria.

Both the European Neighborhood Policy and the Eastern Partnership framework include a wide range of areas of cooperation, including in security matters, as well as through the projects developed. The particular feature of these frameworks, however, is the strict division between security and development-oriented objectives. This division can be observed in the EU-Moldova Action Plan within the European Neighborhood Policy (ENP). There is a visible tension within the European institutions regarding which aspects should dominate mobility partnerships. Despite the Commission's attempts to extend the scope of the migration report within the mobility partnerships, the security framework promoted by the Council still prevails.

GENERAL CONCLUSIONS AND RECOMMENDATIONS

The important scientific problem solved in the field of political sciences and security studies consists in the identification of some approaches and activity priorities of the state, intended to contribute to ensuring national security, in the context of the new realities imposed by social mobility, changing mentalities through unlimited access to information, demographic decline and the breakdown of transnational organized crime linked to illegal migration circuits.

The results obtained. The subject of the thesis focuses on the narrative the dichotomy between the state's legitimate interest in ensuring national security and its domestic and international obligations to protect human rights for all, including migrants. The theoretical part of the study focuses on the analysis of the relationship between migration and security, on the one hand, and between the state and the individual, on the other. This study analyzes concrete cases regarding the experience of some states in coordinating political decisions and those of international law regarding the need to recognize the preeminence of the fundamental rights of migrants in relation to the national security policies of states. Risks and threats will remain in the future in all four areas discussed (migration, terrorism, cross-border crime and cyber). As explained above, these risks and threats are likely to increase. This growth will not be linear, however. In each area, there will be changes in the nature and scope of security risks. In addition, the four domains are related to each other. One risk area can be directly or indirectly linked to another.

The issue of migration is closely related to the wider evolution of society. Europe has to solve in this regard what are clearly two opposing problems, namely limiting, on the one hand, what is experienced as unwanted migration, and on the other hand, attracting adequate employees to compensate labor shortage, which is increasing as a result of the declining birth rate. In terms of limiting migration, there is a risk of increased criminal involvement as regulations and technology-based border control make it more difficult to enter Europe. This would also increase the risk of regular and irregular migration becoming intertwined. Regarding the relationship between external and internal security, it is important to bear in mind that unstable areas and countries outside Europe remain key drivers of migration. In geographical terms, the main areas are currently in the Middle East and Near East and throughout North Africa. A further eastward shift in migration flows to Asia is possible.

Advantages and value of the proposed elaborations: The construction of migration as a threat to national security shifts political decision makers to state security actors, providing a pretext for more coercive migration control practices. However, the political discourse on the current refugee crisis in the Middle East illustrates a shift in the theoretical paradigm of the

approach to national security, marked by a "savior" focus rather than framing the image of migrants as a threat. This allowed the EU to keep its security response to migration within "compassionate migrant" border practices. It is therefore possible to recognize the emergence of a compassionate border security discourse that defies traditional understandings of border control. Although several scholars have examined the emergence of humanitarian border control in the EU context, no study reflects the complexities of border management.

Currently, there are two major demographic trends in the European Union: the continuous aging of the population and the increase in migration flows, both of which are relevant to study the relationship between demography and security. The abolition of internal borders in the EU has favored the dissemination of narratives that suggest a security deficit and new challenges to public order, derived from the opening of internal borders, which has led to increased politicization and national security regarding migration and asylum issues. This denationalization of state sovereignty requires cooperation, and although close cooperation on security and defense seems to be indispensable in the EU, there is no common position of EU member states on how to approach and manage humanitarian crises, which it can rely on divergent national strategic cultures, which end up applying different security and defense policies within the EU

The impact of the obtained results on the development of science. The literature review shows a gap when trying to apply previous knowledge about security policy-making to the current issue of migration. For example, the link between migration and terrorism is not evident in the Mediterranean crisis, which has the dimension of a humanitarian emergency rather than a protection against the wave of migration.

In the last two decades, the strengthening of security-related migration policies has led to the perception of the migrant, especially the irregular migrant, as part of a category outside the circle of legality. The rights of foreigners in host countries have deteriorated due to the connection between migration and crime. Restrictions on migrants' political and civil rights have been accompanied by major obstacles to their access to basic rights. The events of September 11, 2001 contributed to this trend, which contradicts the basic premises of the human rights paradigm. Recent policy developments and ongoing international cooperation implementing systematic interdiction mechanisms have led to the security of migration and the development of policies to ensure the security of states as a whole.

Therefore, preventive and deterrent migration measures reinforce the state's security paradigm. Instead, various national and international actors have succeeded in defending and promoting the rights of migrants. Domestically, the involvement of the judiciary and civil society enhances the rights-based approach to foreigners. The role of the judiciary is essential to hold

policy makers accountable for upholding national and international human rights protection standards.

Recommendations:

Quantitative evaluations. Contemporary conditions have formed the need for a set of parameters, criteria and indicators for the intersection of migration with the basic elements of national security, through the lens of social and economic processes. This set of parameters, criteria and indicators that link economic, social and public processes with security processes can form the basis for the formation of a migration policy.

Policy recommendations. Some of the policies covered in the thesis are not necessarily new, but have been recently enacted. Others are truly new. Some are still in the planning stage. For these reasons, it is too soon to give an assessment of how successful they are or could be. The point is to demonstrate that there is already a stream of active - and sometimes quite radical - thinking about alternative approaches. Most states will now admit that their policies on irregular migration have had only limited success. Many are willing to consider new approaches, within limits. At least in part as a response to some of the issues outlined above, a number of states have considered and in some cases adopted new approaches to illegal migration that are not based solely on restrictions - although control measures still do integral part of the overall approach.

The links between risks and threats in terms of migration, terrorism, cross-border crime and cyber issues require close cooperation between the actors involved in combating these risks and threats. Regarding the relationship between external and internal security, there are differences in policy, organization and capabilities in the countries neighboring the Republic of Moldova.

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ADNOTARE

TICU Ioan, “Reglementări juridice privind fenomenul migrației și consecințele acestuia asupra securității statelor”, teză de doctor în drept, Chișinău 2023

Structura tezei: constă în: adnotări (în trei limbi), listă de abrevieri, introducere, 3 capitole, concluzii generale și recomandări, bibliografie din 408 titluri, 176 pagini text de bază, declarație de responsabilitate, CV-ul autorului. Rezultatele obținute au fost publicate în 12 lucrări științifice.

Cuvinte-cheie: securitate națională, migrație, politici de securitate, securitate internațională, migrație ilegală, amenințare, vulnerabilitate, reforma sectorului de securitate, migrație internațională, migranți ilegali, politici de migrație.

Domeniul de studiu: drept.

Descrierea situației în domeniu și identificarea problemelor de cercetare. Această teză își propune să explice procesul de securizare a politicilor de migrație din perspectiva asigurării securității naționale a statelor, în conformitate cu reglementările internaționale ale drepturilor omului, drepturilor refugiaților și, nu în cele din urmă, drepturilor migranților.

Scopul și obiectivele tezei. Scopul tezei de doctor constă în determinarea unor priorități de consolidare a sectorului național de securitate al Republicii Moldova, din perspectiva reconceptualizării unor elemente teoretice ce rezultă din reglementările juridice internaționale privind fenomenul migrației și consecințele acestuia asupra securității naționale a statelor.

Asigurarea scopului propus presupune realizarea următoarelor **obiective:** a reliefa aspectele teoretico-metodologice de abordare a securității naționale din perspectiva diverselor demersuri teoretice: realist, liberal, constructivist și al Școlii de la Copenhaga; a cerceta cadrul normativ și instituțional de asigurare a securității naționale din perspectiva reglementărilor juridice privind fenomenul migrației la nivelul statelor dezvoltate.

Noutatea și originalitatea științifică constă în încercarea de a aborda conceptul de securitate națională a statelor (cu unele referiri și pentru Strategia de securitate națională a Republicii Moldova) prin prisma principalelor amenințări și vulnerabilități legate de fenomenul migrației, care se perpetuează de peste 30 de ani și care trebuie analizate strategic: din perspectiva declinului natalității, lipsei forței de muncă calificate etc.

Problema științifică importantă soluționată în domeniul științelor politice și studiilor de securitate constă în identificarea unor abordări și priorități de activitate ale statului, menite să contribuie la asigurarea securității naționale în contextul noilor realități impuse de mobilitatea socială, schimbarea mentalităților prin accesul nelimitat la informație, declinul demografic și destructurarea crimei organizate transnaționale legată de circuitele migraționale ilegale.

Semnificația teoretică. Semnificația teoretică a lucrării constă în încercarea de a aborda edificarea și consolidarea noțiunilor fundamentale ale constituirii strategiilor de securitate națională, raportate la fenomenul migrației prin prisma principiilor Școlii de la Copenhaga. Din această perspectivă, migrația trebuie să devină unul dintre obiectivele strategiilor de securitate ale statelor și trebuie expusă într-un discurs politico-juridic clar, pe următoarele segmente: riscurile social-culturale ale migrației, riscurile economice, riscurile social-juridice, cu accent pe latura penală.

Valoarea aplicativă. În aspect aplicativ, abordarea teoretico-metodologică propusă și rezultatele obținute pot fi utilizate de către factorii de decizie în procesul de evaluare a principalelor amenințări, riscuri și vulnerabilități la adresa securității naționale a Republicii Moldova. Rezultatele obținute ar putea servi în calitate de suport teoretic pentru cursurile universitare „Teoria și practica securității”, „Politici publice”, „Integrarea europeană”.

ANNOTATION

TICU Ioan, "Legal regulations regarding the phenomenon of migration and its consequences on the security of states", PhD thesis, Chisinau 2023

Thesis structure: consists of: annotations (in three languages), list of abbreviations, introduction, 3 chapters, general conclusions and recommendations, bibliography of 408 titles, 176 pages of basic text, statement of responsibility, author's CV. The results obtained were published in 12 scientific papers.

Keywords: national security, migration, security policies, international security, illegal migration, threat, vulnerability, security sector reform, international migration, illegal migrants, migration policies.

Field of study: law.

Description of the situation in the field and identification of research problems. This thesis aims to explain the process of securing migration policies from the perspective of ensuring the national security of states in accordance with international human rights regulations, the rights of refugees and, last but not least, the rights of migrants.

The relevance of the topic is determined primarily by the fact that the state actor needs sufficient institutional and political authority to outline the results of anti-migration policy or secure the effects of migration. Second, the public must be receptive and allow state actors to legitimize the measures against the threat posed and allow security policy to address the issue of migration in accordance with international regulations and respect for human rights.

The purpose and objectives of the thesis. The purpose of the doctoral thesis is to determine priorities for consolidating the national security sector of the Republic of Moldova from the perspective of reconceptualizing some theoretical elements resulting from international legal regulations on migration and its consequences on national security.

Objectives: to highlight the theoretical and methodological aspects of approaching national security from the perspective of various theoretical approaches: realistic, liberal, constructivist and the Copenhagen School; to research the normative and institutional framework for ensuring national security from the perspective of legal regulations on the phenomenon of migration in developed countries.

The scientific novelty and originality consists in the attempt to approach the concept of national security of the states (with some references also for the National Security Strategy of the Republic of Moldova) through the main threats and vulnerabilities related to migration, which has been perpetuated for over 30 years. which must be analyzed strategically: from the perspective of the decline in the birth rate, the lack of skilled labor, etc.

The important scientific problem solved in the field of political science and security studies consists in identifying approaches and priorities of state activity meant to contribute to ensuring national security in the context of new realities imposed by social mobility, changing mentalities through unlimited access to information, demographic decline, and the deconstruction of transnational organized crime related to illegal migration routes.

Theoretical significance. The theoretical significance of the paper lies in the attempt to address the construction and consolidation of the fundamental notions of the establishment of National Security Strategies related to the phenomenon of migration in the light of the principles of the Copenhagen School.

Application value. In terms of application, the proposed theoretical and methodological approach and the results obtained can be used by decision makers in the process of assessing the main threats, risks and vulnerabilities to the national security of the Republic of Moldova.

АННОТАЦИЯ

ТИКУ Иоан, «Правовое регулирование феномена миграции и ее последствий для безопасности государств», кандидатская диссертация, Кишинев 2023 г.

Структура диссертации: состоит из: аннотации (на трех языках), списка сокращений, введения, 3 глав, общих выводов и рекомендаций, библиографии из 408 наименований, 176 страниц основного текста, сведений об ответственности, резюме автора. Полученные результаты опубликованы в 12 научных статьях.

Ключевые слова: национальная безопасность, миграция, политика безопасности, международная безопасность, нелегальная миграция, угроза, уязвимость, реформа сектора безопасности, международная миграция, нелегальные мигранты, миграционная политика.

Область обучения: право.

Описание ситуации и выявление проблем исследования. Этот тезис направлен на объяснение процесса обеспечения миграционной политики с точки зрения обеспечения национальной безопасности государств в соответствии с международными нормами в области прав человека, прав беженцев и, наконец, не в последнюю очередь прав мигрантов.

Актуальность темы определяется, прежде всего, тем фактом, что государственному субъекту необходим достаточный институциональный и политический авторитет, чтобы наметить результаты антимиграционной политики или закрепить последствия миграции. Во-вторых, общественность должна быть восприимчивой и позволять государственным субъектам узаконить меры против создаваемой.

Цель и задачи работы. Целью докторской диссертации является определение приоритетов для консолидации сектора национальной безопасности Республики Молдова с точки зрения переосмысления некоторых теоретических элементов, вытекающих из международно-правовых положений о миграции и ее последствий для национальной безопасности.

Научная новизна и оригинальность заключается в попытке приблизиться к концепции национальной безопасности государств (с некоторыми ссылками также на Стратегию национальной безопасности Республики Молдова) через основные угрозы и уязвимости, связанные с миграцией, которая существует уже более 30 лет. который необходимо проанализировать стратегически: с точки зрения снижения рождаемости, нехватки квалифицированной рабочей силы и т. д.

Важная научная проблема, решаемая в области политических наук и исследований в области безопасности, заключается в определении подходов и приоритетов государственной деятельности, призванных содействовать обеспечению национальной безопасности в контексте новых реалий, обусловленных социальной мобильностью, изменению мышления посредством неограниченного доступа к информации, демографическому спаду, и деконструкция транснациональной организованной преступности, связанной с незаконными миграционными путями.

Теоретическое значение. Теоретическая значимость этого документа заключается в попытках рассмотреть вопрос о построении и закреплении основополагающих представлений о разработке стратегий национальной безопасности, связанных с феноменом миграции, в свете принципов копенгагенской школы.

Значение приложения. С точки зрения применения предлагаемый теоретико-методологический подход и полученные результаты могут быть использованы лицами, принимающими решения, в процессе оценки основных угроз, рисков и уязвимостей для национальной безопасности Республики Молдова и при разработке эффективной политики противодействия им.

TICU IOAN

**LEGAL REGULATIONS REGARDING THE PHENOMENON OF MIGRATION AND
ITS CONSEQUENCES ON STATE SECURITY**

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