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Migration and Security of States

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Abstract: The main topic of this article is represented by an attempt to encounter an answer to the question whether there is any connection between migration/minorities and security and how do they mutually influence. Pursuant to the analyses performed during the last years, we may definitely state that there is a biunivoque connection between migration/minorities and security. The migration/minorities may influence security positively or negatively. Both states are influenced, the state they are leaving, and the state where they are to settle. I have chosen to select in parallel two concepts: migration and minorities. The scientific ground that determined me to decide to use such an approach is that migrants, sooner or later, turn into groups that share the same values, the same culture, the same traditions, the same language etc. Therefore, the migrants turn into a minority living on the territory of the state where they have migrated. Practically, migration may be defined by the movement of an important number of individuals, but, as these groups of individuals settle, they turn into minorities.

Keywords: migration; security of the states; national minorities; phases of security; asylum

1. Introduction

Emma Rothschild summarizes the extension of the security concept explaining its development of four axes[2]. Firstly, upside down, the concept of security extended from the security of nations to the security of groups and individuals. Then, bottom-up, it was extended from the security of nations to the security of international system, or of a super-national physical environment. On horizontal, the direction of extension was from military security to political, economic, society, environment one in other words to the „individual security". Eventually, the political liability for providing security extended itself both upside towards the international institutions, and down, to regional or local administrations, and in both directions towards non-governmental organizations, towards public opinion and press.

Another opinion on the evolution of the concept of security states that this has known three phases, corresponding to different dimensions.

During a first phase, security is narrowly understood as national security, having as main objective to defend the territorial integrity and the suzerainty of state, the threat of security being clearly identified as military threat from other state.

During the second phase, security begins to be understood in the context of the interdependence existent between states and, with this, it is extended in order to include new dimensions, e.g. economic, environment. During this second phase, it is emphasized the direct connection existent between national security and international stability and the observance of all international norms.

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[2] Emma Rothschild, „*What is Security?",* Daedalus 124(3), 1995, pp 53-98, quoted by Simon Dalby in *Geopolitical Change and Contemporary Security Studies: Contextualizing the Human Security Agenda,* Institute of International Relations, the University of British Columbia, Working Paper no. 30, April 2000.

As for the threats, it is started to be considered the non-territorial ones as well, the *migration,* as well as ethnic instability, international crime, issues related to the fulfilment of human rights.

Eventually, the third phase corresponds to individual security, concept that focuses on the economic and social disparities, humanitarian crises, natural disasters as major threats for security, and the individual becomes the main beneficiary of security, replacing the state. During this last phase, *it is obvious the relation between the international security and the migration / problematic of minorities.*

Another perspective on the evolution of security includes also three phases:

- a first phase already consumed of security by national defence and collective defence that had as purpose the maintenance of status-quo, phase that generated the law.
- the second phase is in the process of evolution and development, it deals with security by integration, protection of democracy, fight against terrorism, development, globalization, *migration*; the second phase relies on transoceanic (transatlantic and transpacific) and transcosmic relations and has as purpose the construction of security in the new global order, therefore security models and remodels the legal norm and, at the same time, law controls security.
- the third phase, the last estimated, will have as horizon of development the years 2050 and the *performance of security will appear by civilization*, when morality and spirituality will prevail in the international relations; the general purpose will be the acquirement of security in the globalization era whereas law will generate and model any form of security, therefore, a new concept will appear.

2. Migration and Security of States

The conceptual analysis of security must include as well the reproductive element (Culda, 1997) of a nation.

Despite an increased interdependence of individuals, communities and, last but not least, of states, of intensification of their contacts*, one tends to emphasize the belonging to a certain category, ethnic, religious* or other category and of assertion of the identity of such groups. This phenomenon may often produce tensions that may degenerate in conflicts. It must be stated that *not always and not obligatorily the ethnic tensions, the migration* or other kind of tensions *produce conflicts and, implicitly, they do not threat directly the* international security. The threat of security and stability results, most of the times, from the exploitation and handling of such tensions in political purposes, phenomenon that we may call *ethnicization of politics.* A proper answer before these tensions entails always an evolution and it cannot cause, at all, a catastrophe.

Therefore, *the minorities may be internal or external partners of security. In the majority of international documents, the minorities are regarded as subjects of security, being the beneficiaries of the preoccupations of states to avoid tragic events from the past.*

It is attempted to be removed some feelings of fear opposite to the repetition of some events. Pursuant to some negative stimuli, security turns into a state and becomes a process, it turns into defence. There are many *factors that may strongly influence the relation between migrants/ minorities and security:* economic development; history, culture, one's own consciousness, religion; application of international standards; army; political system; numeric structure of minority; relationships with the neighbours and, last but not least, legislative frame and external stimulation.

It results a paradigm with three variables: minority, majority and the state. The geometry of this paradigm is variable depending on the state of satisfaction or dissatisfaction of any of the three factors.

Depending on such variables, we may face the following situations: instability, conflict potential, controlled situation and stability. More than that, the migrants/ *minorities may adopt the following kinds of conduct opposite to the state and to the majority: they may support the security of state; they*

may destroy the security of state; they are doing their own national security; they are doing a parallel security; they may enjoy security, due to an external protector.

The states interested to protect the nations are preoccupied to identify as much as possible the sources of insecurity and to undertake some measures as effective as possible. (Tobă, 2003, p. 30)

It may be discussed about *the security specific to migrants/ minorities only in the context of national security* and *we may define de security of minorities* as the reach to such balance which results in a status of satisfaction for the three elements of paradigm and which has the role to perform, protect and assert the basic interests of state and to reduce the risk factors and the vulnerabilities that may occur in case of dissatisfaction.

Pursuant to the analysis *from the historical perspective* of the issue of migrants/ minorities and of the impact of such issue on states, we may assert that, since the occurrence of the first state entities and until the consolidation of states, in the sense of state concept approved by international public law and by modern theory of international relations, the *migration/ minorities were generally an instability factor.*

The migrants/ minorities were never satisfied only with the protection offered by states, directly, or pursuant to some international agreements. *They tended to overcome their limits and to have more and more exaggerated and sometimes extremist claims.*

We notice that, *up to present date, it wasn't created any functional matrix of analysis of the areas with tensions where such minorities are involved* and which may offer viable, practical solutions during any stage of such conflict. Also, *there is no institutional mechanism that may try to turn the migrants/ minorities from an instability factor to one of subregional, regional and event universal stability.*

We believe that the development of such mechanism would be useful, since, considering the last evolutions on global and European level, it could prevent or settle the potential tensions inherent to the processes of deepening of interdependencies and of globalization phenomenon.

The bipolar model of post-war society determined the issue of the rights of persons belonging to national minorities to be less promoted, preferring rather the promotion of non-discrimination principle on international plan, than granting, by conventional means, of some rights to the persons belonging to national minorities. However, the block policy made almost impossible the approach of such specific issue, until 1975, when, in the Final Document from Helsinki, was introduced, as a counter-weight to the principle of non-interference in the internal business of states, the principle of promotion and protection of human rights as fundamental principle of public international law. From this point of view, we may consider that the principle of observing the human rights was extremely important as well for the protection of the rights of individuals belonging to national minorities, the latter being included in the general system of protection of human rights.

The most important achievements for the promotion and protection of the rights of individuals belonging to national minorities were obtained after the disappearance of what was called bipolar international society, namely at the end of `90s. We consider the most important documents related to the protection of the rights of individuals belonging to national minorities the following: Declaration on the rights of individuals that belong to national or ethnic, religious or linguistic minorities[1] on universal level, within the Organization of United Nations, as well as the European Charter of regional or minority languages of 1992 and the Frame-Convention for protection of national minorities of 1994, both documents having a regional dimension, being adopted within the Council of Europe.

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[1] Adopted by Resolution no. 47/135 of December 18th 1992.

During the period 1990-1994, one did not agree either on a definition related to national minorities, preferring either apophantic definitions, or definitions similar to that provided by the International Permanent Court of Justice[1].

However, as stated, the issue of national minorities is not new; a definition of national minorities unanimously approved wasn't provided yet. It is noticed that the rights of the individuals that belong to national minorities are approached in documents related to the range of human rights, in separate articles, parallel to disposals that stipulate the same rights for all persons. We notice as well that, beside the documents that refer to national minorities, one speaks about minorities in general, the national minority being one which, regarded from a certain angle, may incorporate the others as well, countrywide. Thus, a cultural minority may be integral part of a national minority, whereas the latter may include several cultural minorities.

A shading of such approach of the issue of minorities is definitely enforced. Opposite to the manner of approaching such field in Central and Eastern Europe, where national minorities represent an important segment of social-political life – situation influenced as well by the historical conditions faced by this geographical area, in Western Europe, we may practically say that no one speaks about national minorities, but about the so-called „ethno-cultural groups", category which includes both ethnical minorities and the migrants.

3. Few Statistics

The beginning of the '80s is characterized by the massive increase of the number of demands of political asylum, pursuant to the increase of conflicts in the world, their number reaching to 8.5 million persons[2].

The countries of European community and those of Northern Europe have become gradually importers of man power from all continents. The basins for recruiting emigrants have been clearly separated: the former Yugoslavians working in France are of Serb origin, those working in Germany are mainly of Croatian origin. In Belgium, most of them are Italians and Turks, in France are the Mediterraneans, whereas Switzerland attracts a strong Italian colony. The neighbourhood, the historical relations and the language are the main factors that explain the international migrating fields.

The falling of Berlin wall facilitated the passing of a strong waive of emigration from the states members of Warsaw Treaty to occidental countries.

There must be stated as well important internal movements inside continents determined by nationality and to escape from wars: the war from Golf caused massive movements of population (3.4 million) that shook deeply the population balance, 500,000 persons (10% of the population) abandoned Tajikistan within a few months (summer-autumn of 1992) and 1 million are refuges in Russia, but the number will increase pursuant to the Russian-Chechen war from 1999; over 1.5 million Albanians and Serbs abandoned their places of origin during the war from Kosovo in 1999; 60 million former Soviets are living outside the borders of their country of origin etc.

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[1] The International Permanent Court of Justice defined minority as a „group of persons who are living in a country or locality, having their race, religion, language and traditions, united by their identity in a solidarity feeling, with a view to maintain the traditions, the religious forms and providing education and raising children in the spirit and traditions of their race and mutual help"; see P.C.J.I., series B, no. 17, p. 19, quoted by (Miga-Beşteliu, 1998, p. 192); taken from (Capotorti, 1991, p. 5)
[2] For statistical data related to the migration phenomenon, see http://www.iom.int/jahia/jsp/index.jsp

4. Conclusions

Therefore, the issue of national minorities remains at the beginning of this century XXI, especially current and at the same time controversial. The intellectual disputes, mainly the factual ones, have been and will be caused further on by the existence, acknowledgement and evolution of the rights of persons belonging to national minorities.

5. Few Proposals and Recommendations

• When *elaborating the New Strategy of national security, discuss with specialists* in the field of minorities and security to reach a correct and real identification of the main risk factors and of the main vulnerabilities of state security and to the identification of the possibilities of management of such risks and vulnerabilities. The consultation of specialists is necessary because, when a minority want, by different actions, to reach certain goals that represent risks and vulnerabilities for security, the actions of such minorities will be usually subtle, difficult to identify on long term, supported sometimes by external forces and may be carried out in sequences apparently legal or similar to a political or democratic game. The amount of such actions may represent a threat or a risk for state security. The result of the scientific demarche suggests the explicit need to include a *distinct chapter in the new Strategy of security of Romania and a permanent updating and adjustment of the legislative and institutional frame related to minorities*. And, last but not least, *even a doctrine in the field, as option, of Romanian state related to minorities and security.*

• Considering the decisive role of education, another recommendation refers to the *introduction of some classes* in the specialized institutions of superior education where one may approach the intrinsic relation between minorities and national security.

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