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MIGRATION

POLICIES IN EUROPE AND POSSIBLE IMPACTS ON AZERBAIJANI IMMIGRANTS

POLÍTICAS MIGRATORIAS EN EUROPA Y POSIBLES IMPACTOS SOBRE LOS INMIGRANTES AZERBAIYANOS

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ABSTRACT

The article examines the issues related to migration and integration policies in the European Union and the potential impact on migrants living in and still visiting the European Union, especially in the context of Azerbaijanis. Due to its current level of development, the European Union is constantly subject to migration from other countries, both because of its attractiveness and the problems experienced in the countries of origin. After the 1960s, most of those who immigrated to EU countries were motivated by economic reasons. However, migration to EU countries for socioeconomic, educational, scientific, medical, and other reasons continues and has intensified. Although each country in the European Union has its legislation and practices related to the migration and sociocultural and economic integration of immigrants, common rules and practices have emerged within the Union over time. Thus, norms are being developed to create common policies on migration issues in the EU, and the issues of compliance with these norms within national legislation in the Union and their impact on immigrants remain relevant at all times.

Keywords: Migration, European Union, Immigrant, Policies, Integration, Azerbaijanis.

RESUMEN

El artículo examina las cuestiones relacionadas con las políticas de migración e integración en la Unión Europea y el impacto potencial sobre los migrantes que viven en la Unión Europea y aún la visitan, especialmente en el contexto de los azerbaiyanos. Debido a su actual nivel de desarrollo, la Unión Europea está constantemente sujeta a la migración de otros países, tanto por su atractivo como por los problemas experimentados en los países de origen. Después de la década de 1960, la mayoría de quienes emigraron a países de la UE lo hicieron por motivos económicos. Sin embargo, la migración a países de la UE por razones socioeconómicas, educativas, científicas, médicas y de otro tipo continúa y se ha intensificado. Aunque cada país de la Unión Europea tiene su propia legislación y prácticas relacionadas con la migración y la integración sociocultural y económica de los inmigrantes, con el tiempo han surgido reglas y prácticas comunes dentro de la Unión. Por lo tanto, se están desarrollando normas para crear políticas comunes sobre cuestiones migratorias en la UE, y las cuestiones del cumplimiento de estas normas dentro de la legislación nacional de la Unión y su impacto en los inmigrantes siguen siendo relevantes en todo momento.

Palabras clave: Migración, Unión Europea, Inmigrantes, Políticas, Integración, Azerbaiyanos.

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INTRODUCTION

Immigration is understood as the cross-border movement of people towards a nation where they do not have citizenship or origin with the intention of permanently residing (Editors of Encyclopedia Britannica, 2024). Historically, it has been a controversial political issue in many countries, which often generates debates about economic impacts, social integration, and national identity. For example, debates continue to this day over issues such as border security, refugee policies, and the integration of immigrant communities into host societies (Eger & Bohman, 2016; Ryo, 2019). Based on this, immigration policies vary greatly between countries. Some countries have open borders, while others impose highly restrictive entry requirements (Burns & Gimpel, 2000; Lavenex, 2006). What is undoubted is that throughout history, immigration has shaped the demographics and cultures of many nations. Overall, immigration is a multifaceted phenomenon with economic, social, and political ramifications. Countries continuously navigate immigration based on their unique contexts and values, and the objective examination of its varied impacts is crucial to inform sound policy decisions on this complex issue.

Today, Europe is facing the biggest humanitarian problem in recent history - the migrant crisis. A large number of refugees and internally displaced persons from North Africa, the Near and Middle East have turned to Europe to escape wars, hunger, and poverty. The current situation in Europe, where the flow of illegal migrants has increased sharply, is considered by the UN to be "The biggest refugee crisis in the world since World War II". This is because the majority of those who have come to the continent are forced to leave their homes due to the sharp deterioration of living conditions and the humanitarian situation in countries where conflicts, internal wars, terrorism, and chaos prevail (Di Iasio & Wahba, 2024).

According to a statement by the United Nations High Commissioner for Refugees, in 2015 alone, about 300,000 migrants crossed the Mediterranean Sea, of which 181,500 entered Greece and 108,500 entered Italy (The Economist, 2016). About 4,000 of the immigrants who risked their lives by crossing the Mediterranean and Aegean Seas and entering Europe lost their lives. This wave of migration has shown that Europe and the international community were not ready for large waves of migration. It appeared that they lacked sufficient systems and infrastructure to protect immigrants in difficult situations (Punzo & Scaglione, 2024). Since there is no such infrastructure, it seems that some leaders use these weaknesses to negatively direct the liberal and tolerant society, whose foundations and superstructure have been formed over many

years, with their populist speeches (Gluszak & Trojanek, 2024; Pepinsky et al., 2024).

However, the current approach harms the possibilities of cooperation on immigration policies within Europe. This process also creates the impression that Europe is chauvinistic and incompetent in the international world. These events have led to problems that will lead to significant changes in migration in the EU. Thus, opinions regarding the non-objective nature of the EU's Schengen visa system have not only influenced immigration policies but also overshadowed the Union's views on economic, social, political, and freedoms. Therefore, while the liberal approach of the EU expects immigrants to be more integrated and included in every aspect, the opposite developments and the behavior of immigrants against international agreements show the seriousness of the situation in which the Union has found itself.

Considering the above, the article examines the migration problem faced by the EU and the social integration policies implemented at the EU level to manage this problem, as well as the rules, practices, and approaches for migrant integration. At the same time, the impact of these migration policies on Azerbaijani migrants is one of the issues of attention and it is discussed.

DEVELOPMENT

Social integration in the EU

Until the 1980s, the number of foreign laborers in EU countries increased every year, but with the introduction of laws restricting the involvement of foreign labor, the number of workers began to decline. Another reason for this decline was the beginning of the process of legalizing immigrants to prevent unregistered employment and illegal immigration in Europe, which did not have sufficient infrastructure for immigration. However, most of the immigrants legalized in this process again faced difficulties for various reasons. However, this process encouraged and further spurred illegal immigration (Baldwin-Edwards & Schain, 1994, pp. 3–10).

The EU had the opportunity to implement regional policies for population control until the early 1990s, that is, until the end of the Cold War and the collapse of the Eastern Bloc. During this period, the criteria for economic and political unity, especially in Western and Central Europe, could be preserved without major problems. Since the 1990s, a new wave of migration to the EU countries has begun, although not on a large scale. The highest rate of immigration flow occurred in 1992, and while Spain, Portugal, and Italy received foreign immigration flows, Germany was the country receiving the most asylum applications (Hansen,

2012). Millions of people migrated during this period, and immigrant smuggling became an international business (EU Policy Lab, 2018).

Today, when the migration policies of the EU are evaluated against the background of these waves, it can be seen that there is a dilemma regarding the phenomenon of migration, especially in the period after 1990. The EU seeks a balance in international migration on the platform of democratic values and human rights on the one hand, and national sovereignty, security, and economy on the other, and tries to develop policies to ensure the integration of existing immigrants. Table 1 shows the agreements adopted in this direction.

Table 1: Treaties Affecting EU Migration Policies.

The contract and its history	Reason for creation
Schengen Agreement: 1985 and 1999	The Principle of Free Movement
Dublin Convention: 1990	Status of Refugees
Maastricht Treaty: 1993	Immigration Policy in a Three-Pillar Structure (justice and home affairs, asylum policy, and immigration policy)
Treaty of Amsterdam: 1997	Post-Maastricht regulations
Tampere Summit: 1999	Management of migrant flows
Charter of Fundamental Rights: 2000 and 2009	Civil, Political, Economic and Social Rights
Seville Summit: 2002	Extension of EU Migration Policy to Countries of Origin and Transit
Treaty of Nice: 2011	Qualified Majority Voting in the Field of Migration
European Pact on Migration and Refugees: 2008	A Common Migration Policy for Europe
The Hague and Stockholm Programme: 2004 and 2009	Steps to the future
Treaty of Lisbon: 2009	General Migration Policies
European Union Migration Pact 2020	Endpoint achieved (external border control, asylum, migration, crime prevention, free movement, introduction of an area of freedom and security without internal borders)

Source: European Commission (2020).

Each state within the EU can legitimize its own policy by referring to its own national law when it acts inconsistently with Union law. Based on the EU's migration policy, such an approach within the Union makes it difficult to reach a common consensus. Even if the existing laws and regulations of the member countries do not exactly coincide with the EU legislation, it is important to at least ensure harmony between the policies.

Given that the current demographic situation in the EU countries necessitates a kind of migration policy, the Union, which is empowered by the Treaty of Lisbon to deal with migration, has a great responsibility. In fact, with its current attractive structure, the EU has become one of the most important centers of attraction for international migration movements. However, after the lifting of internal borders in the EU, member states had to take a common position to keep refugees and migrants under control. However, the European Convention on Migration and Asylum of 25 September 2008, approved for this purpose within the EU, is a political document and has no legal force. This agreement aims to revitalize new policies in migration management.

Then, while immigrants form an indispensable part of the EU's competitive strategy, their potential will not be realized without the opportunity to integrate into the host society and economy. Integration of immigrants who have obtained legal residence is not only a priority process but also an important component of EU migration policy. The integration plan should, on the one hand, develop policies to ensure immigrants' access to rights and opportunities in the host society, and on the other hand, include the integration and acceptance of immigrants into laws, institutional structures, and values (Karakuş, 2007).

The immigration and asylum policy of EU countries can be roughly divided into two stages. The first stage is national policies designed to limit the number of immigrants and asylum seekers and to discourage applicants from seeking asylum. These policies are not interconnected. The second stage began with the introduction of an integrated and coordinated European migration and asylum policy. The revision of the migration policy is proposed with two main

objectives. The first is to control and limit any further increase in the number of immigrants and to avoid the negative effects of unilateral migration management, and the second is to prepare for the implementation of the Single European Market, which will lead to the abolition of borders (Berlinghoff, 2014, p. 47).

On the other hand, in recent years, it seems that migration is not only a problem of source or destination countries (The Economist, 2016). In this sense, it is important to develop work, education, and health opportunities for immigrants in the source country and neighboring countries. Besides, the EU must accept asylum seekers' applications on time, and finally, policies must be developed that prevent the mobility of immigrants or encourage them to stay where they are. Table 2 lists the advanced programs implemented in this direction.

Table 2: Migration programs in Europe.

Country	The implemented programs	Year
France	Local Social Development Policy The policy of social development in the city City policy Sensitive urban district policy	1982 1988 1990 2003
The Netherlands	Policies on issues related to the meeting place Social renewal policy Big city policy Regional Renewal policy	1985 1990 1994 2007
England	Scottish urban life policy Community program	1988 1988
Germany	Social City National Urban Development Policy	1999 2007
Sweden	Development of underdeveloped regions	1995
Belgium	Social Development Fund The policy of large cities	1996 2000

Source: European Union (2024).

The main concerns of EU countries regarding migration have been to develop a system to manage the situation of refugees who have entered the EU territory and to establish mutually agreed procedures for asylum applications. The concepts they use to realize these goals are the Schengen Agreement and the Dublin Agreement. Tests given to immigrants in the UK, the Netherlands, and Germany help them focus more on certain topics. The integration test is used to measure whether people are European and think sufficiently Western before they are granted citizenship (Snyder, 2006, p. 25).

This leads not to the spread of multiculturalism but to the establishment of monoculturalism and partial assimilation rather than integration. What all three countries have in common is the requirement to adopt the lifestyle and values of the destination country. It is also a matter of discussion that the questions are far from creating comfort in the daily lives of immigrants. In England, the main component of the approach to the problem is not the problem of culture, as in Germany and Holland, but the problem of citizenship. It aims at adapting a person not to culture but to their role as a citizen (Snyder, 2006, p. 49). From these exams and materials, we can conclude that the demands on immigrants in Western countries have increased even more.

Immigration policies of countries are constantly changing depending on various reasons. For example, after World War II, due to the need for sufficient labor and the devastating effects of the war, the promotion of international migration emerged as the main policy. Labor migration to Europe, especially Germany, should be assessed in this context. But while conditions have become increasingly difficult for asylum seekers, recent reforms have made life in Germany more attractive to skilled workers. Immigrants who comply with the points system based on language skills and professional experience will be given a one-year visa during which they can look for work. It can be said that the income requirement has also been reduced, and it will also be easier for the applicant to bring more family members to Germany. It is noted that the EU Blue Card in Germany should also be expanded to include sectors suffering from labor shortages, such as health and education.

From March 2024, foreigners from outside the EU can go directly to Germany and start working after their qualifications have been approved. Employees can stay for up to three years, including dependents, as long as they prove they can support themselves. The special immigration quota for people from the Western Balkans will also be doubled in June to 50,000 (Pieper, 2024).

However, the nature of migration flows from developing countries to Europe has continued to change at this point. Currently, the socio-economic policies of countries, as well as the kinship of workers living in Europe and the legal or illegal orientation of these relatives to Europe, are determining factors in migration. For this reason, the EU issued Directive 2003/86/EC in 2003 regulating the family residence permit (European Commission, 2020). According to this directive, family reunification "is the entry and residence in a member state of a family member of a third-country national legally resident in that member state to establish a family union, regardless of whether the family bond was established before or after." Making family reunification more difficult increases irregular access, while making it easier can accelerate abuse.

In general, the programs implemented for immigrants at the EU level can be classified as political participation at the local level, acquisition of citizenship, family reunification, access to the labor market, accommodation, and protection of the cultural values of the host society. The lack of integration policies will lead to the erosion of values such as equality, democratic representation, and social harmony that the EU wants to establish within Europe. For this process to work well, the European Parliament supports the coordination of volunteer sectors, public organizations, and immigrant units in the integration of countries (Hansen, 2012).

The issue of accepting immigrants has generally been evaluated from an economic point of view, and policies have been developed accordingly. However, it turns out that the areas where the host society has the most problems with immigrants are non-economic issues. Therefore, besides economic integration, it is very important to bring up issues such as culture, language, education, and health care. For example, immigration tests are implemented in the Netherlands as a result of the requirement that immigrants adopt the lifestyle and values of the host country. Unlike other countries, in the Netherlands, the exam is held before the immigrant arrives in the country and requires the immigrant to know the country's culture, daily life, history, and political structure (Snyder, 2006, p. 49).

The impact of migration policy on Azerbaijanis in Europe

In general, most of those who decided to emigrate to foreign countries after Azerbaijan gained independence moved to post-Soviet countries, especially Russia. However, after gaining independence, citizens of Azerbaijan began to emigrate not only to Russia and other republics of the former Soviet Union but also to Türkiye, the United Arab Emirates, Western Europe, Australia, Canada, and the United States. On the issue of migration to Western countries, the situation became more complicated because there was a language barrier, a visa regime, and strict immigration rules, and the labor market was rich in immigrants from other countries. The West could not be the optimal region for solving the financial problems of Azerbaijanis. Here, Azerbaijani immigrants faced a dilemma: to emigrate with their families to Western countries once and for all and integrate into local societies. This became a very serious problem for Azerbaijanis isolated from their homeland and not adapted to diaspora life. Therefore, only those who are self-confident, have relevant knowledge, including the language of the host country, as well as those who are forced to take such a step due to socioeconomic, educational, medical, or other reasons, decide to move to Western countries.

In the first decade of independence, most of the more educated, mainly Russian-speaking young residents of the capital of Azerbaijan, as well as those who had the chance to receive refugee status, emigrated to Western countries. Later, other residents of Azerbaijan joined these immigrant groups. In recent years, due to the deterioration of living conditions in Russia and the war with Ukraine, more people have been forced to look for work in other parts of the world, including European countries. The heterogeneous social structure of Azerbaijani immigrants also affected the integration problem. Most of the illegal immigrants from Azerbaijan to European countries live in Germany, the Netherlands, as well as France, Belgium, and Sweden. As of the end of 2022, a total of 9,712 people from Azerbaijan received refugee status abroad (EUROSTAT, 2023).

In general, there is an increase in the number of such people rather than a decrease. In 2022, the total number of refugees from Azerbaijan has relatively increased. If the indicator of recognition of the refugee status of asylum seekers from Azerbaijan by the countries of the world is 17%, positive decisions regarding the status, including additional forms of protection, are 22%. In other words, about four out of five petitions submitted are not granted. Since the number of new petitions submitted in 2022 was high (3,800 petitions), and the number of decisions made regarding these petitions was relatively small (2,904 decisions), the total number of pending petitions at the end of

that year reached 5,230 (most of such petitions are registered in Germany) (SBS, 2023).

Indicators related to recognition of the status of refugees from Azerbaijan also vary depending on the country of asylum. Among the three main asylum countries, France (first instance/administrative decisions– 12%/22%) has the lowest status recognition statistics (with all positive decisions made), while Germany (first time/repetition petitions – 29%/50%) and Sweden (first instance/repetition petitions – 33%/45%) have the highest (AZSTAT, 2022). Recently, the cases of using EU countries such as Germany, France, the Netherlands, Great Britain, and Sweden as destination countries are increasing. During 1990-2015, the number of Azerbaijanis living in the EU-28 increased by "five factors" and was more than 42,000 people (ICMPD, 2018).

The main problem of labor migrants coming to Western countries is that they do not know the laws and strategies adopted in European countries, as well as the migration laws of the receiving countries. The lack of studying these laws causes them problems in their own daily lives and relations with the local government. The mechanism of entry into the country, which is usually accepted as a rule for Azerbaijani immigrants, is as follows: for a certain fee, Azerbaijanis living in European countries send an invitation to Azerbaijan to obtain a legal short-term (1-3 months) tourist visa for a future immigrant. Naturally, such a visa does not give the immigrant the right to find an official job. However, Azerbaijani immigrants, avoiding the attention of the police and contact with the local population, begin to work illegally, mainly in the workplaces of Azerbaijanis and Turks. In case of danger, they move to other EU countries and continue their illegal residence. Or they are trying to get political refugee status.

As a rule, it is difficult for them to learn the language and laws of the country in which they live and get used to their new status. The worst situation in terms of integration is for Azerbaijanis who are turning to Western countries in pursuit of work and a better life. These are mainly people from rural areas of Azerbaijan, with little or no knowledge of foreign languages, with few connections and little support from the host country, and with small funds to run their businesses. Attracting and supporting return migrants, especially in the non-oil sector (tourism, construction, education sectors, etc.), and stimulating entrepreneurship among such individuals can result in the creation of positive dynamics in the process.

CONCLUSIONS

Migration processes, which have always played an important role in history, have undoubtedly become one of the main problems in the system of international relations. The geography and scale of migration expanded and began to be classified according to criteria - legal and illegal, voluntary and forced, permanent and temporary, refugees and asylum seekers, family flow, and brain drain. Forced migration trends have increased in recent years, migration has attracted attention as one of the factors of social changes in the world. Undoubtedly, migration plays an important role in the formation of demographic processes and forms the ethnocultural composition of the population.

Against the background of universal changes and important events taking place in the world, an intensive increase in migration flows is observed. As a rule, immigrants are looking for a good life, and safe and comfortable work. As a result of this, the number of people wishing to become citizens of a stable, developed country, where security is ensured at a high level, in search of a decent life is growing every year. This principle is also reflected in the statistics of Azerbaijanis migrating to Europe. That is, the overall number of migrants from Azerbaijan has increased since 2022. However, let's note that the positive decisions made regarding the status of migrants worldwide make up 22%. It can be concluded that both immigration and emigration processes have intensified in recent years, resulting in the formation of a long-term negative migration balance.

When examining the approaches of the UN International Law Commission, the International Labor Organization, international organizations on migration, international lawyers, and foreign researchers to migration problems, it can be concluded that the general strategy of the EU regarding migration and the migration policies of the EU member states must be constantly updated, improved and serve to meet the needs of immigrants, their socio-economic, social and cultural adaptation in the host country, and accelerate integration. The percentage indicators of positive decisions on the status of migrants should increase.

Migrants facing migration laws adopted in the national legislation of EU member states should not struggle with them but should feel the positive effects of these laws on their lives. The adopted laws should strengthen the bonds between the migrant and the receiving state and serve the cooperation of the migrant with local governments. In the era of modern technologies, approaches to migrants should also change, and relations with immigrants should be built on new principles, which will make them

integrated members of the local socio-cultural society in the country where they go. Otherwise, they will become members of a marginalized group in the host society and live in isolation from the local society.

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