Immigration Policy in the European Union: Opportunities, Challenges and Dilemmas

Anna Yulia Hartati
Department of International Relations, Faculty of Social and Political Sciences
University of Wahid Hasyim Semarang
X/22 Menoreh Tengah Road, Sampangan, Semarang, Central Java, Indonesia
annayuliahartati@gmail.com

Abstract-This article describes the immigration policy dilemma in the European Union. Immigration Issues strengthened along with the wave of migrants to Europe. This raises a problem that is quite complex. The phenomenon of immigration is causing changes in the European countries. One important factor that has changed is the policy. On the one hand, the provision of legal migration program of the government in the recipient country is very limited because European countries now also perform a special selection to filter the migrants who have high skills. The existence of this screening program indicative of the problems of the workers and the short-term discrepancies between supply and demand in many European countries. The existence of various problems related to immigrants eventually led to a dilemma in policy making on immigration in the European Union. This dilemma can be divided into four categories, including a dilemma: labor migration policy, migration control policies, protection and asylum systems, as well as integration policy. The author uses the research methods used to use the analysis of qualitative research, which the authors create a description, picture or painting in a systematic, factual, accurate information on the facts, nature and the relationship between the phenomenon investigated.

Keywords: immigration policy, labor migration, protection and asylum systems, policy dilemma

1. Introduction
   Immigration is one of a growing political issue and is being faced by the European Union (UE) at this time. Immigration net immigration in Europe in 2001 occupies 3 of the 1000 population and the current immigrant population reaches 56.1 million compared to North America were 40.8 million (Boswell, 2006). It seems an indication that in the coming years, Europe will become a major destination for immigrants especially with the availability of jobs requiring short-term labor and skills.
The existence of immigrants brought an opportunity for the EU in the field of social and economic. However, on the other hand also brings the problem is not small. Therefore, a series of policies have been and will continue simmering, either by the EU as a regional organization in Europe, as well as by individual countries that are members of the EU. Estimates from Eurostat (Herm, 2008). Showed that in 2006 about 3.5 million people occupying the resident new 27 EU member states. After an increase in severe in 2003 than in 2002, a higher increase again occurred in 2006, half were higher in 2002. However, in the last three years, the numbers are decreasing. Countries most number of immigrants is Spain and Ireland. In contrast, some countries such as Germany, Austria, and the Netherlands showed a decrease in immigration. In 2006, total immigration in the three countries are respectively 14%, 17%, and 11% lower than in 2002.

In the 1980s, the category grew immigrant receiving countries. This time the pull factors are the countries that experienced growth in terms of economic prosperity. These countries are Ireland, Spain, Portugal, Greece, and Finland. Meanwhile, countries in northern Europe imposed a number of policies that limit the presence of immigrants. The third category of immigrant receiving country this time carried by the countries CEEC (Central Eastern Europe Countries). After 1989, countries of the former Soviet Union ruins bordering Europe in the east become important transit country for migrants before they go into the other recipient countries in Western Europe. Cyprus, Hungary, the Czech Republic, Slovakia, and Slovenia now become countries with positive net migration. That is, they are also a receiving immigrants. If you do a comparison between those immigrants who migrated for work and to seek asylum (protection), then the number of immigrants who want to find employment relatively more than immigrants seeking political asylum. Data from the OECD, In 2004 shows since 1990, an increase in the wave of immigrants from Turkey, Morocco, as well as asylum seekers from the former Yugoslavia, Iraq, and Iran. Here is the data in 2001 showing the country of origin of immigrants and recipient countries in Europe, namely: Morocco in Belgium; Iraq and Afghanistan in Denmark; Russia in Finland; Morocco and Algeria in France; Poli and Turks in Germany; Romania and Ukraine in Hungary; Albania, Romania and Morocco in Italy; Angola and Cape Verde in Portugal, Iraq in Sweden, and India in English.

The phenomenon of immigration is causing changes in the European countries. One important factor that has changed is the policy. On the one hand, the provision of legal migration program of the government in the recipient country is very limited because European countries now also perform a special selection to filter the migrants who have high skills. The existence of this screening program indicative of the problems of the workers and the short-term discrepancies between supply and demand in many European countries. The limited scope of the program is then led to a snowball effect, where the trend ensues is an irregularity immigrants who entered, shelter issues, to providing jobs. Furthermore, the restrictions on access to the asylum seekers resulted in their specific migration channels so that the refugees also turned on irregular migration (not according to the procedure) is.

A matter even more complicated when in the EU alone there are 27 member states, each of which has different interests and desires related to the immigration problem. A conflict of interest occurs among the European public who live in the countries of Western Europe and North with people who come from countries of Eastern and Central Europe are culturally and ethnically different. Anti-immigrant sentiment was manifested in public support for the policy of limited immigration and asylum policy, the negative reporting in the media about the immigrants and asylum seekers, the issue of discrimination against minorities etnik, as well as racism or anti-immigrant violence. From that phenomenon, raises the question, How immigration policy dilemma experienced by the European Union?

2. Research Method
2.1. Type of Research

The research is descriptive as an attempt to portray what actually happened to describe the facts and provide accurate and precise data. This is for describe oppurtunity, challenges and Immigration Policy dilemmas.
2.2. Analysis Technique

This study uses secondary data collected from literature, Internet sites, institutional publications, journals, articles from newspapers and magazines, working paper, as well as speeches and presentations. In analyzing data that has been collected was processed using qualitative methods without quantitative measurement or statistical tests. Rare logic that can be taken is a joint step deductive and inductive logic, which starts from the general to the particular preposition, and vice versa.

3. Results and Discussion

The policy has three concepts to describe the relationship of a country to the events and circumstances that may affect the situation in the country, namely (Carlnaes, 2002):

1. Policy as a set of orientations. The government policy is seen as a collection of the orientation used as guidelines for decision-makers to deal with conditions that require the issuance of the policy.
2. Policies as a set of commitments and plans for action. This action plan includes specific goals and ways to achieve that is considered adequate to meet the challenge.
3. The policy as a form of behavior or action. Here, the policy in the form of concrete steps taken by decision-makers based on the commitments and specific targets.

In line with what was said by Plano and Olton that "foreign policy is a strategy or set of actions that are planned, developed by decision-makers of a country in dealing with other countries or international entity that is aimed at the achievement of certain goals based on national interests which have been determined", Foreign policy-making process is a series of policies to respond to the international situation. So foreign policy can mean as an extension of domestic policy as well (Plano and Olton, 1999)

In it, the policy-making decisions are influenced by several factors, both originating from inside or curved country. Howard Lentner categorizing into two, namely the determinant of foreign and domestic determinants (Hudson, 2007). Determinants abroad refers to the state of the international system and the situation at any given time. Meanwhile, domestic determinant refers to the circumstances in the country consists of highly stable determinant (vast geography, location, etc.), moderate stable determinants (political culture, leadership and the political process), and unstable determinants (the perception of long-term and accidental factors). Rosenau divide the primary sources being input in the formulation of policies that is the source of systemic (external environment), community resources (source coming from the internal environment of the country such as culture, economics, public opinion, etc.), the source of government (elections, competition party and leadership structure), and the source ideosinkretik (experience, talent and elite perceptions of policy makers) (Rosenau, 1976).

In addition to foreign policy concept, the author added the concept of immigration. The term comes from the Latin immigration migratio meaning movement people from one place or country to another place or country. Meanwhile, according to the Immigration Convention in 1924 in Rome, immigration is defined as a 'man of mobility to enter a country with its purpose to make a living or for residence' (Directorate General of Immigration, 2016)

When the concept of the state and sovereignty over a given territory emerges, in doing crossings between countries, needed a passport as a tool for permission to cross. Passport is fitting or clearance past the harbor or the entrance, which comes from the word to pass that pass, and ports, such as ports or entrance. Passports usually contain the holder civic identity. Issuing country is obliged to provide legal protection to the holders wherever located.

3.1. European Union's Immigration Policy

Policies to receive and integrate migrants into the EU, especially the workers proposed by the European Commission in the Commission Communication - The demographic future - From Challenge to opportunity. In the Policy Paper issued in 2006, there are five policy proposed by the European Commission to address population problems and policy acceptance and integration of migrants is one of them. The increase in the number of migrant workers mainly to the EU judged to reduce the impact of the phenomenon of aging society in the European Union both in population growth and in terms of economy.
This policy is applied in the European Union in view of the EU is still considered to be attractive to the international community. The reception of immigrants, especially the workers must also be accompanied by efforts to integrate immigrants into the country in the European Union. Especially when often immigrants, especially migrant workers in the EU are considered stealing jobs peoples of Europe and lead to social instability. Since 1997, in fact the European Union has included the points of integration of migrants as a guide in the field of employment (European Commission, 2003).

EU member states together through this policy to develop a common policy related to immigration mainly labor immigration to meet the needs in the labor market. This policy must be supported by the European Commission with the more stringent policy in integrating the work force from countries outside the EU, to allocate more money and embrace the countries of origin of immigrants to cooperate. The same is also true for immigrants from countries members of the European Union.

Member countries of the European Union itself has long been a tradition of receiving immigrants, especially in its member countries. The goal is to increase economic growth and ensure the availability of labor. For example, in the 1960s, the countries of Western Europe opened its borders to workers from countries outside the pekerkja so that the work which is considered unsuitable done by people who Europe. The opening of the border was also based on their demographic or population problems.

Immigration policies in the institutional umbrella of the European Union itself has existed since the Treaty of Rome in 1957. Policies to attract migrant workers revealed an impact especially in the 1990s, when the number of net migration into the major components in the change of residence in the member countries of the European Union. With their population problems, the European Union, according to UN reports require about 1.6 million immigrants annually to maintain the current population by 2050.

### 3.2. Opportunities and Challenges of Immigration as the European Union’s

Since 1950, Europe has become the recipient of immigration and is now in the EU has legalized 11 million permanent immigrants and several million more are estimated to be illegal. Distribution of immigrants from abroad are scattered differently in each country. Particularly in the northern zone (Ireland, United Kingdom, Finland and Sweden) migratory movement is considered quite dynamic, while the central zone (Belgium, Denmark, Germany, France, Luxembourg, the Netherlands, and Austria) is the main focal point of interest for many immigrants to migrate towards Europe. Meanwhile, the zone of the Mediterranean (Italy, Spain, Portugal and Greece) are more likely to receive immigrants who come from the north of Africa. Background of arrival they too different either as asylum seekers or on the basis of economic motives.

Migration has become a serious focus in Europe at this time. The history of migration in Europe had started long before the 20th century. Initially the European community chose to air-migration to other continents such as America or Australia to seek new territories and hopes of a better life (Hansen, 2007). At the time of the industry in Europe has advanced, the people of other European countries such as Poland vying to enter the territory of Industry. Post-1945 types of immigrants began to arrive in droves in Europe, from immigrant workers seeking employment, immigrants because of the war as did the people of Indochina, to immigrants who come for a family (Puspita, 2015). In addition, Hansen added one type of migrants to Europe post-1945 immigrants asylum seekers, immigrants began to arrive in droves in Europe started in 1990 until now.

With the number of outflow of the population in Europe can indeed help in addressing the issue of demographics in Europe, where the setback demographic triggered by declining fertility rates and increasing life expectancy to use countries in Europe the shortage of labor, especially labor is a lot of work in sectors that are not suitable if carried out by the European community. On the other hand with the more smooth flow of population movements have caused a native of the state does not get a better life than the immigrants financially. (Boswell, 2006) As a result, European countries began to reconsider their policy on immigration to further tighten immigration policies and provide specific quotas for immigrants who entered. Because this is getting tighter immigration policies are the obstacles immigrants who want to enter Europe more difficult.
European Commission policy in the 1990s changed in order to overcome the number of immigrants in Europe, one way is with the implementation of the return directive which is the immediate return of migrants by European countries to the countries of origin of the migrants. (Weinar, 2011) Furthermore, a policy that is applied to such restrictions on the number of migrants and enforcement of skilled worker for migrants who would migrate to Europe. Then the barriers that provided little opportunity for immigrants to enter the European region is the presence of a party of the Far Right Parties that openly reject their migration flows freely open for entry into the European region (Wilson and Hainsworth, 2012). The party considers that migrants are parasites that take advantage of the welfare state system in Europe because it brings new problems to Europe. This party increasingly dominant position in Europe by imposing strict regulations for migrants entering Europe. Thus, immigrants are no longer free to enter the territory of Europe as their destination countries are dominated by the party.

Since its creation in 1999 Amsterdam Treaty, the EU has developed the competition in the field of asylum and migration policies through the implementation of the Tampere Programme (1999-2004) and the Hague Programme (2004-2009). The two programs are created to build and implement asylum and migration policies in the EU. Tampere Programme (1999) was adopted because of the need for migration and refugee policy in the EU that involve partnership with the countries of origin of refugees related system, including the fair treatment of citizens of the Third World, and the management of migration flows. Furthermore, in 2005 there Hague Programme which set the EU action against terrorism, migration management, visa policy, refugees, privacy and security, and the fight against organized crime is not. According to Collett (2013), in his article titled "Facing 2020: Developing a New European Agenda for Immigration and Asylum Policy", European governments need to create a particular vision on migration. This is because a regional basis, Europe is experiencing economic growth and population decline, while other continents Europe more attractive for residents, such as Latin America and Australia, which led to increasing the number of emigration. The challenges facing Europe more evident when in 2011 recorded 10 percent (48.9 million) of the population of countries of the European Union were born in other countries, with one-third (16.5 million) of them were born in the EU, while 32.4 million others born in country outside the EU. Immigrants who arrived in Europe less and less because of the recession, while spending the labor market of natives and immigrants in Europe are very different in most EU countries, so that people born outside the European Union do not to get a job. This is a serious challenge for the EU integration. Especially in this era of globalization, the movement of people out of Europe can not be denied, while their workforce development strategy focused on skill natives, while employment for immigrant labor severely restricted by the government. That caused the fewer migrants to Europe is not balanced with the natives of Europe who moved out of Europe, so the impact on fluctuations in labor demand in European countries. Therefore, policy makers in Europe should consider immigrants as an integral element of the strategy in the future. "European policy makers will have to consider immigration as an integral, yet complex, element of future strategy."

Countries in the EU apply different policies in dealing with immigrant issues. Italy is the first destination in Europe are often bypassed by immigrants. Immigrants who use ships frequently landed on the island Lampedusa, Italy. Immigrants who do not have a work permit were detained for several days in the shelter, but many of the immigrants who settled even months so that later made the government to deport immigrants. In 2006, then made the rule of law on immigration and integration. Italy imposed a contract of residence which are strict rules against immigrants who want to work in a place that he lived at the time. (IOM, 2009).

While France imposed a migration policy since 1945, in 1970 this policy began to change more rigorous and finally in 2004 made more binding policies related to migration issues faced. Then the British to open up to the migration due to the need for labor. In 2002 there is a special program that aims to seek immigrant labor but must be accompanied by qualifications held. Despite opening up to immigrants, but England are so strict in regulating citizenship and family migration. (Dustmann and Frattini, 2012).
The main issues faced by migration policy is associated with a decrease in the population of Europe is one of them due to the low birth rate in Europe, causing a lack of manpower in Europe. So that the EU member countries make policies related to the influx of immigrants in order to obtain the availability of labor in Europe. This then raises two arguments pro will the policy because it will benefit the countries in Europe and the counter opinion which sees this even cause explosions pre immigrants. Immigration in Europe is done through various ways such as through work permits or study permits for skilled workers, with immigration marriage or family reunification, to illegal immigration.

Another issue faced is that although work permits in fact immigrants working in Europe mostly earn lower wages than the wages of the workers of Europe. So that it can lead to social discrimination. Collett added that the countries in the European Union should create a strategic policy related to immigration and avoid the use of one-dimensional approach manner. Because immigrants have reasons for migrating different as to improve skill and financially, expanding the learning experience, a wedding, or displaced. (Collett, 2013).

Undeniably, the issue of migrants who were the center of attention in Europe seems more inviting responses from the European community itself. German Chancellor Angela Merkel considers the issue of migrants has been becoming the toughest test for the EU, even compared to the issue of the financial crisis experienced by Greece, given Germany has accepted more refugees from other European countries are expected to reach a total of 800,000 at the end of 2015.

On the other hand, the Prime Minister of Slovakia Robert Fico said that his country will never agree with the arrival of immigrants. Therefore, the immigrants who are victims of war in the Middle East and Africa was considered to be harmful to the development of Europe from the economic aspect. How not, the recent central Europe faced with the problem of gray population and the unemployment rate is high enough. The arrival of immigrants is considered to be seized of jobs and also shifts the existence of indigenous Europeans themselves. It is then the reason why these immigrants had better get expatriation. However, as for the opinion of the economists who actually believes that the arrival of immigrants leave the immigration surplus for Europe because it can expand the demand for goods and services markets of Europe itself (Teresa, 2015).

### 3.3. Policy Dilemmas

Given the problems above eventually led to a dilemma in policy making on immigration in the EU. This dilemma can be divided into four categories, including a dilemma: migration policy workers, policy control migration, system perlindangan and asylum, as well as integration policy (Lahteenmaki, 2004).

First, labor migration policy dilemma. In many countries, there is no doubt, that there is a serious conflict between economic demographics, especially in the case of increasing the number of workers and the public resistance against migration is rising. European countries have compromised this problem through different ways. In many cases, the government has successfully introduced legislation or liberalization program. Programs and legislation is aimed at migrants who have high skills, or at least have expertise in certain fields. This program was also introduced for those migrants who are already living in European countries before the program is launched. However, explicit efforts on expansion of this program contains controversial politically. EU government saw this program as a promising and is temporary and will not be made permanent (as for example in the case of the Green Passport in Germany). However, in a different case, the government has avoided political conflict with the introduction of liberalization through the attitudes that do not seek parliamentary approval and a bit of media attention. None of this compromise that establishes a sustainable solution for short-term workers.

Second, the policy dilemma of migration control. There is a serious obstacle for the government to control the movement of migrants, residents, and workers who are not organized. Tightening internal controls on water consumption, for example, to prevent irregular residence. It is certainly not in accordance with principles accepted in liberal democratic countries. Similar to the high cost of controlling borders and cause serious delays for those who will cross over the border, and the subsequent effect was a negative effect on the tourism industry and trade. On the other hand, smuggling and trafficking networks become more
sophisticated methods. As a result, this control policy should also consider the adoption of a hi-tech aspect in its activities in the field. In the case of the Schengen countries, a form of control at internal borders is no longer functioning because of the abolition of checks. Efforts to control irregular workers have to face some constraints anyway. For example, the conflict between business interests in saving the supply of cheap labor. This shows their interest in the weak degrees of strengthening sanctions for employees in many countries. Once people have become resident in perideo long, it is difficult to underestimate them later with practical and humanitarian reasons, and there may be a stronger case again in the regulation of their status. This is of course without any problem.

Third, Dilemma Protection System and asylum. Since 1980, European countries have had considerable international experience regarding the restriction of the asylum system - based on the 1951 Geneva Convention. Welfare and support of accommodation for asylum seekers have been radically reduced, and in some cases, asylum seekers has also been moved to specific areas. The documents also considered their asylum applications through accelerated procedures, as well as visa restrictions, as well as the rules of the "safe country" or transit countries also restrict access to the asylum system. Among all these changes, the asylum system is also ultimately failed to bring together the two main objectives, namely: to provide support for those in need of protection as well as limit and prevent those who do not need. This policy is the continuation later gave rise to protests from groups of human rights defenders and labor groups. Media and the public will abuse the asylum system through reporting and their attitude. Here it can be seen that there are two cases, namely the conflict between the domestic, European and international refugee and human rights norms on the one hand; as well as public pressure against the restriction on the other side.

Fourth, Integration Policy Dilemma. Integration is an issue that most reap the debate in Europe. This is caused by the discourse of national sovereignty of each country that is still strong retain their national identity. Therefore, it inevitably will have an impact on the issue of citizenship and the rules state. Actually, the dilemma of integration policies in Europe are rooted in the classic problem, namely the tension between closeness populist, economic considerations, and the norms and liberal institutions. Simplification is certainly too risky. Therefore, this simplification can be divided into three integrated approaches that have been crystallized in Europe after World War, namely: 1) The multicultural approach, which implies tolerance of cultural and religious differences, the enforcement of legislation anti-discrimination, as well as easy access to citizenship ; 2) approach to social citizenship, which is offered to immigrants for quasi-membership within the framework of fulfilling social rights and economic, but restrict access to full citizenship; and 3) the republican approach, which gives easy access to citizenship but on condition that such citizens to free themselves from dependence on certain ethnic and religious in the public sphere.

4. Conclusion

Problems immigrants initially be a good solution to fill the void of the need for labor in Europe. Population shortage problem can be closed by accepting immigrants from various countries. But it ended up creating new problems when the number of immigrants entering the more and most of them are asylum seekers who do not have skills. Giving rise to other problems such as poverty, crime and cleanliness of the city in the European countries. Policies established by governments in Europe aiming to find a solution to these problems so that immigrants will no longer be a problem too serious in the European region.

Of the various immigration policy dilemma regarding the above, it can be concluded that immigration policy is still a matter that has not been completely fixed. This is a risk for a regional organization with 27 member states that have interests and desires are different. However, in line with the high commitment of the member countries of the Lisbon Treaty (the Lisbon Treaty), the refinement and implementation of immigration policy is not impossible to achieve.

References
Carlnaes, W. (2002). Foreign Policy dalam Walter Carlnaes, Thomas Risse & Beth A. Simmons, Handbook of International Relations. Sage
Collett E. (2013). Facing 2020: Developing a New European Agenda for Immigration and Asylum Policy
European.eu. t.t. European Pact on Immigration and Asylum [online]. Available in:
m_immigration/jl0038_en.htm, accessed on November 20th, 2016
http://www.theatlantic.com/business/archive/2015/09/what-effect-will-migration-have-on-european-
wages/404473/#article-comments, accessed on November 20th, 2016
Oxford: Oxford University Press.
while EU remains attractive to non-EU citizens”, Eurostat Statistic in focus.
Publisher
IOM, 2009. Laws for Legal Immigration in the 27 EU Members, dalam International Migration Law
for Experts in the Series Great Debates organised by the Cicero Foundation, Paris, November, 18-
http://www.cnnindonesia.com/internasional/20150908150704-134-77378/sejarah-migrasi-manusia-
di-benua-eropa/, accessed on November 20th, 2016
Pre
http://www.eui.eu/Projects/TransatlanticProject/Documents/BackgroundPapers/EU-
CooperationChallengesExternalMigrationPolicy.pdf, accessed on November 20th, 2016
Wilson, R and Hainsworth P. (2012). Far Right Parties and Discourse in Europe: A Challenge For Our
Times [online]. Available in:
http://cms.horus.be/files/99935/MediaArchive/publications/20060_Publication_Far_right_EN_LR.pdf,
accessed on November 20th, 2016