

THE POLITICAL GEOGRAPHICAL ASPECTS OF CROSS-BORDER
ILLEGAL MIGRATION AT THE SOUTH HUNGARIAN BORDERS
SINCE THE COLLAPSE OF THE BIPOLAR WORLD +

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I. Introduction

The bipolar world and the end of Cold War oppositions brought about fundamental changes in Europe and across the globe. During and immediately following the era of the collapse of European Socialist Federal regimes, the geography of states in Hungary's neighbouring environment was thoroughly reorganised. The allied Socialist neighbouring countries were dissolved, and the former republics were transformed into new independent states. Depending on the peaceful or bloody nature of the transformation, the respective countries saw the arrival of refugees.

Albeit in the course of the transformation of the milieu made up of the neighbouring states, Hungary's borders remained unchanged, the character, functional and political content of borders underwent several basic transformations in various border areas. Due to the Hungarian state borders and the reorganisation of allied relations, considerable functional changes occurred at „the Federation's borders, i.e. where they were aligned with Hungary's borders”.

From the beginning of the 1990s, new global processes began to unfold. These resulted in the accelerating globalisation of the economy, making it even more obvious that globalisation does not only produce winners but territorial losers as well. The crisis hotspots of the Near and Middle East have not disappeared, instead, certain countries (Afghanistan, Iraq, Lybia, then Syria) entered into an almost permanent political, social, economic and modernisation crisis and a state of war. The „mass refugee training” was built on conflicting external and internal forces and their self-reinforcing effects in each of the countries in question. The massification of „client wars” introduced new features into the complex system of relations.

Hungary, as a member of NATO (1999) and later of the European Union (2004), became a collective actor rather than an individual participant of global processes through a natural process. Hungary had to meet the most severe challenges from the South (just as in history). The South Slav war conflicts (1991-1995), the accompanying waves of refugees, the air war against Serbia started in the spring of 1999, the renewing waves of Kosovar refugees still emerged as European-scale issues. The majority of Hungarian society demonstrated solidarity towards South Slav refugees, irrespectively of their ethnic or religious affiliation.

Between 2013-2014, the primary challenge was the massive apparition of Kosovar migrants at the Southern state borders, only a limited number of migrants or refugees arrived from other territories. The daily illegal border crossing peak extended beyond 1,200 persons. The majority of Kosovars also headed towards Germany, Hungary was not an attractive destination or opportunity for them, they regarded the country as a mere „transit area”, not as a settlement country.

In 2015, a new challenge, intercontinental migration emerged at the Hungarian-Serbian border. Masses of Middle Eastern migrants, and a smaller proportion of African

migrants appeared at the borders, unanticipated by the Hungarian society and the political sphere and causing a panic-like reaction. The Hungarian political leadership – due to a lack of effective European aids to manage the processes – applied unilateral and much debated solutions.

Pursuant to a unilateral decision, the Hungarian fences constructed at the Hungarian-Serbian, and later on, the Hungarian-Croatian state borders contributed to the handling of the migration challenge, and while they produced virtual diversion effects, they received highly negative reactions from international, European political players and the press. Owing to the construction of fences, inter-state relations between Hungary-Serbia, Hungary-Croatia, Hungary-Austria, and even Hungary-Germany deteriorated temporarily.

Owing to the fences, Hungary was able to avoid the direct effects of the massive intercontinental migration wave, however, European political leaders wanted to delegate the issue of migration and refugees within the EU to the competence of the Commission, by introducing mandatory migrant quotas. This would mean that migrants deterred by the fence could enter Hungary through a „back gate”.

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II. Historical precedents: the first phase of illegal migrations, 1988-1998

In the era of the bipolar world, in addition to the iron curtain dividing Europe (West-East), a specific „Socialist iron curtain” in terms of „non-state, military, official structures” was erected between small Socialist countries and the Soviet Union, which, based on a conscious Soviet decision, hindered the cultivation of interpersonal relationships on a massive scale. Even tourism related movements consisted predominantly of state-organised, collective trips (Figure 1).

Due to internal social, economic and political relations characterising former Socialist countries, the transformation process was launched and executed under heterogeneous conditions. In the federal states (Czechoslovakia, Yugoslavia, the Soviet Union), the crisis of the state and the internal social, economic and political regime change occurred simultaneously.

Figure 1: The two 'Iron Curtains' in 1988



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Due to the situation encountered in neighbouring countries, illegal border crossers to emerge at the Hungarian-Romanian border for the first time were predominantly Romanian citizens of Hungarian nationality. In 1988, some 13,000 people crossed the green border illegally. In 1989, the number of illegal entrants exceeded 17,000. The approach adopted by the political sphere and the state towards illegal border crossers was defined by the existing bilateral agreements, the captured illegal entrants were forced to return to Romania, and mostly suffered the serious consequences of their failed attempt to escape.

Due to pressure exerted by society and the church, the Hungarian political sphere had to abandon its „legal, yet inhuman practices”, thereafter, neither the Hungarian nor the considerably smaller proportion of Romanian illegal entrants were repatriated. They were permitted to continue on their way towards the West.

In 1989, Hungary was the only Socialist country to become a member of the Refugee Organisation of the UN, which created new legal bases and opportunities shaping the possible approach towards illegal border crossers, thereafter regarded as refugees.

In 1989, the Hungarian political leadership encountered special problems due to the massive emergence of citizens arriving from GDR, which captured the attention of the international community as well. GDR citizens arrived legally with a passport as tourists, and afterwards, they refused to leave the country. From „illegal tourists” they were transformed into „illegal residents”, and finally were officially referred to as refugees, and refugee camps were established to host them (Zugliget, Zánka). During the event of the „Pan-European Picnic” (August 19, 1989) a share of GDR citizens „illegally broke through” the Hungarian-Austrian border. On August 21, 1989, a GDR citizen was shot at the Hungarian border (he was considered to be the last victim of the Hungarian Iron Curtain), and following a complex political bargaining process, Hungary „released” GDR citizens, who were permitted to cross the Hungarian-Austrian border with their GDR passport and return to the GSR.

The issue was complex as it affected the basic regulations of the entire system of socialist federal republics of the period, i.e., in order to cross the western Iron Curtain bordering any other country, a person was obliged to hold a valid passport from the country in question. The massive release of GDR citizens contributed significantly to the internal desintegration of the GDR, and ultimately, the collapse of the Berlin Wall.

The desintegration processes of Yugoslavia from the summer of 1991 created a totally new neighbourhood environment along the southern borders of the state. First, Slovenia (during a 10-day-long local war involving no serious losses) and later on, Croatia (during a series of bloody conflicts) seceded from the Federation, entailing the acceleration of the process of desintegration. Between 1991-1995, masses of people arrived from Croatia and Bosnia-Herzegovina (a part of them without any official documents) to Hungary. (Their number reached 50,000 in 1991 and 16,000 in 1992). Albanians, Bosniaks, Croats, Hungarians, Serbs, etc. were all represented among those fleeing from war. Hungary and the Hungarian society aided the refugees without any ethnic, linguistic, religious discrimination. Those who wanted to, were free to continue their journey to Western Europe or overseas countries, those who really demanded accommodation in refugee camps received all the necessary support as well as full board. (The last refugee camp for refugees arriving from the territory of former Yugoslavia, located in the proximity of the southern border in Vés in Somogy county was closed only in 1998. Mainly old refugees resided there until that year.)

The self-destruction of the Soviet Union in December 1991 was not followed by massive illegal or legal migration towards Hungary. Albeit Hungarians, Ukrainians, Russians arrived from neighbouring border areas, their number remained low.

The velvet divorce of Czechoslovakia on January 1, 1993 did not result in cross-border migratory movements through the new Hungarian-Slovakian border. No-one felt jeopardised by the dissolution of the state.

The due significance of the functional transformation of the Hungarian-Austrian border in 1995 related to the EU accession of Austria is rarely recognised. The EU border opened up new cooperation opportunities for Hungary.

In overall, between 1988-1998, Hungarian state borders were affected by massive illegal migratory processes on several occasions. Hungarian Governments almost always handled the problems of citizens of various ethnicities in a politically responsible and humane manner, and strived to resolve their problems via international conventions. A small share of illegal immigrants settled down in Hungary.

III. Hungary in a transit situation: between sending countries and destinations

Hungary obtained NATO membership in the spring of 1999 and EU membership in May 2004. These accessions entailed a changing significance of state borders and Hungary remained a „landlocked island country” for a brief period under the aegis of NATO since it could count no NATO members among its neighbours. (In terms of political geography, the situation of Hungary is unique since its state borders were entirely aligned with the external borders of the alliance.) EU membership represented a changing context both in terms of internal and external borders.

Post-2000, albeit illegal migration was still present in the life of the country, its size was not significant in numerical terms. The institutions of asylum created in Hungary pursuant to the regulations of Act LXXX of 2007 (on asylum) were able to tackle the situation of refugees arriving from neighbouring countries and increasingly from remote crisis zones. The country became a member of the Schengen Area in 2007, which imposed a unified, community-level border regime in every respect.

The number of illegal migrants, particularly those arriving from various war-stricken zones showed a gradual increase from the beginning of the 2010s. This growth was transformed into a virtual explosion in 2014. According to the analyses of the UN High Commission for Refugees, a total number of 50 million people had to leave their home during 2014 at the global level. The majority of the exiled became refugees within their own nation, while a total number of 14 million people were forced to leave their home country. The overwhelming majority of international refugees (86%) were admitted by neighbouring developing countries of Africa and Asia.

In the aftermath of the conflicts in Iraq and later on, in Syria, millions of refugees remained trapped in the neighbouring Muslim states. (Libanon and Jordan became the major refugee receiving countries in the region.) Turkey obtained a strategic role in European migration processes since it had accepted approx. 1,8-2 million Syrian refugees by 2015.

In order to hinder the augmentation of the number of refugees at the Greek-Turkish land border, Greece (with the express approval and support of the EU) constructed a massive, strictly controlled border fence in 2012, which was occasionally able to prevent the massive influx of refugees. Turkey – as a NATO member and potential EU member state – did not wish to prevent the massive outflow of refugees and migrants of Syrian and other nationalities via the sea. The large-scale outflow of refugees relieved internal tensions, while, at the same time, it provided a new negotiation and bargaining position for the country vis-a-vis the EU.

The prolonged internal economic, social and political crisis of the NATO and EU member state, Greece, partially contributed to its inability and lack of willingness to halt and register the masses arriving from Turkey to the islands of the Aegean sea (as a means to obtain a bargaining position in Europe) – notwithstanding that it would have been obliged to do so under the Schengen system. Greece „exported” hundreds of thousands of refugees and migrants towards Macedonia, a country aspiring for EU membership.

Macedonia was unable to resist the migration pressure and passed the problematic masses on to Serbia. Serbia was faced with a difficult situation since it encountered a delicate challenge in the course of EU negotiations. Serbia, besides providing minimal services and serving as a parking lot for refugees for a short while, oriented the masses towards Hungary.

Hungary as an external Schengen border of the EU, encountered a special challenge on the Serbian border section. According to the EU rules of the game, it was obliged to execute its tasks in line with the Schengen border Code, ensure the global control of both official border crossings and the green border, take measures against illegal entrants in light of the formerly defined protocols and perform registration-related tasks.

Hungary was ill-prepared (while it was able to gain a thorough picture of the intensifying migratory movements – if not from the observation of the processes themselves, at least from the situation analyses of FRONTEX) to meet the challenge of the arrival of unprecedented masses of „non-law abiding” people from Serbia. Refugees and migrants – as opposed to the previously arriving masses from Kosovo – did not wish to register themselves in Hungary, since they considered the country as a mere transit zone.

The destination country marking the end of the „migration path of the Balkans” was Germany, whose leadership, owing to historical liabilities and value-based considerations, called for a migration policy targeting the „admission of all refugees” from mid-September 2015.

Hungary found itself in a trap, constituting a transit area between sending and receiving countries in such a way that the majority of refugees and migrants did not wish to enter into a relationship with Hungary (fearing later repatriation). The conflict between the legal obligations arising from the Geneva Convention, the Dublin regulation and Schengen and the political intentions began to adopt a structural character.

Albeit in 2015 Germany demonstrated its political will to establish an inclusive refugee welcoming society, in 2016, various unfavourable phenomena questioned the pertinence of the solidarity-based approach towards immigrants on behalf of a part of German citizens. Meanwhile, divisions among German political leaders and within society have become more pronounced. Due to the changing scope of the issue, the country has to decide sooner or later to what extent it is willing and able to pursue its policy of welcoming refugees and migrants. This decision will ultimately shape the situation of the potential and effective transit countries.

IV. Hungarian „fence-building responses” to migration challenges at the South-Hungarian border

Since 2012, Hungarian refugee organisations have become aware of the beginning of a new chapter in the history of illegal migration. Individuals, families, smaller groups of Near-Eastern origin started to appear in growing numbers alongside the Kosovar refugees. The bulk of refugees arriving at this period supposedly decided to embark on the voyage out of their own free will, and exploited the „services” offered by human smugglers on a complementary basis.

The first turning point occurred during 2013-2014 (Table 1) when the number of illegal arrivals, those registering as refugees suddenly doubled. What had previously been a professional issue gradually drifted into the political arena, since managing and ensuring the mass transfer of illegal migrants demanded this shift. The negative impacts of the process of illegal migration penetrated into the everyday life of inhabitants of Southern Hungarian areas touched by the phenomenon.

Table 1: The evolution of the number of asylum seekers and refugees, 2012-2016

The number of asylum seekers arriving in Hungary and individuals benefiting from international protection

Period	Asylum seeker	Refugee	Protected	Admitted	
		Obtaining refugee status			
2012	I	457	21	55	27
	II	363	23	108	17
	III	538	12	80	2
	IV	799	31	85	1
2013	I	2 322	26	45	3
	II	9 419	47	54	1
	III	4 404	54	40	–
	IV	2 755	71	78	–
2014	I	2 736	45	51	5
	II	2 699	95	42	1
	III	8 711	58	44	1
	IV	28 631	42	99	–
2015	I	33 549	29	96	3
	II	33 239	44	68	–
	III	109 175	35	73	1
	IV	1 172	38	119	2
2016	I	7 182	39	109	4
	II	15 309	48	56	2
	III				
	IV				

Source: KSH. http://www.ksh.hu/docs/xstadat_evkozi/e_wnvn001.html

The examination of persons demanding refugee status based on their previous, documented citizenship clearly shows that during 2013 and the beginning of 2014, Kosovars constituted the majority of illegal border crossers, and from mid-summer onwards, the number and proportion of Afghans, Syrians and Iraqis increased at an accelerating pace.

Between 2014 and 2015, fundamental changes occurred in the size of illegal immigration. It became crucial for Hungarian authorities to distinguish refugees from economic migrants within the mass of illegal migrants. The decisions of Hungarian asylum authorities (2014, Month I-XI – 2015, Month I-XI) reveal that while 232 asylum applications were accepted in 2014, this figure dropped to 123 in 2015, while the number of persons granted humanitarian protection rose from 205 to 318. The fundamental shift occurred in the number of rejected asylum applications which rose from 17,473 to 135,963.

The number of illegal crossings at Hungarian borders attained 400,000 in 2015. Illegal daily border traffic can be monitored on the basis of police statistics ([www. police.hu](http://www.police.hu)). The bulk share of migrants arrived from the direction of the Serbian-Hungarian border. Migrants showed a „moderate” willingness to cooperate with Hungarian authorities, in reality, they regarded the country merely as a transit zone.

Migration-related processes did not only affect Hungarian border areas, but the cities situated along the principal railway lines and motorways. Keleti railway station won an international reputation due to the incidents and the chaotic situation which developed there and which the city’s inhabitants deemed intolerable.

Keleti constituted a unique case since this was where the joint efforts of church, civil organisations and individuals to aid refugees were most visible. (The refugee issue and the proper attitude to its management caused a division between ecclesiastical personalities, not only within the political sphere).

The Hungarian government decided to seal off the Hungarian-Serbian green border with a fence (June 17, 2015). The construction of a 175 km-long fence advanced at a rapid pace. Thereafter, migrants appeared at the Hungarian – Croatian border, particularly at the land border section of the Baranya Triangle. (Only individual attempts to enter across the Drava were recorded.) The construction of the 41 km-long fence along the common border was completed by 15 October 2015 (A piquancy of the situation was that the Serbian mine barrage built during the South Slav conflict was removed from the land border section of Baranya only in the spring of 2013, just before the EU accession of Croatia), provoking an extremely hostile reaction from the Croatian Government (Figure 2).

Figure 2 Hungarian fences on the borders



Source: Magyar Idők, October 7, 2015.

Albeit in this game of „hide-and-seek” with migrants, the idea of constructing a fence along the internal border between Hungary and Slovenia within the Schengen Area did emerge, barbed wires appeared only on a minimal section for a period of three days and were shortly removed.

Preparatory works were implemented at the southern Hungarian-Romanian border at the prolonged section of the Hungarian-Serbian border, however, no extensive constructions were initiated.

Fences – besides all other potentially functional interpretations – carry a basic message transcending that of each previous constructions (iron curtain, mine barrage, etc.), namely, that they were not constructed in order to prevent the outflow of Hungarians, nor as a defense against citizens of neighbouring countries, but against specific „third parties”.

Migratory processes gave rise to specific internal and external tensions. Viktor Orbán employed a combative, war-like rhetoric in the fight against illegal immigration and a migrant-friendly Brussels.

In 2015, the issue of the supervision of the southern borders, albeit in a symbolic manner (contingents of 50 people arrived from the Czech Republic, Slovakia, Poland), was delegated to the competence of the Visegrad countries. During autumn 2016, the Austrian Parliament authorised the deployment of 80 soldiers in order to ensure the control of the southern borders of Hungary. This gesture signified that the rest of the three Visegrad countries also consented to and supported the strict control of external borders.

According to Hungarian governmental data, a total number of 17,351 illegal migrants were stopped during the first semester of 2016, 330 people were held in detention centers, and „illegal border traffic was confined almost exclusively to the Hungarian-Serbian border”. The tight Croatian border control prevented illegal crossings along the Hungarian-Croatian border section.

The irregularities and crimes surrounding illegal migration impose a heavy burden on the Hungarian judicial system. Between the end of September 2015 and the end of June 2016, 4942 criminal proceedings were initiated related to the destruction of the fence (the trial surrounding the battle of Röszke gained international notoriety), in 2015, 1176 human smugglers were summoned to trial in Hungary.

At the beginning of July 2016, the Hungarian Government constructed a 8 km-wide deep border zone along the southern state borders. Illegal migrants captured within the deep border zone were immediately sent back to Serbia without court proceedings. In parallel with the construction of the fence, transit zones were built between Horgos in Serbia and the internationally renown town of Röszke in Hungary, and also between Kelebia and Tompa. Those seeking to enter were submitted to strict control, and a total of 100 migrants per transit zone were admitted to the country each day. (This daily figure had dropped to 15 by September, 2016.) Due to the strict Hungarian border control regime, thousands of migrants were trapped in Serbia, Croatia, and it has not become easier to reach Western Europe from the direction of Croatia, either.

As a significant outcome of the refugee and migration crisis, the Government declared a state of emergency in those counties that were most exposed to the massive migration (Bács-Kiskun, Csongrád, Baranya, Somogy, Zala, Vas).

V. European developments, a permanent crisis

The major achievement of the Summit of the European Union and Turkey in November 2015 (whose major agreements have since been interpreted in different ways by the Turkish people and EU leaders) was that theoretically, it created the possibility of restricting the outflow of migrants from Turkey, while, in practice, its impacts have hardly been felt. (While in December 2015, an average number of 5000 refugees arrived each day from Turkey to Greece, at the beginning of January, the daily average was 3000 persons).

In addition to a financial aid of 3 bln euros, the European Union hinted at the possibility of the acceleration of pre-accession negotiations and the elimination of the visa obligation. The channelling of the financial aid is increasingly becoming a function of the effective steps Turkey is willing to take. (In this respect, the Dutch Presidency during the first Semester of 2016 may constitute a milestone.)

EU leaders adopt a novel approach to organising the defence of common EU borders (FRONTEX). FRONTEX, its major mid-term organisation, is responsible for ensuring common, effective border supervision both along external land and sea borders. (The planned cooperation is opposed by a number of member countries). Hungary is potentially affected by

this solution due to its relation to the external Schengen Area (Serbia, Ukraine) and the internal Schengen Area (Croatia, Romania). If a member country fails to perform its obligations in the realm of border control and supervision, this would authorise FRONTEX to proceed in an arbitrary manner.

Besides Hungary, the EU has a key role in shaping the future of the borders of Hungary and the processes characterising the southern border section. This does not only imply that the admission of new member states is based on the unanimous decision of the entire Community (who will be our future neighbours within the EU, along the southern border, only Serbia qualifies as a potential candidate), but that further potential enlargement (the remaining areas of the Balkans, Turkey) will also entail fundamental consequences.

The global refugee and migrant crisis requires that the international community reach a consensus on who may qualify as a refugee, – whose support is not only being prioritised by the current international treaties in force, but by the humanitarian system of values as well – and who are considered as „mere migrants” whose admission or rejection may be judged on the basis of a different set of criteria. (The distinction is all the more crucial since a radical increase of both categories is anticipated.)

The Hungarian refugee quota referendum held on 2 October 2016 serving to decide whether the EU is authorised to settle migrants in Hungary without the consent of the Hungarian Parliament was not valid, since it was attended only by 43.3% of those eligible to vote, thus participation did not attain the minimal threshold prescribed by the law. The rate of submitted pro-government „no” votes was particularly high (98.3%), the weight of „yes” votes was only 1.7%, which is probably due to the rate of consciously submitted invalid votes (6.3%).

The European Union must soon make a long-term decision defining its Common Migration Policy (implying „mere migrants” in this approach), and also its structural policies targeting neighbouring areas. The decision is far from being simple if we consider the current processes and existing structures, not to mention its potential impacts and perspective outcome.

The EU may impose various types of structural decisions concerning external (mainly African and Near-Eastern) migration processes: either it may maintain, fundamentally restrict, (by imposing special selection criteria) or completely break with its welcome policy towards migrants from the neighbouring African and Near Eastern areas. The major obstacles to maintaining the current size of immigration are not primarily demographic and material in nature, but social and internal policy-related. Massive restriction or complete abolishment may lead to a situation of a „fortress under siege”, which would require an unprecedented tightening of border control along the external frontiers of the EU.

The EU must rearticulate its neighbourhood policies within the macro-region, particularly its strategies concerning Islam in a generally visible and understandable way (after the failed attempt to export democracy, the failure of sneaking neo-colonial integration, and a questionable outcome of „supported abandonment”). In the case of Turkey, these approaches may emerge in the context of a multi-dimensional network. In the scenario of the country’s EU accession, one of the strongest and most self-assertive states of the Islamic world would be included within the borders, at the same time, this would not guarantee the EU’s capacity to open up towards the most unstable macro-regions of the world.

Bibliography

Bevándorlási és Állampolgársági Hivatal: Kiadványfüzet. 2015. november. Budapest, 2015. 12. 04.

FRONTEX: Annual risk analysis 2012. Warsaw, 2012 April. (www.frontex.europa.eu)

Hárs Á. – Tóth J. eds. 2010: Változó migráció, változó környezet [Changing Migration, Changing Environment]. MTA TK Kisebbségkutató Intézet, Budapest.

Kovács A. 2012: Migrációs helyzetkép Magyarországon [Migration situational analysis in Hungary]. 299660.html

Nagy B. 2012: A magyar menekültjog és menekültügy a rendszerváltástól az Európai Unióba lépésig [Hungarian refugee law and refugee affairs from the systemic change to EU accession]. Budapest,

Ritecz Gy. – Sallai J. 2015. A migráció trendjei, okai és kezelésének lehetőségei [The trends, causes and possible management of migration]. Budapest, Hanns Seidel Alapítvány.

Sík E. – Tóth J. eds. 1996: Táborlakók, diaszpórák, politikák [Camp residents, diasporas, policies]. Budapest.

Sík E. ed. Magyar Tudomány 2013: Migráció a mai Magyarországon [Migration in current-day Hungary].

UNHCR: Mid-Year Trends, 2014. Genf, 2015. (<http://www.unhcr.org/54aa91d89>)

www.police.hu